and mechanics of use found within school and county sources.

5. Rationale and method for air study within experimental community.

6. Rationale and method for water study within experimental community.

7. Rationale and method for population study within experimental community.

8. Rationale and method for commercial study within experimental community.

9. Rationale and methodology for survey techniques to be utilized within experimental community.

POST OFFICE DEPARTMENT HONORS ROBERT E. RAINSBERRY OF HAYWARD, CALIF. POST OFFICE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1971

Mr. EDWARDS of California. Mr. Speaker, on May 13 I was privileged to be present at the U.S. Postal Service's Fifth Annual Handicapped Awards Ceremony. This splendid program salutes the achievements of postal employees who do their jobs in an exemplary fashion despite severe physical handicaps. The ceremony is always an inspiration to attend. As Postmaster General Blount said in his congratulatory remarks, the achievements of the winners proves that:

It is good business to hire qualified handicapped persons.

I was especially pleased to be in attendance because the runnerup in the annual competition was Robert E. Rainsberry, accounting clerk at the Hayward, Calif., Post Office. Mr. Rainsberry is not only my constituent, he is also a valued personal friend.

A delightful addition to the awards ceremony was the presence of Bob Rainsberry's charming wife, Cecelia, daughter, Roberta, and son Donald. The proud family too should be congratulated upon this great honor conferred upon Bob.

In 1954, Mr. Rainsberry was stricken with polio and subsequently paralyzed from the waist down. After his convalescence, he returned to work and has since been cited consistently for his demonstrated technical knowledge and high standard of sustained duty performance. He has a total of 25 years of postal service.

Miss Hilda Turner, a New York City mail handler, who is totally deaf and partially blind, was named by Postmaster Blount as the year's "Outstanding Handicapped Postal Employee".

Although Miss Turner is totally deaf, unable to speak with clarity and has a severe vision impairment, she has mastered her own means of communication. Such techniques have enabled her to skillfully perform a variety of mail handling duties during the past 4½ years, including the ability to distinguish special delivery mail from air mail letters.

A total of 15 handicapped employees were awarded certificates by Postmaster Blount for their "exceptional job performances" as career postal employees.

Mr. Blount said:

The progress of the employment of the handicapped program in the Postal Service is a success story. Handicapped workers have proved again and again that they are good workers.

He said:

This annual awards ceremony is particularly appropriate, not only because it salutes the achievements of these fine individual winners, but because it reminds us that it is ability—not disability—that really counts.

Mr. James H. Fuller, postmaster of Torrington, Wyo., joined Mr. Rainsberry as runner-up.

Postmaster Fuller was selected for his general efforts aimed toward providing better mail service to both city and rural customers in his area. A victim of rheumatoid arthritis, he is active in civil and church work. A Sunday School teacher for the past 17 years, he serves as a local scoutmaster and is a member of the national, State and local school board associations.

Others honored were: Edward A. Daly, distribution clerk of Miami, Fla.; James F. Abbott, postmaster of Gales Ferry, Conn.; Pranas Jurjonas, distribution clerk of Chicago, Ill.; Charles E. Morris, mail handler of Indianapolis, Ind..

Joe H. Childs, postmaster of Brownwood, Tex.; Harley J. Knight, postal clerk of Birmingham, Ala.; William R. Gorton, postal maintenance employee of St. Paul, Minn.; Frank Britton, rural letter carrier of Fort Madison, Iowa.

Miss Ruth A. Salisbury, postal clerk of North Bergen, N.J.; Edward J. Larson, letter carrier of Bothell, Wash.; Robert L. Kirby, distribution clerk of Baltimore, Md.; and Calvin A. Borror, distribution clerk of Wichita, Kans.

All regional winners were selected on the basis of their job performance, attitude toward work assignments and fellow workers in addition to civil work or other contributions to their communities.

They were chosen from more than 20,000 handicapped postal employees throughout the United States. The U.S. Postal Service is one of the Nation's leading employers of the handicapped.

Present appointments include some 2,700 persons with hearing and speech deficiencies; approximately 3,600 individuals with impaired vision and 500 persons with adequately controlled epilepsy. Additionally, more than 1,800 mentally retarded individuals have been hired by the Postal Service.

Mr. Speaker, we should pay tribute to the Post Office Department, to the Postmaster General, and to Frank F. Davis, Coordinator for the Employment of the Handicapped. U.S. Postal Service, for their efforts in this vital program. No Government department has a brighter record in hiring the handicapped, nor has any department been more richly rewarded by the dedicated labors of the handicapped workers.

Since 1963, more than 20,000 persons with disabilities have been hired by the Post Office Department. In the past 5 years the number has increased by 108 percent, a growth rate averaging 22 percent annually. The increase in qualified workers with retardation has risen 3,000 percent, from 58 to 1,870 and of persons with speech and hearing handicaps from 71 to 1,069, a jump of 1,400 percent. Last year the Post Office hired more than 2,500 persons with disabilities, including 51 persons with epilepsy, 160 mentally restored and 16 totally blind men and women.

This significant record of achievement is not accidental. It could not have happened without the support of the Postmaster General. It could not have happened if Assistant Postmaster Larry Gale did not have trust and confidence in Frank Davis' ability to back up performance with hiring the handicapped.

SENATE—*Tuesday, May 18, 1971*

The Senate met at 9:30 a.m. and was called to order by Hon. MIKE GRAVEL, a Senator from the State of Alaska.

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

O God, our Father, we thank Thee for another day in which to serve Thee.

We thank Thee that Thou hast made us as we are. We thank Thee for eyes to see and ears to hear, for minds to think and voices with which to speak, for memories to remember, and for hearts to love.

We thank Thee for those who today in some way will teach us, for those on whose study, wisdom, and experience we will draw to help us with our work and to assist us in solving our problems.

We thank Thee for the ties of friendship which abide the years and every day give us strength, and for those whose love gives glory to our lives.

Above all else we thank Thee for thyself in whom we trust and by whom we are led in service to this Nation and to all mankind.

We pray in the Redeemer's name. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 18, 1971.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Mike Gravel, a Senator from the State of Alaska, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, May 17, 1971, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendars Nos. 96 (S. 904), 106 (H.R. 5352), and 109 (H.R. 7500).

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

AMENDMENT OF THE UNIFORM TIME ACT

The bill (S. 904) to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 904

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a) is amended by striking out all after the semicolon and inserting the following in place thereof: "however, (1) any State that lies entirely within one time zone may by law exempt itself from the provisions of this subsection providing for the advancement of time, but only if that law provides that the entire State (including all political subdivisions thereof) shall observe the standard time otherwise applicable under this Act, during that period and (2) any State with parts thereof in more than one time zone may by law exempt either the entire State as provided in (1) or may exempt the entire area of the State lying within any time zone".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92-94), explaining the purposes of the measure.

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

PURPOSE OF THE LEGISLATION

S. 904 would permit a State split by time zones to exempt that area of the State lying within a given time zone from the provisions of the Uniform Time Act of 1966 providing for the advancement of time (daylight saving time) between 2:00 a.m. on the last Sunday in April and 2:00 a.m. on the last Sunday in October.

S. 904 is identical to S. 697, introduced by Senator Magnuson and Senator Cotton at the request of the Secretary of Transportation pursuant to his letter of February 1, 1971 to the President of the Senate (copy appears under "Agency Comments").

BACKGROUND AND NEED FOR THE LEGISLATION

The basic authority for the establishment of U.S. time zones is contained in the act of March 19, 1918, which authorized the Interstate Commerce Commission to establish zones and define and modify their limits from time to time "having regard for the convenience of commerce and the existing junction and division points of common carriers engaged in interstate and foreign commerce."

The duty to carry out the laws concerning time zones and standards of time was transferred to the Secretary of Transportation when the Department of Transportation was established on April 1, 1967, which was the same day that the Uniform Time Act of 1966 became effective.

Before the Uniform Time Act of 1966, the individual States, and in some cases, political subdivisions of States exercised their own discretion not only as to whether or not to observe daylight saving time but also as to what dates would control the annual commencement and termination of daylight saving time. The establishment and use of State standard of time different from the prevailing Federal standard time under the 1918 act was construed by the Supreme Court in 1926 as not in conflict with the Federal standard.

The Uniform Time Act of 1966 changed this by establishing a national policy to "promote the adoption and observance of uniform time" within the federally established standard time zones. Specifically, the Uniform Time Act provides that all observance of daylight saving time (which the act calls "advanced" time) shall commence at 2 a.m. on the last Sunday in April and end at 2 a.m. on the last Sunday in October.

The Uniform Time Act also expressly supersedes "any and all laws of the States or political subdivisions thereof insofar as they may now or hereafter provide for advances in time or changeover dates different from those specified in the act."

However, the Uniform Time Act allows any State to exempt itself from observing advanced time, but only if the State, through legislative action, "provides that the entire State (including all political subdivisions thereof) shall observe the standard time otherwise applicable."

To date four States have enacted laws exempting themselves from the observance of advanced time. Each of three of those States (Arizona, Hawaii, and Michigan) lies entirely within one of the eight U.S. standard time zones. Both Arizona and Michigan are located on the western edge of their respective time zones. During the period that time is advanced elsewhere, the clocks in those two States, although an hour out with the rest of their respective zone, coincide with the adjacent time zone to the west.

For example: Arizona, which is in the western part of the mountain time zone, has the same clock setting as the other States in that zone during the nonadvanced months of the year. When the clocks in the surrounding States are advanced, Arizona will be 1 hour behind its neighboring States of Utah and New Mexico in the mountain zone, but on the same clock time as its Pacific time zone neighbors in California and Nevada.

The fourth State that has enacted an exemption law (Indiana) is one of 12 States that straddle time zone boundaries. The effect of statewide exemption in a split State brings disorder and confusion to the logical time pattern that the Uniform Time Act otherwise created.

In Indiana there are two pockets of six counties each, one in the northwest, the other in the southwest corner of the State, located within the Central Time Zone. The remaining counties of the State are within the Eastern Time Zone. Because the Indiana State Legislature exempted the entire State from observing Daylight Savings Time, the 12 Indiana counties located in the Central Time Zone will be required to observe Standard Time the 6 summer months which is totally incongruous with the surrounding regions of their own and neighboring States. Evansville and Gary, Ind., for example, will be 2 hours behind Cincinnati and Louisville and 1 hour behind Indianapolis, Detroit, Chicago, and St. Louis. They will officially be on the same clock time as Denver, Colo.; Boise, Idaho; and Vale, Oreg.

While it might be theoretically tidier to set time zones boundaries so that they coincide with State boundaries, such an arrangement is not always practically feasible. Because of strong external social and economic influences, the eastern and western portions of a given State frequently justify dividing that State between time zones. Sometimes a State's size or physical shape is such as to require a time zone boundary to cut through rather than around it (hereafter referred to as a "split state").

In a split State, advanced time is generally popular in the western part of the State, which is at the eastern edge of its respective time zone. However, in the eastern part of the State, which is at the very western edge of its time zone, advanced time is generally less popular. The eastern residents find that sunrise and sunset occur quite late in the day without advancing their clocks. Notwithstanding the fact that they are in the time zone of their preference during the non-advanced months, when they are required to go on advanced time in the spring they often view it as "double daylight saving time."

When the legislature in a split State considers whether or not to exercise the exemption option, the considerations are far different than those for a State lying entirely within one time zone. The adoption or rejection of statewide exemption in a split State can only satisfy the needs of one geographic section of the State.

Moreover, if statewide exemption is adopted, it will transform the western part of the State into an isolated time pocket during the period of advanced time. The exempt western part will remain 1 hour out of the time with the eastern part of the State, 2 hours out of time with other States to the east, and 1 hour out of time with western neighbors who are usually on the same time.

Your Committee has been informed that although Indiana is the only split State that has exercised the exemption option granted by the Uniform Time Act, similar legislation is possible in other split States.

S. 904 would obviate these difficulties by allowing a split State to exempt the entire area of the State lying within a given time zone. The amendment to the Act would not change the exemption option available to the nonsplit States.

It would, however, afford each of the split States a more workable means of accommodating the majority of its population and avoid the confusion and hardship associated with isolated summertime pockets such as those existing around Evansville and Gary.

As Secretary of Transportation Volpe noted, in part, in his letter of February 1, 1971 requesting the introduction of identical legislation:

Before passage of the Uniform Time Act of 1966, the transportation, broadcasting, and other concerned industries were forced to look to thousands of county and community units to determine whether, and on which dates, each unit observed Daylight Saving Time. The 1966 Act (1) provided industry and the public with set dates on which advanced time could be commenced and ended, (2) prevented the widespread 'checkerboard' effect caused by local option exercised among adjacent counties and communities, and (3) provided the element of certainty, previously lacking, necessary for scheduling and operating continuity.

"The improvements and certainty in time

matters brought about by the enactment of the 1966 Act appear to have improved the situation to the point where only a perfecting amendment as recommended herein is necessary to provide for proper administration of the Act and a means for solving the existing dilemma in Indiana. For this reason the proposed amendment has been drafted so as to limit its effect to the precise situations where local problems have evolved in split States.

Mr. COTTON subsequently said: Mr. President, I enter a motion that the Senate reconsider the vote by which, on the calendar call this morning, it passed S. 904, to amend the Uniform Time Act; the reason being that a companion bill was reported by the committee this morning, with the necessity of its being considered at the same time.

The PRESIDING OFFICER (Mr. CHILES). The motion will be entered on the calendar under motions for reconsideration.

SUPPLEMENTAL MARITIME AUTHORIZATION, 1971

The bill (H.R. 5352) an act to amend the act to authorize appropriations for the fiscal year 1971 for certain maritime programs of the Department of Commerce, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–106), explaining the purposes of the measure.

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

PURPOSE OF THE BILL

The purpose of the bill is to authorize supplemental appropriations for fiscal year 1971 for payment of obligations incurred for operating-differential subsidy by the Maritime Administration of the Department of Commerce.

This authorization is in accordance with Public Law 90–81 (46 U.S.C. 1119) which provides that after December 31, 1967, only such sums as the Congress may specifically authorize by law may be appropriated for the Maritime Administration for—

(1) acquisition, construction, or reconstruction of vessels;

(2) construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships;

(3) payment of obligations incurred for operating-differential subsidy;

(4) expenses necessary for research and development activities (including reimbursement of the vessel operations revolving fund for losses resulting for expenses of experimental ship operations):

(5) reserve fleet expenses;

(6) maritime training at the Merchant Marine Academy at Kings Point, N.Y.;

(7) financial assistance to State marine schools; and

(8) the vessel operations revolving fund.

BACKGROUND OF THE LEGISLATION

Public Law 91–247 authorized appropriations for fiscal year 1971 for the above activities, including $193 million for item No. 3 above, the payment of obligations incurred for operating-differential subsidy. Public Law 91–472 appropriated this amount for such purpose in fiscal year 1971. For reasons hereafter given, authorization for an additional $80 million was found to be required.

On February 25, 1971, the Secretary of Commerce transmitted legislation (H.R. 5352 and its companion bill, S. 1220) to the Congress amending Public Law 91–247 to authorize an additional $80 million for payment of obligations incurred for operating-differential subsidy. The letter of transmittal from the Secretary of Commerce and an accompanying statement of the purposes and provisions of the legislation appear hereafter under the title "Departmental Reports." On March 30, 1971, the committee held hearings on S. 1220, the companion bill to H.R. 5352. On April 20, 1971, the House of Representatives passed H.R. 5352 without amendment.

GENERAL STATEMENT

The requested authorization would provide funds to liquidate contract liabilities for operating-differential subsidy in the amount of $80 million. This authorization relates to the following two important requirements for fiscal year 1971 which developed subsequent to the formulation of original budget estimates for the year: (a) changes in the subsidy payment schedule in fiscal year 1971 ($39,700,000), and (b) liquidation of accrued but unpaid subsidy for fiscal years 1962–69 ($40,300,000).

The Merchant Marine Act, 1970 (Public Law 91–469) contains many improvements in the system by which operating-differential subsidies is determined and paid to U.S.-flag merchant vessel operators. One of these is the establishment of a wage subsidy index system designed to relate subsidies to the general trend of wage increases in American industry. For subsidized operators who will participate in this new subsidy system, a payment schedule for liquidation of accrued subsidies is provided which requires monthly payment of 100 percent of wage subsidies and 90 percent of all other subsidies rather than quarterly payments of 90 percent of all items as in the past. The procedure contemplated by the new program seeks to make the payment as current as possible. This requires the payment of 2 months of additional subsidy in fiscal year 1971. The required increase in funds relating to this legislatively authorized provision of the Merchant Marine Act of 1970 is estimated at $39,700,000.

The remainder of the $80 million increase in the 1971 authorization ($40,300,000) is to provide for the liquidation of fiscal year 1969 and prior years accruals which have remained unpaid, awaiting agreement between operators and the Government as to final subsidy rates. The Assistant Secretary of Commerce for Maritime Affairs advised that agreements have now been reached with most of the operators with respect to these final subsidy rates so that $40,300,000 of the amount previously unpaid with respect to fiscal year 1969 and prior years can be paid during fiscal year 1971.

At the hearing, a witness expressed concern about the possibility that enactment of this legislation might prejudice the outcome of Docket S. 243, an administrative proceeding currently pending before the Maritime Subsidy Board entitled "Investigation Into Alleged Violation of Section 810." However, the Assistant Secretary of Commerce for Maritime Affairs stated that in his view authorization of the amounts in question was unrelated to that proceeding and would not result in any impact on it. After considering the matter, it was concluded that no prejudice would result from enactment of this legislation. However, the committee states again for emphasis that enactment of H.R. 5352 is not intended in any way to influence Docket S. 243.

CONCLUSION

The committee reported this bill unanimously, without amendment. Its enactment is in accord with and necessary for successful effectuation of the 10-year maritime program approved in the 91st Congress.

COST OF THE LEGISLATION

The total cost of the legislation is $80 million.

PLACEMENT OF LT. GEN. KEITH B. McCUTCHEON, U.S. MARINE CORPS, ON THE RETIRED LIST IN THE GRADE OF GENERAL

The bill (H.R. 7500) to provide for the placement of Lt. Gen. Keith B. McCutcheon, U.S. Marine Corps, when retired, on the retired list in the grade of general, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–108), explaining the purposes of the measure.

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

EXPLANATION OF THE BILL

Lieutenant General McCutcheon was nominated by the President on October 16, 1970, for appointment to the grade of general for service as Assistant Commandant of the Marine Corps. The nomination was confirmed by the Senate on December 9, 1970.

Before assumption of office, General McCutcheon was admitted to the U.S. Naval Hospital, Bethesda with a serious illness, and the medical conclusion in his case is that he will not again be fully fit for duty. There is every indication his medical situation is terminal. Regrettably, it will not be possible for General McCutcheon to become Assistant Commandant, and another officer has been nominated for that post. General McCutcheon will be retired for physical disability.

Lieutenant General McCutcheon has served with distinction in three major conflicts, World War II, Korea, and Vietnam. In Vietnam, he held positions of great responsibility, first as commanding general, 1st Marine Aircraft Wing, and deputy commander, 3d Marine Amphibious Force in 1965 and 1966. During 1970, he commanded all marines, ground and air, in Vietnam.

General McCutcheon has been in the forefront of the development and growth of Marine aviation as an integral, equal element of the Marine Air Ground Team since the earliest days of World War II. His contributions in every grade throughout his 33 years of distinguished service have been vital in the development of concepts and techniques for the employment of Marine aviation in amphibious warfare. Lieutenant General McCutcheon would have been the first Marine aviator to be advanced to the grade of general on the active list.

The bill would place Lieutenant General McCutcheon when retired, on the retired list in the grade of general but with retired pay based on his highest active duty grade (lieutenant general). No increase in retirement pay would be authorized.

BACKGROUND

The circumstances of General McCutcheon's case are most unusual, and certainly every compassion attaches to his situation. Very few precedents of this nature exists. Maj. Gen. Claire L. Chennault, USAF, dying of cancer, was advanced on the retired list to lieutenant general and with no increase in retired pay. Rear Adm. Charles C. Kirkpatrick, USN, was nominated and confirmed for service as a vice admiral, but physical disability prevented his appointment. The Judge Advocate General of the Navy concluded the admiral would have to be retired in the grade of rear admiral in the absence of special legislation enacted by Congress.

No generally similar cases have been found in the Army or Marine Corps.

Advancement of Lieutenant General McCutcheon to general would give an equitable result analogous to the present benefits of 10 U.S.C. 1372 (3) and (4) for officers selected to grades up to and including major general: the law authorizes an officer to retire in the grade for which selected if his promotion is denied because of physical disability. This provision of the code is not applicable to generals and lieutenant generals because the officer selection process terminates with selection to the grade of major general. Service in the two senior grades is by reason of appointment to a statutory post or to duty of great importance and responsibility.

FISCAL DATA

There will be no cost to the Government resulting from the enactment of this bill.

DEPARTMENTAL POSITION

The Department of the Navy on behalf of the Department of Defense on April 23, 1971, strongly recommended enactment of this legislation as set forth in the following letter addressed to the chairman of the House Armed Services Committee.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I do not seek recognition at this time.

Mr. PACKWOOD. Nor do I, Mr. President.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Idaho (Mr. CHURCH) is recognized for not to exceed 15 minutes.

(The remarks of Mr. CHURCH when he introduced S. 1887 are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

A PROPOSED LOAN GUARANTEE FOR LOCKHEED

Mr. CHURCH. Mr. President, the Nixon administration is submitting to the Congress legislation authorizing the Federal Government to guarantee as much as $250 million in private bank loans to the Lockheed Aircraft Corp. The immediate purpose of the loan would be to enable Lockheed to obtain financing for production of the Tri-Star jet aircraft for commercial airlines.

As I understand it, the proposed legislation itself does not mention Lockheed in its language authorizing Federal financial assistance to ailing business firms. But John Connally, Secretary of the Treasury, has made it clear that the proposed legislation has been drafted with Lockheed as the beneficiary.

I oppose this proposed legislation, Mr. President. I believe it is flawed in two respects:

First, the premise upon which the proposal rests.

Second, the larger implications generated by the proposal that invites a Federal role in a nondefense, commercial contract.

If the Lockheed proposal bore a motto, it might well be one that reads:

"Socialism for the rich, and free enterprise for the poor."

In my judgment, the proposal may be fairly described as a form of federally subsidized health insurance for one sickly business corporation.

Even if the legislation could be justified in concept, this aircraft corporation holds dubious credentials to be singled out as a beneficiary of Federal largesse. Our colleague, Senator PROXMIRE, fully exposed the costly game of fiscal hide-and-seek the Air Force and Lockheed have played with the American taxpayers over the C–5A. It is Lockheed that received an Air Force "golden handshake" contract to produce the giant cargo plane. The contract represents a sore thumb in the history of military procurement. Fewer planes were produced than originally called for under the contract; costs skyrocketed; and the planes delivered have developed serious flaws in test flights. I need not restate the depressing details on this notorious contract whose costs have outrun the original terms by $2 billion. But there is every reason to believe that Lockheed's present financial difficulties stem from the C–5A contract and a pattern of extravagance associated with its status as the largest defense contractor.

It is true that, in the past, Congress has agreed to bailing out other floundering business firms. Under terms of the 1950 Defense Production Act, for example, Congress authorized guaranteed loans to private corporations. But these loans related to defense contracts. The pending proposal to guarantee loans to Lockheed is to enable the company to fulfill a commercial contract—by which, presumably, Lockheed benefits over its competitors in the field of aircraft manufacture. In other words, the Lockheed proposal has distinctive features that set it entirely apart from past governmental efforts to assist business firms. It is these unprecedented features that should command our grave concern—and incur my own opposition.

Aside from the 1950 legislation I have just referred to, Congress has assisted at least one other major firm by means of special legislation. Last December, again at the request of the Nixon administration, Congress authorized a maximum of $125 million in Federal loan guarantees for the bankrupt Penn Central Railroad. However, this rescue operation was authorized only after the railroad itself had been placed under trusteeship as a result of bankruptcy proceedings. This is not the circumstance under which we are now being asked to help Lockheed.

Why should not Lockheed be induced to enter bankruptcy as was Penn Central? Bankruptcy, as the New York Times has pointed out editorially, does not necessarily mean that Lockheed's employees will be thrown out of work. This did not happen when Penn Central submitted to bankruptcy proceedings. Penn Central is operating; so could Lockheed.

Under the proposal of the Nixon administration, the same Lockheed management that gave us the C–5A debacle would remain in control and eligible for the bailout benefit. Now, I am aware that the distinguished Senator from California (Mr. CRANSTON), a supporter of the Lockheed legislation, has addressed himself to the problem of retaining the present Lockheed management. I share his feeling that bad management should not be rewarded. Senator CRANSTON has served notice that he will introduce an amendment to require that, as a condition of the loan guarantee, all incumbent members of the board of directors of Lockheed resign—and that none be reappointed during the life of the loan guarantee. Obviously, this amendment would improve the bill. But not enough. The resignation of the board would not cure the core defect in the legislation.

Indeed, the Lockheed legislation, as it now stands, could be aptly entitled the Big Business Welfare Act of 1971. Logically, if its premise is sound, there is no reason to limit it to one big concern, Lockheed. Why not, in fairness, open the public purse to all ailing big businesses?

For the matter, why exclude small and medium-sized business concerns? Certainly, many of these need help. Last year, I note, approximately 10,000 small and medium businesses went bankrupt. The Treasury Department did not step forward to offer these little companies a helping hand in the form of Federal loan guarantees. And if large, medium, and small businesses could benefit, why not extend the act to include the hard-pinched American taxpayers who are obliged each April to borrow funds in order to pay their Federal income taxes?

That would bring us around full circle. For this legislation says, in effect, that the American taxpayer, not the businessman, is to be the risk taker of last resort in American economic enterprise.

It further points in the fateful direction of outright nationalization of industries that future administrations may regard as vital.

Fortunately, important segments of the business community share my apprehensions. According to the Wall Street Journal, many "top business leaders overwhelmingly oppose" the Lockheed legislation.

Furthermore, Senator MANSFIELD, our distinguished majority leader, has summed up the matter in his characteristic bluntness. It is not, Senator MANSFIELD has said, "the function of a democratic government to pick up the tab for failures of private enterprise."

Mr. President, the Banking and Currency Committees of the Senate and the House of Representatives will hold hearings on the Lockheed legislation. I hope that, as a result, the committees will oppose the bill as presently drafted. Conceivably, the measure could be overhauled so as to make it more acceptable.

As written, however, the legislation should be voted down. If enacted, it would establish the first outright welfare program for an indigent business firm. Once we start down that road, we abandon the foundation of free enterprise, the basic principle that privately owned businesses must assume the risk for success or failure, for profit or loss, in the competitive marketplace.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks certain articles that discuss the Lockheed legislation:

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

[From the Washington Post, May 7, 1971[

WHITE HOUSE SEEKS LOAN FOR LOCKHEED

(By Robert J. Samuelson)

The White House formally announced yesterday that it will seek congressional approval to guarantee $250 million worth of bank loans to the Lockheed Aircraft Corp.

Treasury Secretary John Connally predicted that the legislation would pass on the strength of the adverse effect Lockheed's bankruptcy would have on the economy. He said he was "encouraged by the soundings we've taken" in Congress.

Lockheed needs the additional funds to continue production of the L–1011 commercial TriStar jet, which has been ordered by three major U.S. airlines—Trans World Airlines, Eastern Airlines, and Delta Airlines. The banks however, have resisted making additional loans without federal protection.

Lockheed's current problems started with the bankruptcy in February of Rolls Royce Ltd., the British engine manufacturer for the L–1011. New loans to Lockheed have been demanded by the British government as a condition for investing $290 million in Rolls to continue engine production.

At a White House press briefing, Connally conceded that even in bankruptcy arrangements could be made for Lockheed, the nation's largest defense contractor, to continue its major defense work. But he described the collapse of the L–1011 commercial jet project in somber terms.

It would mean, he said, the elimination of about 24,000 jobs and the loss of nearly $1.4 billion already invested in the plane by Lockheed ($375 million), banks ($400 million), airlines ($340 million), and subcontractors ($350 million).

With unemployment now at 6 per cent, the "ripple effect" of the bankruptcy on business confidence and activity could retard recovery of the economy and cut tax revenues, Connally said. It was primarily this factor, he added, that convinced the President to support the loan guarantee.

Nevertheless, the proposal faces stiff congressional opposition—a fact apparently recognized by both Lockheed and the bankers.

According to reliable congressional sources, Daniel Haughton, Lockheed's chairman, yesterday visited Sen. Warren G. Magnuson (D-Wash.), chairman of the Senate Commerce Committee, in an attempt to persuade Magnuson to support the loan guarantee.

Last week, A. W. Clausen, president of the Bank of America, one of the "lead banks" for the 24-bank group that has already lent Lockheed $400 million, talked to at least three key senators about the guarantee legislation: Sen. John Tower (R-Tex.), ranking minority member of the Banking and Currency Committee, Sen. William Proxmire (D-Wis.), ranking Democrat, and Sen. John Sparkman (D-Ala.), the committee's chairman.

The legislation—which is said to limit the guarantee to loans of five years or less—will probably be assigned to the Banking and Currency Committees. Earlier this week, Sparkman said he expected his committee to approve the proposal.

However, Rep. Wright Patman (D-Tex.), Sparkman's House counterpart, has opposed the loan guarantee and characterized it as an attempt to save the banks' investment in the company. Another leading committee member, Rep. Henry Reuss (D-Wis.), expressed similar reservations yesterday.

If approved by Congress, the Lockheed loan guarantee would be the largest ever advanced by the government to aid a private corporation, Treasury officials said. Under the Defense Production Act of 1950, the government has routinely guaranteed loans to many corporations, but the largest was $100 million, and most of the loans were directly connected to defense contracts.

According to congressional sources, the Lockheed plan is vulnerable on two counts—first, its size; and second, the fact that the guarantee is tied to a commercial project.

Many congressmen have expressed fears that passing Lockheed legislation would set a precedent for "bailing out" large companies. Sen. Magnuson, for example, is reported to be "skeptical" about the plan, fearing that a guarantee would give Lockheed a competitive advantage over rival aerospace firms, such as Boeing (headquartered in Magnuson's home state) and McDonnell-Douglas.

Proxmire, a persistent Lockheed critic on the company's C–5A Air Force transport, is expected to attack the proposal as an unwise attempt to rescue the large investors in Lockheed, including banks. Proxmire undoubtedly will also repeat charges that the company's problems stem primarily from mismanagement and resulting losses (about $480 million) on military programs.

At his press briefing yesterday, Connally sought to neutralize some of these arguments.

On federal guarantees, he recalled that the government now guarantees public deposits in commercial banks and savings and loan associations; stock accounts in brokerage houses and, loans for U.S. exports.

He also noted a $75 million loan guarantee (¾ of which was covered by the federal guarantee) to the Douglas Aircraft Corp. in 1967; although the Defense Department cited military projects in making the guarantee, Douglas' financial problems then stemmed from cost overruns on its DC–9 commercial jet.

Douglas eventually was merged into McDonnell Aircraft, and the loan was repaid.

Connally also insisted that the loan would be repaid and that there would be no federal revenue loss.

[From the Boston (Mass.) Globe, May 9, 1971]

LOCKHEED: SST RERUN

(By Mary McGrory)

WASHINGTON.—The Administration's attempts to rescue the Lockheed Aircraft Corp., the "pitiful, helpless giant" of the aerospace industry, promises to be a rerun of the debate over the Supersonic Transport—but it will be an SST fight without the Audubon Society.

The same elements are present: The use of public money for huge planes of unproved need; the papering of the military-industrial complex, and question of priorities—why should the hungry rich be favored over the hungry poor?

But the birdwatchers and the nature-lovers who provided such a powerful public lobby against the SST have not joined the lists against Lockheed. The giant 1–1001 Airbus which the near-broke company is trying to produce poses no new ecological threat.

Treasury Secretary John Connally, the White House's prized Democratic star, is using the full force of his considerable persuasive powers to convince Congress that the Domino Theory is at play here. If Lockheed falls, he argues, its numerous subcontractors will also collapse and thousands more will be unemployed.

Few men on Capitol Hill are weeping publicly over the plight of Lockheed, which has had considerable difficulty in adding up its estimate figures, but the tendency to go along is still strong, and Senate Majority Leader Mansfield, who does not approve of the $250 million bail-out plan, has mournfully predicted its passage.

The most independent man still in uniform, Adm. Hyman S. Rickover, who testified before the Joint Economic Committee last week, dismissed the unemployment argument. He said that the work would go on, and probably would prosper under more efficient management.

Rickover noted acidly that in Soviet Russia, corporation heads who fail pay "with their necks."

"We, on the other hand," he said, "protect those who fail and grasp them to the government's bosom. We let them privatize profits and socialize losses."

Rickover's views are shared by several battle-scarred veterans of the wars of Lockheed's $2-billion "over-run" on the C5–A, which subsequently required a special $200-million "contingency fund" last summer.

Sen. William Proxmire (D-Wis.), the scourge of the Pentagon spenders, has vowed a fight to the finish. Since he is in superior physical condition, the spectre of a filibuster is raised. He has not decided what he will do.

The philosophical embarrassment of conservatives, whose dedication to the free enterprise system supposedly embraces the freedom to fail is not expected to be of major consequence, since most of them are at the same time fast friends and supporters of the military-industrial complex.

The hope of Lockheed's foes, surprisingly, is the business community, which has been unexpectedly grumbling at the precedent-setting nature of the enterprise. They presumably would not object to the help, but they fear government interference in their affairs.

At a meeting of the business council in Hot Springs, several tycoons expressed their displeasure. It has been reported that General Electric, which would have liked the contract for the L–1011 engines, has written a letter to the Administration calling for "an American solution" to Lockheed's problem. Hapless Lockheed awarded the engine contract to Rolls-Royce, the British firm that went bankrupt this winter.

The major effort of the anti-Lockheed forces, now making preliminary plans on Capitol Hill, will be to pry open the Lockheed books because, they say, they would reveal practices that would arouse business colleagues and the general public as well.

The Pentagon, Lockheed's patron and principal customer, stepped in last summer to shield the company's "cash-flow analysis" from the gimlet eye of Proxmire on grounds never clear to the senator.

If the House Banking Committee, which is led by Wright Patman, the Texas populist, demands to see the books, considerable public interest might result.

There is little hope that the "clannish" aerospace fraternity actually would send hostile witnesses to Capitol Hill. They would not like to antagonize the Administration, which also gives them a great deal of business; besides, they are engaged in hazardous enterprises which might need government grants later on.

But the prospects are that many embarrassing questions will be asked, particularly at the House Banking Committee, and both the Pentagon and Lockheed will be pressed to tell considerably more about their incestuous relationship than they think the public ought to know.

And Sen. George D. Aiken (R-Vt.), has just joined the fray, to inquire why the White House is so solicitous about one big business when small businesses, unlamented and unaided, go under at the rate of 10,000 a year.

[From the Wall Street Journal, May 10, 1971]

ADMINISTRATION'S BID TO BAIL OUT LOCKHEED IS WIDELY OPPOSED BY TOP BUSINESS LEADERS

(By Albert R. Hunt)

HOT SPRINGS, VA.—The nation's top business leaders overwhelmingly oppose the Nixon administration's effort to bail out Lockheed Aircraft Corp. with $250 million in loan guarantees.

This sentiment was repeatedly echoed, often privately, by members of the blue-ribbon Business Council at its spring meet-

ing here. "There appears to be almost universal opposition to government intervention in the Lockheed situation," said one council member.

During the sessions the businessmen also expressed:

—Strong doubts that inflationary pressures are significantly receding and particular worry about the possibility of a new burst of inflation next year.

—Continuing skepticism over the administration's forecast of a rapid economic recovery this year. They generally predicted that the unemployment rate will remain higher than 5% until late next year.

—Surprisingly little concern over the international monetary crisis, although several executives said the complexities of the situation baffled them.

—Deep concern over growing antibusiness sentiment in the country. But they were admittedly perplexed over how to cope with this problem.

A "DISTURBING PRECEDENT"

Many of the businessmen were plainly troubled by the Lockheed proposal. "As a precedent, it disturbs me," said Donald M. Kennedy, president of PepsiCo Inc. and a close friend of President Nixon. Asked whether a Lockheed failure could dangerously undermine business confidence, he responded, "It wouldn't affect my confidence."

Some council members, including William M. Allen, chairman of General Electric Co., even were actively drumming up opposition to the administration's proposal, according to one participant at the meetings. GE reportedly has attacked the plan because Lockheed's L1011 plane would use a Rolls-Royce engine, which competes against GE's own jet engine.

Mr. Borch's opposition particularly antagonizes administration officials. "It seems pretty hypocritical that in the same week GE would ask Congress for reimbursement for its expenses on the supersonic transport plane, and then oppose any effort to help Lockheed," one administration man fumed.

But these officials conceded that the Lockheed proposal faces a tough uphill fight in Congress. "As of now, our chances are certainly less than 50–50," one insider said. Some top officials are known to believe the only chance for favorable congressional action is to broaden the proposal so other companies also could qualify for similar guarantees.

Over the weekend, Senate Democratic Majority Leader Mike Mansfield of Montana said it isn't "the function of a democratic government to pick up the tab for the failures of private enterprise," the Associated Press reported. But the Senate Leader added he "wouldn't be surprised" if Congress approved the Lockheed request.

GLOOM ON INFLATION

On the question of the economy, all the council's leaders voiced concern that although inflation appears to be abating somewhat, the problem is far from under control. "Inflation is still the No. 1 problem in this country and I'm frankly not optimistic about making much progress over the next year," one corporate executive said.

Irwin Miller, chairman of Cummins Engine Co., said wage and price controls are necessary to reduce the unemployment rate to the 4% level. Mr. Miller also called for a reinstatement of the 7% investment-tax credit in place of the administration's proposed liberalization of depreciation guidelines and suggested this should be accompanied by an increase in the corporate tax rate.

But George Shultz, director of the Office of Management and Budget, said he disagreed "sharply" with Mr. Miller's call for controls. He said inflationary pressures have been moderating "for a number of quarters." And at a press conference, Mr. Miller said the reaction of his fellow businessmen to these proposals was "substantially unfavorable."

Some of the economic advisers to the council, however, expressed concern that the current "expansionary forces could rekindle inflation in 1972," and generally agreed that "no increase in monetary and fiscal stimulus is currently required." These advisers reiterated their forecast of three months ago that the gross national product will total about $1.05 trillion this year, rather than the $1.065 trillion forecast by the administration.

JOBLESS RATE

The advisers predicted that real output will grow about 3% this year and that inflation "isn't expected to exceed 4.4%," down from last year's 5.3% pace. But they predicted only a "moderate drop" in unemployment to about 5.5% by year-end. On Friday, the Labor Department reported the jobless rate edged up to 6.1% last month from 6% a month earlier.

In response to questions, R. V. Hansberger, president of Boise Cascade Corp. and chairman of the council's economic committee, said the jobless rate will remain above 5% until "late 1972." The Nixon administration has said the unemployment rate will be in the area of 4% by the middle of next year.

The business leaders also forecast a "weak third quarter" this year because of the current heavy steel buying in anticipation of any possible strike. But the economic consultants agreed a steel strike would have only a "very minor impact" on the economy, Mr. Hansberger said.

THE MONETARY ENIGMA

The businessmen said they were watching the international financial situation closely, but voiced few hard opinions on this subject. "It's all so complex it's difficult to figure out what's happening," confessed one corporate chieftain.

Vice President Spiro Agnew, however, told the businessmen the international problems wouldn't be allowed to impede U.S. economic growth. "We shall continue to take appropriate action to reduce the temporary glut of dollars abroad," the Vice President said in a prepared text for his dinner address to the business leaders. "But what we will not do is put the U.S. economy through the wringer in order to deal with a temporary situation."

Much of the three-day meeting was spent discussing the increasing public criticism of business. Thomas W. Benham, executive vice president of Opinion Research Corp., told the businessmen that surveys show an increase in antibusiness sentiment in every year since 1965.

Most of the business leaders agreed that business' image problems largely are caused by the increased interest in consumerism and environmental matters and by the problems of inflation. And a number of businessmen conceded that some of the criticism was legitimate.

CHALLENGE TURNED DOWN

There wasn't any consensus, however, on how to deal with this problem. C. B. McCoy, chairman of Du Pont Co., suggested that "head-to-head contact with critica" is often desirable. But a short while later, at a press conference, James M. Roche, Chairman of General Motors Corp., turned down a debate challenge issued a few weeks ago by consumer advocate Ralph Nader. "I see no benefit in anyone from General Motors debating Mr. Nader," he said, asserting that GM always has responded to Mr. Nader's many criticisms of the company.

Ironically, the staunchest defender of business turned out to be a government official—Commerce Secretary Maurice H. Stans. He said surveys show that business "is more than 99.44% pure" in that buyers are fully satisfied with transactions. Pressed on this point, Mr. Stans later conceded this was only his own "personal estimate."

Despite differences over the Lockheed proposal and the economy, the businessmen generally expressed satisfaction with President Nixon. A number, however, were less enthusiastic about Mr. Agnew. "The vice President has said a lot of things that needed to be said," observed one council member. "But I think he's really polarized the country," he added. In contrast, many businessmen heaped lavish praise on Treasury Secretary John B. Connally, who canceled his scheduled appearance before the group because of the international financial crisis.

[From the Washington Star, May 12, 1971]

LOCKHEED AS WELFARE RECIPIENT

(By Frank Getlein)

Much of the opposition to Secretary of the Treasury John B. Connally's plan to save Lockheed Aircraft Corp. by government guarantees of loans that prudent bankers are unwilling to make without such guarantees stems from misunderstanding. Opponents think of the proposed guarantees as just a quarter-of-a-billion handout to a firm which has proved itself incompetent.

From one point of view, that interpretation has a certain merit. Most money managers, no doubt, normally would insist on a change of top personnel and policies before pouring such substantial sums into current personnel and policies.

But Lockheed is a special case. The loan guarantee can best be understood as an instance of welfare payment—the biggest, to be sure, and one allowing the luxury items that will make the traditional weekend at the Waldorf for welfare mothers seem like hard times. But welfare it is, and a comparison between Lockheed's troubles and those of its fellow candidates for the dole can be very enlightening in both directions.

Like its fellow welfare recipients, Lockheed probably ought to be saved simply because national policy ought to be that no Americans should go hungry. But both Lockheed and the more usual welfare case have a more direct claim on the government than such basic humanitarianism.

The average, job-holding, tax-paying citizen in this country is sometimes heard to complain of welfare people that they are shiftless and incompetent or they wouldn't be where they are. The same complaints, of course, can be made—and made more legitimately—against the top officials of Lockheed.

It certainly could be argued that these officers are shiftless and incompetent or their company wouldn't be where it is, standing in need of prayer. Connally, like any good welfare case worker, has refrained from pointing that out, not because it isn't true, but because rubbing it in will not be helpful in their rehabilitation.

But the real claim for welfare that Lockheed has on the government is the same as that of the welfare recipient of more modest dimensions. This is that government has brought him where he is today. The United States government is largely responsible for Lockheed's plight, as it is for the plight of the people in Harlem and Southeast Washington. Welfare, in both cases, is only a feeble effort to deal with a mess mainly created by the government.

In the case of the usual welfare client, his unemployment—and even unemployability—goes back to the New Deal farm programs, which still are in operation long after the need they addressed has ceased to exist. The programs seem to exist nowadays chiefly to make millionaires out of agricultural chairmen in Congress and to give New York ad men a tax haven. But their historic effect has been to drive thousands of farm labor fam-

ilies off the land, north to the cities and, inevitably, onto welfare.

Victims of government action, they are entitled in simple justice to government compensation in the form of real training for new kinds of work.

Similarly, Lockheed's top management has been reduced to its apparent incompetence by direct government action. For years now, the Pentagon and the space program, by handing out government contracts without benefit of competitive bidding, have been undermining the natural abilities of American top management in many industries, but especially the aerospace industry.

If Lockheed's leaders are shiftless and incompetent, they have been made that way by the government. The government, therefore, in simple justice, has an obligation to contribute to their support and to offer some sort of retraining program to get them back on their feet. Once these corporate executives experience the deep satisfaction of supporting themselves, they will be motivated to keep on doing so. This unquestionably is what Connally, as case worker, has in mind.

Governors Reagan and Rockefeller and other social thinkers have been talking lately about the need to get some work for the public good out of welfare recipients. There's a lot in the idea as it might be applied to Lockheed. On the one hand, it would give those incompetents at the top the self-confidence they need. On the other, it would show the public they were getting something for their quarter-billion.

It is much to be hoped that the coming congressional debate will center on the need for rehabilitation through productive work on the part of the nation's biggest welfare client.

[From the Boston (Mass.) Globe, May 13, 1971]

ON BAILING OUT LOCKHEED

President Nixon's proposal that the American taxpayer guarantee a $250 million loan to the Lockheed Aircraft Corporation to rescue it from bankruptcy has been greeted with mixed yeas and nays. One would like to be sure the President's judgment on this is the correct one, but certainly is lacking.

Only one thing can be known for sure. This is that taxpayers in other parts of the country will not immediately see why they should risk their funds because Mr. Nixon believes that "we need a strong airframe producer like Lockheed in southern California." The issue has to be larger than that.

Treasury Secretary John B. Connally, Jr. states that 10,000 persons are directly employed at Lockheed on the L–1011 airbus program which the loan is intended to rescue, and that 14,000 others are working on various phases of the same project on subcontracts in 35 states. Lockheed chairman Daniel J. Haughton puts the job figure higher. He says that 31,000 are employed, that the inventory totals more than $1 billion, and that an additional 7000 employees now laid off would be restored to the payroll if the loan he seeks were guaranteed. Mr. Nixon and Mr. Connally argue that the whole economy would be adversely affected were Lockheed permitted to go under.

With unemployment climbing again and the economy still in the doldrums, no one likes to contemplate a disaster which would be reflected in either more job losses or greater economic uncertainty in the nation.

"In normal times," Mr. Connally has conceded, "the government might have chosen not to act. But the present state of the economy has persuaded us that Lockheed should not be allowed to go bankrupt."

But it is argued that receivership for the company does not necessarily mean the loss of either jobs or inventory, that both could respond favorably to the dismantling of a management which has been called dismal. It is argued, but not with complete accuracy, that the bankruptcy of the Pennsylvania Railroad did not cost jobs. But whether this is completely so or not, still another question immediately arises.

This, as in the case of the railroads, all of whom were left their profitable freight traffic when the government corporation, Amtrak, took over the revenue-losing passenger operation, is as to how far government should go toward bailing out commercial enterprises when they fail to return a profit to their stockholders. A titanic struggle over this was fought during the Depression bank holiday in the '30s when several banks were permitted to go under on the insistence of the late Sen. James Couzens (R-Mich.), himself a large bank stockholder, that the loss should be to the stockholders, who had reaped large profits in prior years, and not to the taxpayers.

There is of course no certainty that there will be a loss in this instance. Mr. Connally states that the company's troubles stem mainly from the failure of Britain's Rolls-Royce Co., and that a $288 million loan from the British government will get it over this hump. Mr. Connally also has given "assurance" that Lockheed "will not set a precedent for similar actions in the future." But his assurance has raised more questions on Capitol Hill than it has answered. The questions go not only to the propriety of such a loan guarantee but to the alleged waste by Lockheed management over the years and its utter dependency on lush defense contracts.

Rep. William S. Moorhead (D-Pa.), a member of the House Banking and Currency Committee, Senate Majority Leader Mike Mansfield, Sen. William Proxmire (D.-Wis.) and others all express misgivings in one degree or another. Mr. Moorehead is especially caustic. He cites Lockheed's large cost overruns on the C–5A cargo plane and other defense contracts, and castigates Lockheed chairman Haughton as one who "by sheer guts and bailing wire has kept his group of incompetents afloat by intimidating the Federal government with threats of corporate suicide and then walking out with the taxpayers' money."

In all of these circumstances, nothing less than the independent study and the "searching" investigation promised by Chairman Wright Patman of the House Banking and Currency Committee will suffice.

[From the New York Times, May 14, 1971]

THE LOCKHEED LOAN

The Administration has asked Congress to authorize a $250-million loan guarantee to save the Lockheed Aircraft Corporation and its L–1011 (TriStar) airbus program. The bill that was sent to Congress yesterday does not mention Lockheed directly but only proposes loans for major business enterprises in danger of failing. Secretary of the Treasury Connally stated, however, in a separate letter to Congress that "substantially all" of the $250-million would go to Lockheed.

The fact that the legislation is written in terms that would apply to any major business in danger of failing compels Congress to decide what broad public policy it wishes to adopt with respect to private corporations on the verge of bankruptcy.

Senator Cranston of California, who supports the $250-million loan, says that it should be accompanied by an amendment requiring a complete change in the company's present management. He quotes an unnamed businessman as saying, "Why reward bad management? If we bail out Lockheed, it will cost the Government vast sums and the signal will be out: be wasteful—it doesn't matter. Uncle Sam will come to the rescue." Many of the nation's business leaders share this view.

The alternative would be to let the company reorganize in bankruptcy without any Government loan warranty at all. This would have the advantage of permitting an outside group named by the court to come in and examine why the company failed. This procedure is proving out in the case of Penn Central—which Congress wisely decided not to rescue from bankruptcy.

Letting a company go bankrupt does not necessarily mean tens of thousands of jobs will be wiped out. That has not happened in the case of Penn Central, and it need not happen to Lockheed. The company can be operated in bankruptcy—just as the British Government has decided to do in the case of Rolls Royce.

It may be argued that the cases of Penn Central and Lockheed are really very different, because Lockheed is a big defense producer and Penn Central is not. But Lockheed is also a civilian producer, and the $250-million loan is designed specifically to bail it out on the L–1011, a carrier for the commercial airlines. The Government is certainly one of the important customers of Penn Central, which in all its operations affects the public interest. Few major businesses are without an impact on the public interest—and some direct involvement in national defense. Are they all to be regarded as eligible for bail-outs if they are on the verge of bankruptcy?

The present Administration, which likes to think of itself as the champion of free enterprise, is violating its own principles in seeking to rescue Lockheed's management by a Government-guaranteed loan.

Mr. CHURCH. I ask unanimous consent that an excellent speech by the distinguished Senator from Wisconsin (Mr. PROXMIRE) to be delivered today before the National Federation of Independent Business in Washington, D.C., sharply critical of the proposed Lockheed legislation, be printed in the RECORD at this point.

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

THE LOCKHEED BAIL-OUT: A THREAT TO FREE ENTERPRISE

(By Senator WILLIAM PROXMIRE)

I am delighted to have the opportunity to address the National Federation of Independent Business. Despite the trend towards industrial concentration, small business firms have been the source of much of our technical and economic progress. Your organization has been an articulate and convincing spokesman for the small businessman. It has done an excellent job in representing the needs of small business to government officials in Washington.

Today, I want to speak to you about a grave threat to our system of free competitive enterprise. I am referring to the Administration's proposal to bail-out the Lockheed Aircraft Corporation with a $250 million Federal loan guarantee. If this proposal is approved by the Congress, it could mark the beginning of a new era of increased governmental control over business and industry. It is indeed ironic that such a proposal would come from a supposedly conservative Administration.

The nation's top business leaders are universally opposed to the Lockheed bail-out and rightfully so. I believe the proposed loan guarantee is unfair to all efficiently managed business firms—both large and small.

For nearly two hundred years, our economic system has been founded on the principle of free and open competition. We have sought to maximize competition in order to provide the best product to the public at the lowest possible price. In so doing, the free market system has exerted a harsh but useful discipline on business enterprise. Efficient

and well managed firms are rewarded with higher profits and sales. Inefficient and poorly managed firms are penalized—the ultimate penalty being bankruptcy and receivership.

The freedom to fail may at times appear to be an overly painful solution—particularly to the firm going out of business. But business failures serve a higher public purpose. They are the means by which our economy discards obsolete or inefficient ways of doing business. In this way, the overall efficiency of our economy is improved. Business failures are not tragic events to be prevented—they are the sign of a healthy and productive economy. The freedom to fail is in no small way responsible for our unsurpassed record of economic achievement. Without the freedom to fail, our economy would still be producing buggywhips and kerosene lamps.

The principles which have made our economy grow and prosper would be seriously compromised by the Lockheed loan guarantee. Instead of penalizing inefficiency and mismanagement, we would be rewarding it. Instead of retiring inept executives, we would be perpetuating them in their jobs. Instead of holding men accountable for their mistakes, we would bail them out.

Despite the size of the aid being sought, Lockheed has been strangely reluctant to open its books to the public. For example, I tried repeatedly to obtain a cash flow statement from the company. This is a statement which any prudent banker would insist upon before making a loan. Company officials have refused to make such a statement available to the Congress.

The reason given for the loan guarantee is to permit continued production of the L–1011 Tristar airbus. Bankers are said to be reluctant to finance the project on their own given the uncertain commercial feasibility of the plane. For example, Lockheed has orders for only 178 planes whereas most industry experts put the break-even point at around 250. If the L–1011 is a commercial flop, where will Lockheed get the money to repay the $250 million in guaranteed loans? If the project fails it is the Federal taxpayer who will foot the bill.

In other words, the Administration is asking Congress to risk $250 million of the taxpayer's money to guarantee a loan which the nation's top bankers feel is too risky to make on their own. If the project is commercially sound, why won't Lockheed's bankers finance it? A group of 24 of the country's largest banks have already loaned Lockheed $400 million on the L–1011 project. I would think these bankers would be more than willing to loan an additional $250 million to protect their original investment if there was a reasonable prospect of repayment.

If there is not a reasonable prospect of repayment, why should the Federal taxpayer be called upon to take the risk?

There is some evidence that it is not the banks who are insisting upon the Federal guarantee but rather the British government. British officials say they will not loan Rolls Royce the money needed to complete production on the engines for the L–1011 unless the U.S. government guarantees bank loans to Lockheed. Even if U.S. bankers are willing to make unguaranteed loans to Lockheed the British government would not be satisfied.

It is interesting to examine the reasoning implicit in the British position. The British government naturally doesn't want to put more money into Rolls Royce without assurances that there will be a market for the engines. If Lockheed fails, there is no market. The probability that Lockheed will fail is not reduced by a guaranteed loan as opposed to an unguaranteed loan. A loan guarantee does not insure the success of the project—it merely guarantees the banks against loss. Why, then, is the British government so insistent that the U.S. government guarantee the loan? The answer must be that they assume the U.S. government will not permit the company to fail if $250 million of taxpayer funds are at risk. In other words, the British assume that the U.S. government will bail-out Lockheed with additional guaranteed loans or with additional defense contracts or with more favorable terms on existing contracts such as the C–5A in order to protect the $250 million guarantee. That is why they want the U.S. loan guarantee and are not satisfied with unguaranteed loans.

The British drove a hard bargain and U.S. negotiators knuckled under despite the fact that our side had a better hand. For example, the General Electric Corporation has offered to supply engines for the L–1011 airframe at a price which would not increase the overall cost of the plane compared to the price with the Rolls Royce engine. Moreover, the G.E. engine would be built to the original contract specifications rather than to the lower specifications proposed by Rolls Royce and the British government. Even more important, U.S. jobs would have increased by about 10,000 and our balance of payments would have been bolstered. A U.S. engine would also involve more subcontracts to U.S. business firms, thus strengthening our economy.

If the U. S. government had said no to the British, Lockheed would have been forced to renegotiate its engine contract with a U.S. supplier such as G.E. or Pratt and Whitney. U.S. banks would no longer have had the British government as an ally in pressing for a Federal guarantee. Assuming a reasonable prospect of repayment, I am convinced that U.S. bankers would then have agreed to make additional loans to Lockheed without a Federal guarantee in order to protect their original investment. Under these circumstances, everyone would benefit except the British. The Administration's bill, therefore, is really a bail-out of Rolls Royce and the British government at the expense of the United States. Once again our government has been done in by the British.

But what if the bankers would not put up the money. The Administration argues that this would force Lockheed into bankruptcy and throw the 24,000 men on the L–1011 project out of work. A Federal loan guarantee would keep the L–1011 project alive and preserve the 24,000 jobs according to the Administration's argument.

Under what circumstances would the banks agree to jeopardize their existing $400 million investment by permitting Lockheed to declare bankruptcy? Only if the bankers were convinced there was no reasonable prospect of getting their money back would they refuse to loan an additional $250 million to Lockheed for the L–1011 project. If the L–1011 is that poor a risk a Federal loan guarantee will not save the 24,000 jobs—it will only postpone the ultimate day of reckoning while losing the taxpayer's $250 million. If the L–1011 cannot compete in the market place, it is better to cut our losses now rather than throwing the public's money down the Lockheed rathole.

Actually, the concern over jobs is misplaced. Even if Lockheed cancelled the L–1011 project, the slack would be taken up by its competitors—most probably McDonnell-Douglas, producer of the DC–10. The McDonnell-Douglas plant in Long Beach is only 30 miles from the Lockheed plant in Burbank. While there would be transition problems, most if not all of the discharged workers could ultimately find reemployment with McDonnell-Douglas. Moreover, at least 10,000 new jobs would be created if McDonnell-Douglas replaced Lockheed since the DC–10 uses the American built G.E. engines rather than the Rolls Royce engine.

There is no way the United States can come out ahead under the Lockheed bail-out. Moreover, there is much to be lost.

The most obvious loss is the taxpayer's $250 million if the L–1011 project fails. The loss may be direct and obvious if the loan is in default. However, the loss is more likely to be indirect and hidden and it could substantially exceed the $250 million. The Administration would probably try to avoid the embarrassment of a formal default by bailing out Lockheed in other ways. They might award them non-competitive defense contracts. Or they might relax the terms on existing contracts. Either way will cost the taxpayer money. The loss could exceed $250 million since the Administration might be willing to pay more in hidden subsidies in order to avoid the public embarrassment of a loan default.

Secondly, the proposed guarantee sets a dangerous precedent for our economy. It tells the business community "don't worry about efficiency. Uncle Sam will pick up the tab if you are in danger of failing, provided you are big enough." There is already talk about broadening the legislation to cover additional large companies who find themselves in financial difficulties. The availability of Federal guarantees removes the incentives for sound management. The long term damage to the efficiency of the economy can be enormous.

Third, the proposed guarantee is unfair to Lockheed competitors who must now compete against the Federal government as well as Lockheed. Moreover, the Federal government is now likely to favor Lockheed over other contractors in order to protect the guarantee. Since 80% of defense procurement is not awarded through competitive bidding, the opportunities for favoritism are abundant. Well managed firms will find themselves losing out on contracts to Lockheed even through the well managed firms submit lower bids.

Fourth, the proposed guarantee is grossly unfair to small business. It applies only to large firms and not to small firms. It sets a precedent that big firms cannot be allowed to fail but little ones can. If Lockheed can get a Federal guarantee to keep from going broke, why shouldn't the same aid be extended to all firms, large and small?

In 1970, there were 10,700 business failures not counting railroads, financial institutions, and many one-man proprietorships. Almost all of the 10,700 were small—98% had liabilities under $1 million. The total liabilities of the 10,700 failing firms were $1.9 billion, considerably larger than Lockheed's total liabilities of $1.3 billion at the beginning of 1970.

The failure of the 10,700 small firms in 1970 involves a greater impact on the economy than the failure of Lockheed. Total liabilities are nearly 50% greater than Lockheed's. Moreover, many of the small firms were liquidated, whereas most of Lockheed's business would continue under court appointed trustees. Even the Administration admits that Lockheed's defense contracts would continue under bankruptcy. Only the Tristar would be cut back. About $1 billion of Lockheed's total liabilities are connected with the L–1011. Thus the failure of the 10,700 firms with liabilities of $1.9 billion had nearly twice the impact on the economy that a Lockheed failure would have.

If a Lockheed failure is so disastrous, why not prevent all business failures? It is unfair to single out one firm for immortality simply because it is large.

Fifth, if the proposed guarantee sets a precedent for bailing out other large corporations, the trend towards industrial concentration will be increased. Big business will be protected from failure whereas small business will not. What is really proposed is socialism for big business and free enterprise for small business. The inevitable result is that big business will grow even faster at the expense of small business. More and more resources will be concentrated in the hands of fewer and fewer firms.

Sixth, governmental bail-outs of large companies inevitably increase Federal control over business. If large companies run to Washington every time they are in financial trouble, the Federal government will soon dominate business decision making. I can think of no quicker road to state socialism.

Seventh, government bail-outs distort the allocation of resources in our economy. They concentrate resources in poorly managed firms when these resources should be shifted to better managed firms. The discipline of the market system is frustrated.

The word bankruptcy is a frightening word. It conjures up an image of total extinction. Those who say we cannot permit Lockheed to fail imply that all of its work will suddenly stop and all its employees will be thrown out of their jobs.

Actually, bankruptcy is nowhere near as harsh. All of the defense work of Lockheed—over 80% of its business—would continue. Admiral Rickover testified to this effect and it was confirmed by Secretary Connally.

When a large firm such as Penn-Central goes bankrupt, the firm is not liquidated—it is reorganized. The old management is kicked out and new management is appointed by the court. In the case of Penn-Central, this has had a beneficial effect on the company. The trains are still running and they even found the missing box cars which had been so cleverly hidden.

The only unemployment resulting from the Penn-Central bankruptcy has been on the part of top management. I can think of no greater benefit to the long term prosperity of Lockheed than to change its management. Here is an executive team that managed to lose nearly $500 million on four major government contracts all at the same time. Here is a management that ran up to $2 billion cost over-run on the C-5A which still does not meet Air Force requirements. Here is a management that lost $60 million on its last commercial aircraft, the Lockheed Electra. Here is a management which produced the F-104 fighter which the U.S. Air Force declines to use and which has been grounded by the German government, the primary purchaser. Here is a management which hitched its latest commercial venture—the L-1011—to a failing British company.

Are these disasters bad luck or bad management. When so many things go wrong, I submit that the management is to blame. We are now being asked to reward this managerial incompetence wtih a $250 million loan guarantee. I hope that the Congress will give a resounding no to this unwise venture.

Mr. CHURCH. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

WE MUST STOP SENDING ARMS TO PAKISTAN

BLOODBATH IN EAST PAKISTAN

Mr. CHURCH. Mr. President, I speak today in support of Senate Concurrent Resolution 21. What has taken place in East Pakistan since the night of March 25, 1971, when a bloodletting of untold proportions began, is hard to comprehend. We know that the Pakistan army, equipped mostly with American arms and led by U.S. trained officers, let loose a massive burst of violence on fellow Muslims. After the first week of the civil strife, the normally calm French newspaper, Le Monde, headlined events in Pakistan as "The Week of the Bloodbath." The Chicago Sun-Times, after running a series of eye-witness descriptions, labeled the affair, "The Pakistan Pogrom." And Lt. Gen. Tikka Khan, the present martial law administrator of East Pakistan, admitted on May 6 that there had been "quite a lot of massacre" during the current conflict.

On-the-spot accounts reaching Washington on a continuing basis from Americans, Europeans, and subcontinentals have confirmed the charge that killings have been widespread and sadistic. Such an account came from Peggy Durdin in the New York Times. After an extensive stay in East Pakistan, she wrote on May 2 of the wholesale slaughter that had taken place in Dacca and other urban centers following the breakdown of talks between Pakistan President Yahya Khan and Sheik Mujibur Rahman, the duly elected leader of the Awami League. This Bengali political party had just won an overwhelming mandate: One hundred and sixty-seven out of a possible 169 seats assigned to East Pakistan in the 313-seat National Assembly, on a platform advocating greater political autonomy for the East. Mrs. Durdin observed that—

> The freedom the Bengalis were determined to achieve and the concessions the vested interests of the West and Pakistan's military dictator-president were prepared to give finally culminated in one of the bloodiest slaughters of modern times, as Pakistan's armed forces moved with total ruthlessness to reassert Islamabad's authority.

As more and more facts are collected and analyzed, there is evidence to suggest not only that mass killings took place, but also that Bengali leadership groups may have been selected out by the central government for annihilation. Thousands of Bengali civilians—professors, elected leaders, businessmen, lawyers, engineers, politicians, civil servants, doctors, workers, students, farmers, women, children—together with many of the men who made up the East Pakistan Rifles and the Pakistan Border Security Forces, plus local policemen, are said to have been exterminated. Reports T. J. S. George in the Far Eastern Economic Review:

> Should East Pakistan be handed over to local political parties tomorrow, there simply will not be many leaders or intellectuals of the Awami League brand to take over responsibility. In one murderous week the army wrought a vacuum which it will take a generation or more to fill.

I ask unanimous consent that these and other accounts describing the Pakistan civil war be printed at this point in the RECORD.

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

[From the Washington Post, Mar. 30, 1971]

DACCA EYEWITNESSES: BLOODBATH INFERNO

(By Simon Dring)

BANGKOK, March 29.—In the name of "God and a united Pakistan" Dacca is today a crushed and frightened city.

After 24 hours of shelling by units of the Pakistan army, as many as 7,000 people are believed to be dead, large areas of the city have been leveled and burned and East Pakistan's fight for independence has been put to an end.

Despite claims by President Yahya Khan, head of the country's military government, that the situation is now calm, on Sunday tens of thousands of people were still fleeing to the countryside, and Dacca's streets were almost deserted.

But there is no doubt that the army is more or less in control of all the towns and major population centers, and that resistance among the 73 million Bengalis in Pakistan's east wing is minimal and, so far, ineffective.

It is impossible to accurately assess the cost in human lives, but reports beginning to filter in from Chittagong, Comilla and Jessore put the figure, including Dacca, in the region of 15,000 dead.

Military casualties are not known, but at least two soldiers have been wounded and one officer killed.

The Bengali uprising seems to be over for the moment, Sheikh Mujibur Rahman, East Pakistan's popular political leader, was seen being taken away by the army, and nearly all the top members of his Awami League party have also been arrested.

Leading political activists have been arrested, others are dead, and the offices of two papers which supported Mujibur's movement have been destroyed.

But the first target as the tanks rolled into Dacca on the night of Thursday, March 25, seems to have been the students.

THREE BATTALIONS

An estimated three battalions of troops were used in the attack on Dacca—one of armored, one of artillery and one of infantry. They started leaving their barracks shortly before 10 p.m.

By 11, firing had broken out and the people who had started to erect makeshift barricades—overturned cars, tree stumps, furniture, concrete piping—became early casualties.

Sheikh Mujibur was warned by telephone that something was happening, but he refused to leave his house. "If I go into hiding they will burn the whole of Dacca to find me," he told an aide who escaped arrest.

The students were also warned, but those who were still around later said that most of them thought they would only be arrested.

Led by American-supplied M–24 World War II tanks, one column of troops sped to Dacca University shortly after midnight. Troops took over the British council library and used it as a fire base from which to shell nearby dormitory areas.

Caught completely by surprise, some 200 students were killed in Iqbal Hall, headquarters of the militantly antigovernment students' union, I was told. Two days later, bodies were still smoldering in burnt-out rooms, others were scattered outside, more floated in a nearby lake, an art student lay sprawled across his easel.

The military removed many of the bodies, but the 30 bodies still there could never have accounted for all the blood in the corridors of Iqbal Hall.

At another hall, reportedly, soldiers buried the dead in a hastily dug mass grave which was then bull-dozed over by tanks.

People living near the university were caught in the fire, too, and 200 yards of shanty houses running alongside a railway line were destroyed.

MARKET RAZED

Army patrols also razed a nearby market area. Two days later, when it was possible to get out and see all this, some of the market's stall-owners were still lying as though asleep, their blankets pulled up over their shoulders.

In the same district, the Dacca Medical College received direct bazooka fire and a mosque was badly damaged.

As the university came under attack, other columns of troops moved in on the Rajabag headquarters of the East Pakistan police, on the other side of the city. Tanks opened fire first, witnesses said; then the troops moved

in and leveled the men's sleeping quarters, firing incendiary into the buildings.

People living opposite did not know how many died there, but out of the 1,100 police based there not many are believed to have escaped.

MUJIBUR'S ARREST

As this was going on, other units had surrounded the sheikh's house. When contacted shortly before 1 a.m. he said that he was expecting an attack any minute and had sent everyone except his servants and bodyguard away to safety.

Neighbors said that at 1:10 a.m. one tank, an armored car and trucks loaded with troops drove down the street firing over the house.

"Sheikh you should come down," an officer called out in English as they stopped outside. Mujibur stepped out onto his balcony and said, "Yes, I am ready, but there is no need to fire. All you need to have done is call me on the telephone and I would have come."

The officer then walked into the yard and told Mujibur: "You are arrested."

He was taken away along with three servants, an aide and his bodyguard, who was badly beaten up when he started to insult the officer. One man was killed—night watchman hiding behind the fence of the house next door.

As the Sheikh was driven off—presumably to army headquarters—the soldiers moved into the house, took away all documents, smashed everything in sight, locked the garden gate, shot down the green, red and yellow "Bangla Desh" flag and drove away.

By 2 a.m. Friday morning, fires were burning all over the city, and troops had occupied the university and surrounding areas.

There was still heavy shelling in some areas, but the fighting was beginning to slacken noticeably. Opposite the Intercontinental Hotel a Platoon of troops stormed the empty offices of "The People" newspaper, burning it down along with most houses in the area and killing a night watchman.

CITY LIES SILENT

Shortly before dawn most firing had stopped, and as the sun came up an eerie silence settled over the city, deserted and completely dead except for noise of the crows and the occasional convoy of troops or two or three tanks rumbling by mopping up.

At noon, again without warning, columns of troops poured into the old section of the city where more than 1 million people lived in a sprawling maze of narrow, winding streets.

For the next 11 hours they devastated large areas of the "old town," as it is called, where Sheikh Mujibur had some of his strongest support in Dacca. English Road, French Road, Niar Bazaar, City Bazaar were burnt to the ground.

"They suddenly appeared at the end of the street," said one old man living in the French Niar Bazaar area. "Then they drove down it firing into all the houses."

The lead unit was followed by soldiers carrying cans of gasoline. Those who tried to escape were shot. Those who stayed were burnt alive. About 700 men, women and children died there that day between noon and 2 p.m., I was told.

The pattern was repeated in at least three other areas of up to a half square mile or more. Police stations in the old town were also attacked.

CONSTABLES KILLED

"I am looking for my constables," a police inspector said on Saturday morning as he wandered through the ruins of one of the bazaars. "I have 240 in my district, and so far I have only found 30 of them—all dead."

In the Hindi area of the old town, the soldiers reportedly made the people come out of their houses and shot them in groups. This area, too, was eventually razed.

The troops stayed on in force in the old city until about 11 p.m. on the night of Friday, March 26, driving around with local Bengali informers. The soldiers would fire a flare and the informer would point out the houses of Awami League supporters. The house would then be destroyed—either with direct fire from tanks or recoilless rifles or with a can of gasoline, witnesses said.

Meanwhile, troops of the East Bengal Regiment in the suburbs started moving out toward the industrial areas about 10 miles from the Sheikh's centers of support.

Firing continued in these areas until early Sunday morning, but the main part of the operation in the city was completed by Friday night—almost exactly 24 hours after it began.

One of the last targets was the daily Bengali-language paper "Ittefaq." More than 400 people reportedly had taken shelter in its offices when the fighting started.

At 4 o'clock Friday afternoon, four tanks appeared in the road outside. By 4:30 the building was an inferno, witnesses said. By Saturday morning only the charred remains of a lot of corpses huddled in back rooms were left.

CURFEW LIFTED

As quickly as they had appeared, the troops disappeared from the streets. On Saturday morning the radio announced that the curfew would be lifted from 7 a.m. until 4 p.m.

It then repeated the martial law regulations banning all political activity, announcing press censorship and ordering all government employees to report back for work. All privately owned weapons were ordered to be turned in to the authorities.

Magically, the city returned to life, and panic set in. By 10 a.m., with palls of black smoke still hanging over large areas of the old town and out in the distance toward the industrial areas, the streets were packed with people leaving town.

By car, in rickshaws but mostly on foot, carrying their possessions with them, the people of Dacca were fleeing.

By noon the refugees numbered in the tens of thousands.

"Please give me lift, I am old man"—"In the name of Allah, help me"—"Take my children with you."

Silent and unsmiling, they passed and saw what the army had done. They looked the other way and kept on walking.

Down near one of the markets a shot was heard. Within seconds, 2,000 people were running; but it had only been someone going to join the lines already forming to turn in weapons.

Government offices remained almost empty: Most employees were leaving for their villages, ignoring the call to go back to work.

Those who were not fleeing wandered aimlessly around the smoking debris, lifting blackened and twisted sheets of corrugated iron (used in most shanty areas for roofing) to salvage from the ashes what they could.

Nearly every other car was either taking people out into the countryside or flying a red cross and convoying dead and wounded to the hospitals.

In the middle of it all occasional convoys of troops would appear, the soldiers peering—equally unsmiling—down the muzzles of their guns at the silent crowds.

On Friday night as they pulled back to their barracks they shouted "Narai takpir," an old Persian war cry meaning "We have won the war." On Saturday when they spoke it was to shout "Pakistatn zindabad"—"Long live Pakistan."

FAST-SELLING FLAGS

Most people took the hint. Before the curfew was reimposed, the two hottest-selling items on the market were gasoline and the national flag of Pakistan. As if to protect their property in their absence, the last thing a family would do before they locked up their house would be to raise the flag.

At 4 o'clock Saturday afternoon, the streets emptied again. The troops reappeared and silence fell once more over Dacca.

But firing broke out again almost immediately. "Anybody out after four will be shot," the radio had announced earlier in the day.

A small boy running across the street outside the Intercontinental Hotel two minutes after the curfew fell was stopped, slapped four times in the face by an officer and taken away in a jeep.

The night watchman at the Dacca Club, a bar left over from the colonial days, was shot when he went to shut the gate of the club.

A group of Hindi Pakistanis living around a temple in the middle of the race course were all killed, apparently because they were out in the open.

Refugees who came back into the city, after finding that roads leading out of it were blocked by the army, told how many had been killed as they tried to walk across country to avoid the troops.

Beyond those roadblocks was more or less no-man's land, where the clearing operations were still going on. What is happening out there now is anybody's guess except the army's.

Many people took to the river to escape the crowds on the roads, but they ran the risk of being left stranded waiting for a boat when curfew fell. Where one such group was sitting on Saturday afternoon there were only bloodstains the next morning.

Hardly anywhere was there evidence of organized resistance. Even the West Pakistani officers scoffed at the idea of anybody putting up a fight.

"Their bugger men," said one Punjabi lieutenant, "could not kill us if they tried."

"Things are much better now," said another officer. "Nobody can speak out or come out. If they do we will kill them—they have spoken enough—they are traitors, and we are not. We are fighting in the name of God and a united Pakistan."

[From the Chicago Sun-Times, Mar. 31, 1971]

PAKISTAN POGROM

The dead lie by the thousands in the streets and burned buildings of Dacca, East Pakistan, murdered by their own army in one of the worst pogroms of modern times. An eyewitness description that appeared in The Sun-Times yesterday revealed to the world the sickening and blood-chilling slaughter of innocents. Civilized nations should react in horror.

Had the military government of President Yahya Khan had its way, the world would still not know the awful details of the massacre. When the shooting began, foreign journalists were rounded up at gunpoint and removed to West Pakistan, 900 miles away. Simon Dring of The London Daily Telegram and Associated Press photographer Michel Laurent evaded the roundup, made an extensive tour of the besieged city. Dring later sent his report from Bangko, Thailand.

His report tells of inhumanity on a magnitude unmatched by either side in Vietnam. Even at Lidice in World War II the Nazis spared women and children. At Dacca and nearby areas the soldiers used tank artillery and machineguns on stores and houses, student dormitories, even the headquarters of the East Pakistan police. Women and children were burned to death in the houses.

And why had this punishment been visited upon the hapless people of East Pakistan who last November were hit by catastrophic flood and cyclone? Because they have dared demand their rights under the new Pakistan

constitution guaranteeing "basic democracy." With 75,000,000 inhabitants, East Pakistan has been dominated by West Pakistan with 55,000,000 inhabitants. When East Pakistan's Awami League gained control of parliament in December's election, President Yahya Khan suspended the parliament. East Pakistan thereupon declared its independence. The army moved in to "unite" the divided nation.

At the moment, the Pakistan flag flies over all buildings, the notion of independence is extinguished and the military rule. And "basic democracy" is dead.

[From the Le Monde (Weekly English Edition,) April 1–7, 1971]

PAKISTAN—THE WEEK OF THE BLOODBATH

(By Gerard Viratelle)

"Thank God the unity of Pakistan has been saved in the nick of time." This was the relieved reaction of West Pakistan political leader Zulikar Ali Rhutto, chairman of the Pakistan People's Party, to the news last week that the army had taken over in East Pakistan a few hours after the flag of revolt was raised by its 70 million people.

There are few observers today however who are quite as ready as Mr. Bhutto to assume that Pakistan unity has in fact been saved.

Late last week Sheikh Mujibur Rahman, leader of the East Pakistan Awami League which won an overwhelming majority in the December elections to the National Assembly, declared Bangla Desh (the Bengal Nation) independent. The decision was taken after attempts to reach a compromise with Mr. Rhutto on a constitution for Pakistan came to naught.

ALREADY TOO LATE

There was a final bid by President Yahya Khan last week to head off the imminent crisis, but it was too late in the day. Even as he was conferring with Sheikh Mujibur, army units were being moved into East Pakistan and the stage was set for a swift suppression of any revolt.

The Awami League may have a large following, but obviously party members were not trained to fight a modern army. When the clashes took place, the army apparently had no trouble putting down the resistance. Casualties seem to have been high with some estimates putting the number of East Pakistan dead at 10,000.

The situation was still confused early this week; Pakistan's official radio claimed that everything was back to normal in East Pakistan, while secessionist sources asserted that heavy fighting was still going on. The fact however that the curfew imposed in Decca was lifted on Monday would seem to indicate that the army had successfully quashed the revolt.

Pakistan army units, for the most part manned and officered by Punjabis, Sindhis and Pathans from the West wing, were in full control of Dacca by 11 p.m. on March 25. The city's inhabitants, who for some three weeks had shown their defiance of the central government by acts of civil disobedience inspired by the Awami League, hastily threw up roadblocks to stop the soldiers.

But this resistance by a people who had nothing but their hands to fight with was quickly broken. From the windows of their hotel, where they had been confined on orders from the central government, Western correspondents could see the movement of trucks transporting soldiers, while three old tanks bulldozed aside the barricades that had been set up.

SHOOTING INTO WINDOWS

All night long machine-gun fire crackled and rifle shots rang out. Even an occasional shell burst could be heard. Army patrols fired into windows. They were firing "only on suspects, but not on women and children," explained a soldier.

Dacca University, hotbed of nationalist activity, is believed to have been shelled and some of its buildings destroyed. Small stockpiles of weapons had been collected there by student supporters of Bengali independence. Near the hotel where the journalists were held, an army commando unit which had been blazing away with automatic weapons set fire to the offices of the newspaper *The People*, which belatedly threw its editorial weight behind the Awani League. Foreigners who watched the operation got the impression that it was carefully prepared.

According to a reliable Western observer, thousands, not hundreds, were killed in the fighting. The journalists were expelled late on March 26. On their way to the airport they could see every hundred and fifty yards what remained of small roadblocks made up of treetrunks, slabs of concrete and twisted metal.

The question being asked is why President Yahya Khan decided on this course of action when a peaceful solution to the crisis was expected. From the very beginning of the Bengalis' "non-cooperation and non-violence" movement, the military authorities—particularly General Tikka Khan, named military governor to enforce the emergency measures which followed the central government's martial law decree—lost control of the situation in East Pakistan. (The clandestine secessionist radio later reported that General Tikka Khan, known as "the Butcher" to the Bengalis because of his earlier activities, had been assassinated, but the authorities in Islamabad denied this.)

Thousands of Bengalis trekked daily to Dacca to assure Sheikh Rahman of their support for the cause of independence. A people's militia, armed with bamboo poles, trained for war in the public squares. Bengali flags sprang up all over the city and secessionists combed the streets on bicycle-drawn rickshaws, blaring from megaphones Sheikh Mujibur's exhortations to "carry on the fight calmly."

GLOOM AFTER JUBILATION

But as the talks between President Yahya Khan and the political leaders dragged on, the cry *Shadia Bangla* (Independent Bengal) began to be heard. Among the Sheikh's closest supporters the mood of triumphant enthusiasm gave way to gloom.

President Yahya Kahn had certainly accepted, in principle, a compromise formula which would have involved the transfer of power to elected representatives of the people and empowered each wing of the country to prepare separate draft constitutions. But the official announcement of this agreement was being put off from day to day.

The change followed the arrival in Dacca of Mr. Bhutto on March 21. The PPP leader came with his own personal bodyguard toting machine guns. These rather theatrical precautions were not entirely unwarranted, considering the hostility that the Bengalis feel towards the PPP leader. The armed guard in any case underlined the fact that the time was not ripe for fraternal discussions between Bengalis and Punjabis. Mr. Bhutto's followers were muttering that the army had not done its job.

SO MANY DIFFERENCES

The crisis has highlighted—and the word is certainly an understatement of the case—the traditional antagonism between the Bengalis and the Punjabis (everybody from West Pakistan, whether he be Sindhi, Punjabi or Pathan, is a "Punjabi" to the Bengalis). The Bengalis originally wanted merely to put an end to West Pakistan's domination of their province, without trying to break with the central government.

But there is also a psychological difference between the two peoples, and more concrete, differences of language, culture, life style, extending even to the manner in which Islam is practised. Popular resentment has also been exacerbated by the excesses of West Pakistani soldiers behaving like a colonial garrison. Today that resentment has deepened to bitter hatred.

There is no better illustration of the gulf between the two wings of Pakistan than the circumstances in which the political discussions took place in Dacca. At no time did the party leaders get down to a round-table discussion or try to hammer out a compromise solution. President Yahya Kahn consulted each of them separately, and Mr. Bhutto met Sheikh Mujibur only once, when the Pakistani president sent the PPP leader a text of the agreement he had reached with the Awami League chairman.

Mr. Bhutto promptly rejected the compromise on the grounds that it appeared to him to open the way to constitutional secession for Bengal and contained the germs of Pakistan's disintegration. He objected to foreign aid and foreign trade being handed over to regional governments. Nor would he agree to the Awami League setting up a provisional government although it held a majority of the seats in Pakistan's Constituent Assembly.

Sheikh Mujibur on the other hand was more emphatic in demanding that martial law be lifted and his province's autonomy be recognized than he was about his right to set up a cabinet. The autonomist leaders did not however push their demands to the point of seeking independence. They showed themselves in fact conciliatory to the point that their principal demands had been met by President Yaha Khan Sheikh Mujibur was not pressing for independence, at least not at that point.

Yet while the political discussions were going on, reinforcements were being sent to Bengal and military chiefs were drawing up contingency plans in Dacca. Sheikh Mujibur was not unaware of all these preparations, nor of the reservations expressed by some world powers regarding the eventual emergence of an independent Bengal. But up to the very last minute he appeared to have nurtured the rather naive hope that a compromise solution giving him a large measure of satisfaction would be negotiated.

Only hours before the army intervened he had even ordered government offices and essential businesses to resume work (they had been shut down on his orders as a protest against the imposition of martial law). By backing down in this fashion, the Awami League leader first exposed the vulnerability of his position. He was arrested at about 1:30 on the morning of March 26, according to Islamabad.

Mr. Bhutto adopted a more ambiguous position. Much less than condemning the army's attitude as he left Dacca, he even made a few gestures of sympathy with the soldiers accompanying him to the airport.

The Bengalis see in Mr. Bhutto's attitude a confirmation of what they have been saying all along—that the PPP leader is "objectively" in collusion with the Pakistani military-administrative establishment. Pakistan's leaders could not in any case accept any uncertain compromise which would threaten the country's unity.

Such an agreement would have had serious economic repercussions in West Pakistan. It would have deprived Pakistan's governing class of much of its strength, and the central government of the income it derives from East Pakistan's jute exports which pay for a considerable lot of the military hardware that was used against the Bengalis' bamboo poles.

NO REVOLUTIONARY TRAINING

The Pakistani Army could not accept limitation of its resources by permitting Bengal to become autonomous. "Believe me," said a cool-headed Bengali early last week, "I have worked for twenty years in the establishment. The army won't give up power so easily."

Dacca's Bengalis showed fine fighting spirit in the first hours of the confrontation. But the Awami League had given them no preparation for an armed revolutionary struggle. Its leaders, all drawn from middle class city backgrounds, were erstwhile advocates of non-violent struggle, and during the political discussion they did their best to control the hotheads in their ranks.

Even a passive resistance movement could embarrass the authorities responsible for applying martial law. The army will have more trouble trying to exert its authority in the countryside—especially during the monsoon period—than in the cities. And it is hard to see how the Bengalis, after the horrible blunders committed in Dacca, can be won over to a less bitter attitude to the Western Pakistanis. On the contrary, there is every possibility that the trend towards violence will spread, and that the independence movement will take firmer root.

POLITICAL DEVELOPMENTS IN PAKISTAN, MARCH 1969–MARCH 1971

(By Larry A. Niksch)

The present fighting in East Pakistan is the culmination of a chain of events which followed the collapse of the government of Pakistan's President Mohammed Ayub Khan in March 1969. Following Ayub's retirement, two major trends emerged in Pakistan's political life: the gradual democratization of the country culminating in the election of a National Assembly in December 1970, and the growth of sentiment in East Pakistan for autonomy. While the former initially fed the latter, by March 1971 the autonomy drive in East Pakistan had reached a stage where it threatened both the unity of the country and further democratization. The current fighting, which could produce a civil war, has probably eliminated immediate prospects for the emergence of a genuine parliamentary regime in Pakistan.

Rawalpindi was prepared to make some concessions to East Pakistan. President Yahya Khan and Zulfikar Ali Bhutto, leader of the leftist-leaning Pakistan People's Party, offered East Pakistan's leader Sheikh Mujibur Rahman the Prime Ministership of a centralized Pakistan government if he would drop some of his more far reaching demands for autonomy for East Pakistan. By March 25, President Yahya had decided that Sheikh Mujibur was determined to accept nothing less than autonomy. The President apparently determined at this juncture to crush the autonomy movement rather than accede to its demands or allow it to generate into a full-scale drive for independence.

During 1969–1970, the Government of Pakistan took the following steps toward the loosening of the political controls of the Ayub era. In May 1969, it announced that students would "enjoy the freedom of expression of their views on all issues and matters concerning them." In November, the Government bowed to provincial leadership in West Pakistan by declaring that the province would be divided into four separate provinces, mainly along ethnic lines.[1] President Yahya also announced that on October 5, 1970, the nation would elect a National Assembly on the basis of universal adult franchise. Martial law restrictions on political activities ended on January 1, 1970.

The Government published a Legal Framework Order (LFO) in March 1970, setting forth further details concerning the elections. The LPO based representation in the National Assembly on the basis of population, thus discarding the former principle of equality of representation between East and West Pakistan. East Pakistan would have 169 out of 313 seats (56 percent). The LFO stipulated that if the National Assembly failed to frame a constitution in 120 days which the Government could accept, it would be dissolved and new elections ordered. It set forth five fundamental principles for a constitution: preservation of Pakistan's territorial integrity, preservation of Islamic ideology, independence of the judiciary, fundamental rights including free elections, and a federal system insuring adequate powers to the central government.

It is now evident that the 1970 election campaign in East Pakistan did much to fuel the autonomist-separatist spirit in that province. Sheikh Mujibur's Awami League campaigned for full implementation of the Sheikh's Six Point program, which calls for a confederation under which the central government would be responsible for only defense and foreign affairs while the provinces would control their own finances, including taxation and foreign trade. The Sheikh took a strong stand, asserting that "Bangla Desh" (Country of Bengal) would no longer serve as a "market and colony of West Pakistan." He made the disastrous cyclone of November 1970, a major issue, charging that the slowness of relief efforts symbolized the central governments' neglect of East Pakistan.

The election originally scheduled for October 5 was postponed until December 7 on account of autumn floods in East Pakistan. In the election the Awami League won 167 of the 169 seats allotted to the east wing, thus assuring the Sheikh's party of an absolute majority in the national assembly. Zulfiquar Ali Bhutto's Pakistan People's Party captured 81 of the 138 West Pakistan seats; Bhutto consequently emerged as a major factor in subsequent efforts to reach a compromise on the new constitution.

The results of the election held out the prospect of a genuine two party system in Pakistan. The older parties in both wings suffered significant defeats and were reduced to impotence. Multiple party chaos had destroyed parliamentary government in Pakistan in 1958, and it was feared that the 1970 elections would produce similar divisions. Thus, the actual outcome was somewhat encouraging if the East Pakistan problem could be resolved.

Sheikh Mujibur now faced the problem of trying to negotiate the outlines of a political-constitutional settlement with Yahya and Bhutto. Ironically, his overwhelming electoral victory greatly limited his flexibility. The Sheikh had brought together a diverse coalition of East Pakistani groups—rightists, leftists, orthodox Muslims, urban dwellers, and peasants—strictly on the autonomy issue. Important elements in his coalition, including student groups and some members of the Awami League hierarchy, favored outright secession. If the Sheikh had any inclination to move away from his Six Points, he realized that any such attempt would break up his coalition. Moreover, Sheikh Mujibur and his followers may have felt that the Awami League's clear majority in the National Assembly would enable them to implement their program despite West Pakistan's opposition.

There is no evidence that President Yahya opposed Sheikh Mujibur as Prime Minister of a parliamentary all-Pakistan government, so long as that government had "adequate" powers. One may speculate that he preferred the Sheikh, whose overall political views are moderate, to the more radical Bhutto. Yahya, however, was unwilling to allow the autonomy for East Pakistan demanded by the Awami League. That placed him on the same side of the fence with Bhutto.

The breakdown in conciliation efforts became apparent in February 1971 when Bhutto announced that his Pakistan People's Party would boycott the National Assembly meeting scheduled for March 3 unless he had assurances in advance that there was "room for compromise or adjustment" in the Awami League's Six Points. On March 1, President Yahya ordered the National Assembly meeting postponed indefinitely. Sporadic violence broke out in East Pakistan which was followed by an Awami League announcement that Sheikh Mujibur would make a "historic statement" on March 7. Possibly fearing an outright East Pakistan secession, Yahya announced on March 6 that the national assembly would convene on March 25. Sheikh Mujibur's speech of March 8 fell short of demanding secession. Instead, he demanded that Yahya withdraw the army from East Pakistan and end martial law (imposed after the outbreak of violence). He also demanded that power be transferred to the elected representatives of the people, meaning the National Assembly. He followed this up by insisting that the Awami League would boycott the Assembly unless Yahya ended martial law. An Awami League-led general strike had shut down the East Pakistan provincial government by the middle of March; the League, itself, began to assume quasi-governmental functions. On March 15 Sheikh Mujibur announced that he was assuming the administration of East Pakistan.

Yahya Khan arrived in Dacca on March 16, and Bhutto flew in on March 21. The Pakistan Army also increased its forces in the east wing from 25,000 before the crisis to somewhere between 40,000 and 60,000.

Despite optimistic press reports of an agreement between Yahya and Sheikh Mujibur, Yahya announced on March 23 a second postponement of the convening of the National Assembly. "Informed political sources" in Dacca reported on March 24 that negotiations had virtually collapsed.[2]

The fighting, which began March 26, appears to have stemmed from Yahya's decision that he could not meet Sheikh Mujibur's demands for a transfer of political power to the National Assembly, since this would, in effect, have allowed the Awami League to write a constitution embodying its autonomy platform. The President apparently determined to restore central government authority in the east wing and destroy the Awami League. The rapid movement of the Army indicates considerable advance planning, thus suggesting that Yahya made his decision while the negotiations were still proceeding. Bhutto, for his part, made it clear just prior to the outbreak of fighting, that he still opposed major parts of the Sheikh's program. Consequently, he may have bolstered Yahya in his decision.

[From the St. Louis Post-Dispatch, Apr. 4, 1971]

EAST PAKISTAN REBELLION LAID TO EXPLOITATION

(By D. D. Obika)

Political domination and economic exploitation were among the causes of the outbreak of fighting in East Pakistan, spokesmen for East Pakistan League in St. Louis contend.

Dr. and Mrs. Mohammed Ahmed Kabir charged that West Pakistan had exploited the East Pakistan more than the British had.

"Ours is a nation where the majority province is dominated and exploited by the minority province," said Mrs. Kabir, a graduate of the London School of Economics.

Mrs. Kabir said that West Pakistanis had dominated everything in the eastern area, from civil service to the military, since Pakistan was formed in 1947.

FUND INEQUITY

"Although our jute exports account for more than half of Pakistani's foreign exchange earnings, the West continues to receive a larger share of development funds," Mrs. Kabir said.

She said there were more industries in the Punjabi-dominated West than in her province, which has the large population.

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[1] The four provinces of Punjab, North-West Frontier, Sind, and Baluchistan were legally re-established on July 1, 1970.

[2] Washington Post, March 24, 1971.

East Pakistan has a population of more than 70,000,000 crammed into 54,000 square miles, compared with 55,000,000 in the West, living in 310,000 square miles.

She charged that after a cyclone killed as many as 500,000 East Pakistanis last year, the central government in West Pakistan, for no apparent reason, stalled relief operations.

"This is one of several neglects with which we had been treated," she said.

Dr. Kabir, a psychiatrist at St. Louis State Hospital, said he thought the divide-and-rule policy of Britain was partly to blame for the crisis in his country.

"If the British had not come in, we probably would have been living peacefully with India as one country," he said. "The Hindus and Moslems lived there for more than 1000 years without problems." Pakistan formerly was part of the British colony of India.

ASSAILS BLACKOUT

Dr. Kabir was critical of the news blackout imposed by the central military government. He charged that more than 300,000 Bengalis had been killed in indiscriminate bombing of several highly populated areas.

In a related development, the Pakistani Association of Greater St. Louis adopted last week a resolution demanding, among other things, that the use of force in the eastern province be abandoned.

Mohammed Iqbal, president of the association and a student at Washington University, said that some injustice had been done to the East by the Western-based central government.

"I think we can profit a lot by remaining one nation," he said.

[From the Baltimore Sun, Apr. 4, 1971]

PAKISTAN IS EXTERMINATING THE BENGALIS

(By John E. Woodruff)

NEW DELHI.—Less than four months ago, the West Pakistan Army said it could not send soldiers and helicopters to East Bengal to save survivors of the cyclone that took hundreds of thousands of lives in the mouth of the Ganges. If troops and helicopters were moved from West Pakistan, India might attack, the Army said. By the time the Army statement was issued, India was increasing its offers of relief aid for the cyclone victims.

Today, that same West Pakistan Army shows every sign of being prepared to send its last soldier to more populous East Bengal, if necessary, in an all-out effort to shoot to death the results of last December's elections.

No room remains for doubt as to the Punjabi-dominated Army's determination to go the whole distance.

For the only justification that could ever emerge for the grisly scenes of a week ago Thursday and Friday would be a total victory of bullets over the nonviolent attempts of the Bengalis to put in power the men they had elected in polling sanctioned by the Army.

NEWSMEN TOURED CARNAGE

Correspondents interned last week at the plush Dacca Intercontinental Hotel could see only fragments of what was taking place outside—a few soldiers shooting into civilian buildings, a machine-gun opening up on a dozen empty-handed youths, the Army setting fire to civilian business places.

But two European newsmen evaded the Army and stayed behind a few extra days and they managed to tour some of the carnage before they were found out and expelled.

Their reports have confirmed the worst fears of those who were only able to surmise the meaning of cannon reports and prolonged bursts of machine-gun and automatic-rifle fire coming from the new campus of Dacca University, where two burning buildings lighted the sky for hours with their flames.

SLUM RESIDENTS KILLED

Hundreds of students were burned up in their beds and hundreds more were buried in a mass grave, according to reports filed by the two newsmen who said they toured the scene.

They also confirmed previous reliable diplomatic reports that large stretches of bamboo slums were surrounded and set afire, their residents shot when they tried to flee.

The only bond between West Pakistan and East Bengal—other than the West Pakistan Army itself—is the Muslim faith, for which the divided country was created as a haven against Hindu-Muslim religious murders when India was partitioned.

Even today, the Army exercises its authority in the name of "the Islamic state of Pakistan." Yet burning a human being, alive or dead, is unequivocally forbidden by the Mohammedan faith. It is also a favorite crime charged to Hindus by West Pakistani Muslims.

Such attacks upon fellow Muslims in the name of an Islamic state can be vindicated, even in the eyes of other Mohammedan countries from which West Pakistan is apparently already seeking aid, only by a total military victory. And any military victory will require growing, not diminishing, bloodshed as the Bengalis—unified to a man for the first time in decades—struggle to resist.

Clues as to how cooly the West Pakistanis had calculated their plan to shoot and burn the Bengalis into submission are provided by the personal actions of some West Pakistani politicians at the Hotel Intercontinental on the night the holocaust started.

Zulfikar Ali Bhutto, the former foreign minister who won a majority of West Pakistan's seats in the Constituent Assembly in last December's election but had only a minority nationally, substantially increased the guard on his 11th-floor fortress and had his gunmen put their Communist-bloc automatic rifles on slings around their necks, for the first time hours before the shooting started.

LOST THEIR COOL

He was seen, awake, by a newsman well after the shooting started. But he was so unshocked by what was going on directly under his hotel window that he soon went to bed and, according to his aides, slept the night unitl 7:30 A.M. when he was awakened according to prior instructions.

But his aides and his Punjabi-hired guards—some of who had encountered problems when they couldn't work the self-service elevators in the hotel when they arrived—lost their cooly professional demeanor twice before they could get past the crowd of inquisitive newsmen in the lobby the next morning.

At one point, a Bhutto aide started screaming at a newsman who asked a question the aide apparently thought impertinent.

At another, one of the toughest-looking guards tripped up when he discovered that the hotel's main doors were locked and he would have to use the revolving door. After several attempts to push open the curved glass panels that formed the door's outer cylinder, he somehow wound up stuck in the same quarter of the door with S. A. Kasoury, a top Bhutto aide who was already crowded there by his own bulk and his own bags, which he had to personally carry to the waiting Army bus. Mr. Kasoury spoke some sharp words in Urdu when he found the gunman's automatic rifle pressed against his head, but the two finally managed to take enough steps in tandem to get outside the building.

DEMOLISHED BY SAVAGERY

When Mr. Bhutto arrived in Karachi, he told newsmen that Pakistan had been saved "by the grace of almighty Allah."

In fact, Pakistan as it existed for 23 years was not saved but demolished by the savagery of the West Pakistan Army's sudden attack without warning against dozens of civilian and military objectives throughout East Bengal.

The attack has without doubt brought a bloody and flaming halt to the holiday spirit that filled the air for 15 days as demonstrators paraded in series to the house of Sheikh Mujibur Rahman, head of the Awami League and leader of the noncooperation movement that deprived West Pakistan of all but nominal governmental control over East Bengal.

WHO DO YOU TRUST?

A lot more blood is likely to flow before Bengali crowds can gather again in public squares by the tens of thousands to raise their fists and shout independence slogans.

Whether you believe Sheikh Mujib will be with them, his mustache twitching and his lips in a grim smile as he leads them in shouts of "joi Bangala" (Long Live Bengal) depends on whether you believe the Army, which said it arrested him and five aides early the morning after the crackdown began, or the clandestine Radio Free Bangla Desh, which broadcasts statements by a voice that claims to be Mr. Mujib's.

THE UNIFYING FORCE

But Mr. Mujib will surely remain the movement's unifying force no matter what his fate.

The sheikh in jail will be, to Bengalis, the same victimized Bengali leader he was the last six times the Army tried to lock him up.

The sheikh free will be, as he has been whenever he has been out of jail, an audience-rouser and an instinctive capitalizer upon the military's inability to understand the people they are trying to crush.

The sheikh dead—no one has suggested it yet—would be the most powerful force of all, the first universally recognized martyr to Bengali nationalism.

Sheikh Mujib has never feared either prison or death in three decades of a totally political life in a country where political activism always means both prison and death are near at hand.

All six times he was previously thrown in jail by the Army, he waited in predictable places for his arrest, though he considered the cellblock a waste of valuable organizing time. There is no way to know yet whether he followed this pattern again or decided to escape to go on leading a movement that was no longer merely an obstreperous opposition party but the country's duly elected majority.

NOW A FLAME

In the weeks before the Army moved, Sheikh Mujib told newsmen over and over again that his own fate no longer mattered, that the idea of ending West Pakistan's economic domination of East Bengal was now a flame inside every Bengali head.

"They don't have enough bullets to kill 75 million Bengalis," he said, "and that is what they will have to do to crush us. You can't shoot down this kind of spirit with just bullets, and bullets is all they have."

Mr. Bhutto thought otherwise.

Before coming to Dacca to join the last futile round of negotiations with Sheikh Mujib and President A. M. Yahya Khan, he told newsmen in West Pakistan the Army could win any showdown because the Bengali movement existed only in the cities. If the Army also had to put down the countryside, where 90 per cent of East Bengalis live, the job could not be done, he acknowledged. But he insisted that the countryside would not back the Bengali cause, despite the overwhelming votes Sheikh Mujib rolled up there.

MARXIST COMPETITOR

Anyone who has been to East Bengal has learned that the only serious competitor Sheikh Mujib had in the countryside last December was Maulana Bhashani, an elderly,

white-bearded Marxist orator whose peasant movement demanded outright independence from the start, rather than the regional autonomy sought by the Awani League. Mr. Bhastani refused to contest the election last December, but his independence movement had a strength among peasants that suggests that Mr. Bhutto's views of the East Bengal countryside were uninformed.

Which man better understood Bengal will be known in the end, after the ashes of the civil war that is getting under way in East Bengal have settled.

[From the Washington Post, Apr. 7, 1971]

REFUGEES FROM EAST PAKISTAN TELL OF MASS EXECUTIONS

NEW DELHI, INDIA, April 6.—U.S. and other foreign refugees from East Pakistan said today the rebels and their antagonists, the army, had staged an orgy of mass executions in Chittagong. Burning and looting left the port of Chittagong an almost deserted wasteland, they said.

The Bengalis of East Pakistan still were fighting outside Chittagong but the city itself was in the hands of West Pakistan's army, reported some of the 37 Americans and 82 other foreigners reaching Calcutta on the British ship Clan MacNair.

Twenty-six Americans who flew into Tehran, Iran, today from Dacca told of shooting and burning. They said Americans had not been threatened and the Pakistan government was in control in the capital city.

In a broadcast over official Pakistan radio, Pakistani President Mohammed Yahya Khan said India had sent the equivalent of six army divisions into West Bengal state which borders East Pakistan.

The broadcast quoted Yahya as saying, "This concentration on our borders represents a direct threat to our security." It also said that federal Pakistani troops had again "confronted" armed infiltrators from India.

The Indian foreign ministry denied Yahya's charge. "We have taken precautions not to put any regular army troops in the area," a ministry spokesman said. He said only paramilitary border forces are stationed along the frontier.

Stories told by refugees and information gathered by reporters slipping into East Pakistan indicate Yahya's army was increasingly isolated in the major cities of secessionist East Pakistan.

After 12 days of civil war, a general picture of the strength of the opposing forces was emerging.

The West Pakistan army is in control of at least the major cities in the province, Dacca the capital, and Chittagong.

Elsewhere in the 55,126-square-mile province, and even on the outskirts of Dacca and Chittagong, the followers of Sheikh Mujibur Rahman and his outlawed Awami League were reported to be in control.

Refugees who arrived from Chittagong today talked to newsmen in Calcutta.

"The army only had to see a Bengali on the street and they shot him," said a Briton. "Chittagong is now deserted. Everyone has fled to the villages outside."

Said another Briton who was an engineer in a Chittagong jute mill: "In my own mill, people were murdered in front of my eyes. Many peole were burned in their houses when the army put them to the torch. They seemed to take a delight in destruction. Machine guns were going day and night and there was shelling from gunboats offshore."

The Britons said, however, that for two weeks before West Pakistan's army arrived, Bengalis had been murdering West Pakistanis living in Chittagong. They told of corpses lying in the streets for nine days.

Leon Lumsden, an American engineer working on a U.S. aid project reported: "Soldiers just walked up to anyone wearing a lungi, the native Bengali dress, and shot. He estimated he had seen 15 Bengalis killed.

Charles McGinley, U.S. cultural affairs officer in Dacca who arrived in Tehran today, called life in East Pakistan "decidedly abnormal," but said, "it is accurate to say the Americans were frightened, but there was no threat to them and, as far as I know, no American deaths at all."

In Dacca, the army is now in control, and it was quiet when we last left it," he said.

Another woman who refused to give her name said, "So many of my dear Pakistani friends are now dead. They are still shooting and burning places down." She said parts of Dacca were "definitely in shambles. Tanks keep rumbling past homes. People are being constantly arrested."

(The State Department reported in Washington that 307 Americans have left Dacca in East Pakistan for Karachi in West Pakistan aboard five flights of Pakistan International Airways transport planes. That left approximately 450 Americans still in East Pakistan).

Two officials of the Pakistani high commission (embassy) in New Delhi defected to India, today to express their sympathy with the independence movement in East Pakistan.

Indian government sources said the diplomats, Second Secretary K. M. Shehabuddin, and assistant press attache Amhudul Huq, asked for and were granted political asylum in India. Both are East Bengalis.

In Karachi, the national Pakistani news agency reported that Kamal Hossain, constitutional expert of Sheikh Mujibur's banned Awami League in East Pakistan, has surrendered to the martial law authorities.

The agency said that other Awami League leaders who had gone underground were also beginning to surrender.

Hossein was believed to have wielded great influence in shaping Mujibur's speeches and in drafting his policies.

In the abortive 11-day talks in Dacca preceding the army crackdown, Hossain was one of the Awami League leaders who held daily talks with President Yahya Khan's aides.

[From the New York Times, Apr. 14, 1971]

BENGALIS FORM A CABINET AS THE BLOODSHED GOES ON

(By Sydney H. Schanberg)

AGARTALA, INDIA, April 13.—Although large numbers of East Pakistani secessionist leaders have been reported killed and with wholesale bloodshed continuing, several members of the movement's high command are alive and have formed a cabinet.

They include Tajuddin Ahmed, second in command to Sheik Mujibur Rahman, whose Awami League took the steps for independence that brought West Pakistan's military crackdown.

In an East Pakistani border area visited by this correspondent, at least six secessionist leaders met to name Mr. Ahmed Prime Minister and Defense Minister of the state they call Bangla Desh, or Bengal Nation. They proclaimed Sheik Mujib their President, although privately the secessionist leaders acknowledged that he was in prison in West Pakistan.

While the central Government, which is dominated by West Pakistan, continues to announce that the situation is calm in the East and conditions are returning to normal, a far different picture emerges on the scene.

DAILY BATTLES REPORTED

Daily battles are reliably reported in many sectors. Hordes of East Pakistanis have fled the cities to seek refuge or join the secessionist army, and thousands of refugees, carrying their meager belongings in cardboard suitcases and sacks, are crossing into India for temporary haven.

This correspondent saw Pakistani soldiers burning villages to deny the resistance forces cover or hiding places. As the smoke from the thatch and bamboo huts billowed up on the outskirts of the city of Comilla, circling vultures descended on the bodies of peasants already being picked apart by dogs and crows.

There is no way of knowing exactly how many of East Pakistan's 75 million Bengalis the army has killed, but authoritative reports from many sources agree that the figure is at least in the tens of thousands; some reports put it much higher.

The central Government officially bars all foreign newsmen from East Pakistan. But from the evidence available in secessionist-held rural areas—some of which are occasionally contested by the army—the Pakistani armed forces have killed leaders and potential leaders of East Pakistan and shattered the economic base of the region in their effort to crush the independence movement.

On orders, the army—now consisting entirely of West Pakistani troops—has killed students, intellectuals, professors, engineers, doctors and others of leadership caliber—whether they were directly involved with the nationalist movement or not.

Both in military attacks and in executions, the central Government's forces killed East Pakistani Army officers and soldiers who were unable to break out and join the guerrilla forces when the army offensive began on March 25. Most of the officers' families have been killed; only a few escaped into hiding.

With the aid of air and naval bombardment, the army has destroyed food supplies, tea factories, jute mills and natural-gas fields—the economic basis of East Pakistan.

"This has already set the country back 25 years," said a Scottish tea-estate manager who fled to India from his plantation in the northeast. "The liberation army, trying to stop the army, is blowing the bridges, railroad lines and roads. Even if they eventually win independence, they'll have to start completely from scratch again."

This man and two other estate managers who escaped with him asked that their names not be used because of their fear of reprisals against British families still in East Pakistan.

ATTACK ON "EMPTY" TRUCKS

The three evacuees reported that a convoy of nine trucks that the Pakistani radio contended had been carrying arms and ammunition from India and had been destroyed by Pakistani planes was in fact a collection of empty trucks in the yard of a tea estate.

Authoritative reports indicate that perhaps 20 to 25 per cent of the people are left in such towns as Dacca, the capital, and Chittagong and Comilla. Smaller centers are also largely deserted. Dacca had a population of about 1.5 million, Chittagong about 400,000 to 500,000 and Comilla about 100,000.

In the eastern part of East Pakistan the thump of artillery fire can be heard every day in virtually every sector. After every guerrilla attack or harassment by the outnumbered and outgunned resistance troops, the Pakistani Army appears to be inflicting reprisals on the civilian population.

"The bloody cowards!" said a young Bengali lieutenant who escaped the army attempt to annihilate his battalion of the East Bengal Regiment at Comilla. "We give them fronts to shoot at. We are in uniform. But they attack civilians instead."

The secessionist army is desperately short of trained officers, arms, ammunition, vehicles and basic supplies. Some of the men are barefoot.

The heaviest weapon the secessionists have in any numbers is the 3-inch mortar, although they have captured a few heavy guns. The Pakistani military are using jet fighter-bombers, heavy artillery and gunboats—mostly supplied by the United States, the Soviet Union and Communist China.

Pakistani charges that the Indian Government has been sending troops and weapons to East Pakistan are not borne out by this reporter's observations. No Indian troops were seen in the East Pakistani units.

The basic weapons are old Enfield and Garand rifles and some Chinese-made automatic rifles and machine guns—which the Bengalis have either captured or had brought with them when they escaped from their units.

Fewer than 10 per cent of the 300,000 men in the Pakistani armed forces were Bengalis. Nearly all of those who were not killed by the West Pakistani troops in the first days have joined the secessionist army and constitute its only trained elements.

The best available figures indicate that the trained core consists of some 3,000 members of the East Bengal Regiment, which was a regular unit, and some 9,000 members of the East Pakistan Rifles, a paramilitary unit one of whose duties was to man the observation posts on the border with India.

The rest of the secessionist force is made up of armed policemen, home guards, other poorly trained local militia and raw recruits.

Before the political crisis began to mount, the Pakistani Army had about 25,000 troops in East Pakistan. Large numbers of reinforcements have been flown over from West Pakistan, which is separated from the Eastern province by over a thousand miles of Indian territory.

Some estimates put the number of West Pakistan at 60,000 to 80,000, most of them Punjabis and Pathans. The Punjabis in particular have traditionally held the Bengalis in disdain though both are predominantly Moslem.

Though the average amount of ammunition by the guerrilla riflemen is 30 to 40 rounds, their determination seems high, fueled in many cases by the fact that the Pakistani Army has killed members of their families—and sometimes all of them.

"They have made me an orphan," said one soldier who, like many of his comrades, had glassy eyes and seemed unable to believe what had happened. "My life is unimportant now."

Two days ago West Pakistani troops, as they had been for several days, were burning villages on the outskirts of Comilla less than a mile from the Indian border. Their apparent purpose was to remove all cover within a five-mile radius of the airstrip. Reports indicate they are doing the same all over East Pakistan.

Maj. Khaled Musharrof, the 32-year-old guerrilla commander in the area, sent out a 10-man patrol to harass the Pakistani troops. This correspondent accompanied the patrol, three of whose members had no shoes.

Using rice paddies to advantage, the patrol stalked to within 200 yards of the soldiers, who were throwing phosphorous grenades into thatch huts. The Bengalis, who had some Chinese-made automatic weapons, opened fire, which the soldiers immediately returned. The shooting was nearly constant for about 20 minutes, after which the Bengalis came scrambling back to safety over an embankment.

SHEIK MUJIB FACES TRIAL

The coordination of guerrilla units is poor and in some instances nonexistent. The Bengalis are now devoting themselves to guerrilla tactics while the army has gained control of most of the major cities and towns, including the cantonments and airfields.

With their added strength, the troops are launching forays into the countryside and sending out motorized columns to try to link up the cities they control. A few of the columns have been successful, but not many, because the guerrillas have been able to cut road, water and rail links with some regularity.

Though the guerrillas were fighting on, their leaders acknowledged that Sheik Mujib, the 51-year-old symbol of the rebel movement, was recently awaiting trial on the treason charges brought against him by Gen. Agha Mohammad Yahya Khan. President of Pakistan. The Government had announced that Sheik Mujib was arrested at his home in Dacca early on March 26.

Since the army has clearly won the first stage of the war, the Bengalis are counting on the monsoon rains, which will begin in a few weeks, to give them an advantage.

The difficult countryside of East Pakistan—a veined network of the thousands of rivers and streams of the Ganges-Grahmaputra system—is alien to the Punjabi and Pathan soldiers from the dry plains and mountains of the western province. When the monsoons swell the rivers and flood much of East Pakistan from May through October, it will become even more alien.

"We are just waiting for the monsoon," a Bengali officer said. "They are so frightened of water you can't imagine. And we are masters of water. They won't be able to move their artillery and tanks, and their planes won't be able to fly. Nature will be our second army."

The Bengalis are bitter about the failure of the United States to take a strong stand against the Pakistani Government; most of the leaders of the independence movement are pro-Western and were hoping for support from Washington. They are even more bitter about the American weapons being used against them.

"WE WERE EXPECTING HELP"

"Do you know, they are using your planes, your rockets, your tanks, to kill us?" a Bengali soldier, his voice tense and his eyes narrowed, asked the American correspondent. "We were expecting help, not this." Similar remarks were made repeatedly by others.

The Bengalis are not so surprised by the Chinese weapons the army is using because they apparently expected Peking to support the Government. Some Bengali officers, contending that the army offensive was worked out in advance with the Chinese, insist that the army would never have embarked on such a venture without assurances of full support from Peking.

Even before the offensive, the Bengalis wondered why the Western powers and others did not support their cause. Now their disillusionment is complete.

"This is genocide, and people are just standing by and looking," a Bengali student remarked. "Nobody has spoken out. Has the world no conscience?"

The bitterness does not include India, which has condemned the Pakistani military action and is trying to persuade other governments to put pressure on Pakistan to stop the killing.

Indian civilians and officials in border areas are providing assistance to refugees and others, but this correspondent saw no arms being transported across the border—as the Pakistani Government has charged and New Delhi has repeatedly denied.

EVACUEES DESCRIBE ATROCITIES

Both refugees and Western evacuees have brought tales of atrocities and slaughter.

One Westerner, manager of a jute mill in the Chittagong area, said that while he hid from the army for three hours in a ditch, he saw troops bring a truck convoy down the road. In the lead truck, he said, were several Bengalis held at gunpoint and told to shout "Victory for Bengal," an independence slogan. When they did so other Bengalis came out of their hiding places and were machine-gunned.

"They want to drag us so far down that the nation will be back in the 18th century," a Bengali soldier said, "so that there will be famine and we will be reduced to eating grass. They want to make sure that no head will ever be raised against them again."

There have also been reports from scattered areas of the province that Bengalis were retaliating by killing West Pakistanis and other non-Bengalis, particularly businessmen.

But the killing of Bengalis, which has been systematic, was apparently planned long in advance. Members of the Muslim League, an ineffectual religiously oriented party in East Pakistan long associated with the army and other West Pakistani interests, have reportedly been assisting the army in ferreting out students and other potential leaders.

An engineer reached India yesterday with his wife and year-old son after walking for seven days from Dacca. The engineer, who had held a Government job, said that although he had not been a member of the Awami League and had not taken active part in the nationalist movement, he left because "it was systematic killing of the educated."

"If I had stayed," he said softly, "it would have meant death, certainly death."

[From the Far Eastern Economic Review, Apr. 17, 1971]

THE BLOODY ROAD LEFTWARDS

(By T. J. S. George)

CHUADANGA.—In this dusty sunbeaten town west of Dacca the People's Republic of Bangla Desh is very much a reality. There is some kind of local administration in the hands of the liberation forces and no government troops are anywhere around. Two groups of West Pakistani soldiers who had tried to reach the town by road had been ambushed and wiped out. The claim can be believed because the East Pakistan Rifles units in the town show off Chinese-made light machine guns and heaps of ammunition which could only have been captured from government troops.

Early in the fighting Chuadanga was declared the provisional capital of Bangla Desh. This week the liberation forces announced a six-man government with Sheikh Mujib as the titular head. (The Pakistan government also released this week a photograph of the sheikh purporting to show him in captivity.) Immediate leadership of the movement is in the hands of three majors of the East Bengal Regiment and Dr Huq of Chuadanga, a medical practitioner who has been accepted by the men in uniform as their chief adviser. Awami League stalwart Tajuddin Ahmed has been named prime minister though an earlier report had said he was killed.

The message of Chuadanga is that government troops will be unable to hold their own against guerilla tactics by the local people. The road we took to the town was so elaborately blocked that only an expert local driver would know where the detours were and which turns had to be avoided lest he end up in a ditch. This was a Bangla edition of the Ho Chi Minh trail. And it will be an even more vicious death trap for the strangers from West Pakistan once the rains set in.

For all their lack of preparedness and inadequate arms, therefore, the Bengali patriots have a strategy open to them. As liberation leaders in Chuadanga explained, this strategy is to avoid direct confrontation with government troops, waylay small groups of them whenever possible and generally adopt a policy of denying them food and water.

Even allowing a margin for an element of wishful thinking here, there can be little doubt about the ultimate outcome of the fighting in East Pakistan. The Bengali desire for independence is so powerful and unanimous, and the practical problems of cost, logistics and supplies faced by government troops so serious, that eventual Bengali success seems inevitable.

The real question now is the political complexion of the future government of Bangla Desh. If the fighting continues in its present form for some months and if the outside powers maintain their present postures, the answer could well be: a distinct shade of Chinese red. Alternatively, Bengal could be-

come a Vietnam with outside powers backing a contending political factions for power.

Consider the method in the government troops' madness. Eyewitnesses from Dacca and Chittagong—not sub-continentals but Europeans and Americans—have confirmed that not only were the killings sadistics but that certain groups of people were carefully picked out for total annihilation. Heading this list were Awami League leaders and the university community.

The target of destruction seems to have been largely fulfilled—with the result that, should East Pakistan be handed over to local political parties tomorrow, there simply will not be many leaders or intellectuals of the Awami League brand to take over responsibility. In one murderous week the army wrought a vacuum which it will take a generation or more to fill.

As it happened the Awami League represented the moderate line in East Pakistani politics. Sheikh Mujib was in fact considered right of centre. While the moderate elements have been quickly decimated, others have been growing in strength.

They comprise two distinct strands. Maulana Bashani is not a fiery Maoist now but remains a militant leader of some 55,000 reasonably well organised peasants under the banner of the NAP (National Awami Party). His political line is similar to that of the CPM (Communist Party of India—Marxist) which until about 1967 was decidedly "pro-Peking" but drifted apart thereafter on the ground that the objective situation was not ripe for armed revolution.

Further to the left of the Bashani group, and known as real extremists here, are the EPCP–ML (East Pakistan Communist Party—Marxist Leninist), blood brothers of the Naxalites of India. Their leader is Mohammed Toha, an educated man in his early forties who was Bashani's righthand man and secretary of the NAP until around 1968. His second in command now is Abdul Huq and together they follow the strict Maoist line by the book.

Nobody knows the numerical strength of the EPCP–ML except that it is rather small. But they are believed to be extremely well organised with the only underground network known to exist in the country. Since the fighting started, they have been joined by Naxalites from India who presumably brought in some arms as well.

The Naxalites look on Sheikh Mujib as an American agent. Hand-written posters discovered in Calcutta last week said: "Imperialism burns and will burn in the fire of peoples' war in the villages of East Bengal under the leadership of Comrade Toha". The EPCP–ML also is against Mujib's leadership. But they support the liberation movement. They are confident that, now that armed revolution has begun, the leadership of the movement is bound to pass into their hands. The people at large may not care one way or another; they are so desperately anxious to get rid of the "Punjabis" that they are unlikely to bother about how it is brought about and by whom.

In fact, the EPCP–ML can alienate popular support for the Sheikh and the Awami League. Already there are criticisms of Mujib among the people—that he should have "wasted" his time conferring with President Yahya Khan and not drawn up any contingency plan for the kind of armed conflict that has now developed. The longer the fighting lasts the greater will be popular willingness to rely on a truly militant leadership fully conversant with the intricacies of armed revolution.

Mujib himself had seen this coming. As the Dacca talks with President Yahya Khan were beginning, he told a journalist: "These people must come to their senses. Can't they see that I alone can save East Pakistan from communism? If they make a fight of it, I shall lose the leadership within a few years. Naxalites will take action in my name. They will even carry my picture at first, to gain the confidence of the people. Then they will take over."

In normal circumstances Pakistan's army junta itself might be expected to see this possibility and set out to liquidate the extremists as it has sought to wipe out the Awami League. But then, Islamabad could also decide that it stands to gain some substantial if vicarious advantages by deliberately encouraging extremist growth.

This could be the case if the Pakistan government wants to devise some face-saving formula and get out of the Bangla mess. Reasons abound: the impossibility of a decisive military victory, the near hopelessness of setting up any kind of administration, epidemics which have already started in the eastern wing, the coming monsoon which will paralyze the landlubbers from the West, the famine that is sure to set in soon, above all the economic ruin a prolonged campaign in Bengal will bring about in West Pakistan itself.

Should any of these factors force West Pakistan to call it a day in Bengal, the military men might want to take one last vengeful fling and do their worst not only to the Bengalis but also to India. And what would be better than ensuring the assumption of power by a blood and guts Naxalite group in Dacca? It could cement Islamabad's friendship with China and, more importantly, permanently embed a thorn in India's side.

In the meantime, it would be clever for the Pakistan government to go for a diversionary maneuvre by organising a major skirmish or two with Indian regular troops along the border. Accusations already made about Indian trespasses across the border may be intended to prepare the ground for this.

China this week abandoned its fence-sitting and openly took the side of the West Pakistan government authorities, accusing India of interference in Pakistan's internal affairs. Islamabad has since claimed that Peking has pledged support against any attack by India. China's understandable reluctance to be seen to be supporting a secessionist movement may be one reason for this development. A weightier factor could be Soviet President Podgorny's criticism of the Pakistani government's repression in Bengal.

But there is also a valid ideological argument. There is no reason whatever China should back a movement led by Sheikh Mujibur Rahman or the Awami League. By the same token, it cannot abandon parties like the EPCP–ML. The possibility of publicly supporting the Islamabad government and privately rendering aid to the EPCP–ML cannot be ruled out. One of the hand-written Naxalite posters found in Calcutta last week said: "Foil the imperialist conspiracy to launch a war against socialist China by using Pakistan as a base". When the leadership of the liberation movement passes from the Awami League to the EPCP–ML the fighting in Bengal will have become officially a people's war, and China will have to rethink its position.

As we got into a jeep for a ride into this town, two young men joined us. We thought they were local people who would act as our guides. But they turned out to be Calcutta boys and their remarks—in excellent English—showed they were hardcore Naxalites.

"What is going on here is a great lesson for us," they said. "How are these poor people, unarmed and friendless, standing up to such a brutal army? We must learn from these people. We are going into the interior and will join the fighting if necessary—and learn." Later they said: "If the struggle here is successful, I can tell you we shall succeed in West Bengal also within a few months."

There in a nutshell we had the whole complexity of the Bangla Desh struggle explained for us—and the reasons for India's concern and for growing international interest.

[From the New York Times, Apr. 18, 1971]

PAKISTAN: IN THIS CASE "WAR IS HELL" FOR ONE SIDE ONLY

(By Sydney H. Schanberg)

AGARTALA, EAST PAKISTAN.—War is hell, everyone says, but it is usually hell for both sides.

Yet, in the three-week-old war between the Pakistani Army and the outgunned resistance fighters of East Pakistan, there has been only one hell so far—that of the tens of thousands of East Pakistani civilians who have been massacred by the army in its drive to terrorize, intimidate and crush the Bengali independence movement.

Having gained control of most of the major cities and towns, the army troops—all are West Pakistanis, many of whom harbor deep racial hatred for the Bengali population of East Pakistan—are now making forays into the countryside. They hope to extend their control before the monsoon rains become heavy in a few weeks and make movement for a regular army difficult.

"They flounder and die in knee-deep water," said a Bengali officer. "We will use country boats. We will make misery for them."

The prospect is for a long, sullen war. Most diplomats and foreign observers believe that the Bengalis, by hanging on, will eventually make life untenable for the West Pakistanis, who are more than 1,000 miles from their home and their supply bases.

But these observers also agree that, unless foreign powers put an economic squeeze on the Pakistani Government, it could be years before the 75 million Bengalis finally win their freedom and end West Pakistan's exploitation of their province—the exploitation that gave birth to the independence movement.

There are usually two sides to every story, every argument, every conflict. But it is difficult, after witnessing what is taking place in East Pakistan, to imagine some justification for the army's action. This is because the army, from all the available evidence, has set out to kill the leaders and potential leaders of East Pakistan and to destroy the economic base of the region.

"They want to drag us so far down that we will be reduced to eating grass," said one Bengali soldier. "They want to make sure that no head will ever be raised against them again."

The West Pakistani troops are killing Bengali students, intellectuals, professors, army officers, engineers, doctors and others of any leadership potential.

Using tanks, jet fighter-bombers, heavy artillery and gunboats, all mostly supplied by the United States, the Soviet Union and Communist China, the Pakistani Army is also destroying food-storage houses, tea factories, jute mills and natural gas fields—the economic infrastructure of East Pakistan.

SHOELESS SOLDIERS

The largest weapon the resistance army has is the three-inch mortar, although it has captured a few heavy guns. Some of the Bengali soldiers have no shoes.

The Bengalis—their core of trained troops number only 12,000 to 15,000, all of whom fled the ranks of the Pakistan Army when the attack began—cannot afford frontal clashes with the estimated 60,000 to 80,000 West Pakistani troops in East Pakistan. So the Bengali strategy is now based on hit-and-run guerilla tactics.

The independence movement has formed a provisional government, but for the moment this is largely a move to keep Bengali morale from flagging and to try to coordinate the war effort.

As the war continues, the economies of both East and West Pakistan are suffering badly. Frightened Bengali peasants are not risking going into their open fields to plant rice this year, East Pakistan's jute is not being exported and West Pakistan's big tex-

tile industry is unable to sell the Bengalis its over-priced sleazy cottons, for which there is no other market. The Bengali nationalists may be able to hold out by living off the familiar land. For West Pakistan, the key may be foreign aid.

One question mark is whether Communist China will provide enough aid to allow the Pakistanis to pursue their offensive indefinitely. In a note to the Pakistani Government last week, Premier Chou En-lai denounced the United States, the Soviet Union and India for "carrying out gross interference in the internal affairs of Pakistan" and promised China's support "should the Indian expansionists dare to launch aggression against Pakistan."

Another similar question is whether the Western aid-giving community, particularly the United States, which is now giving Pakistan about $175-million a year, will withhold all further assistance until President Yahya Khan stops the bloodshed.

The State Department's desire is to try to press for a political settlement, remote as that possibility is. This strategy runs the heavy risk not only of falling in West Pakistan, where the Americans want to keep a foothold to keep Chinese influence from becoming predominant, but also losing all the East Pakistani goodwill it had in the strongly pro-Western independence movements.

The Pakistan Government, often through its official radio, is accusing its old enemy India of virtually everything in this war: of sending arms and soldiers to the independence army, of harassing Pakistani ships, of setting up a clandestine radio station, of inspiring the Indian press to print exaggerated accounts of massacres and atrocities. These charges, all of which India has repeatedly denied, have received wide play in the world press, mainly because there is no Bangla Desh radio to counterbalance them.

India is probably providing assistance to the independence movement, but there has been no evidence yet of any arms, ammunition or men.

Radio Pakistan and the controlled West Pakistan press, in addition to using India for a whipping boy, also continues to issue daily reports describing conditions in East Pakistan as "returning to normal." It characterizes the popularly supported independence movement as "a handful of miscreants" and says that the East Pakistan economy is on the mend, with jute being exported again. All are bald fabrications.

[From the Far Eastern Economic Review, Apr. 24, 1971]

PUTTING UP A FRONT

(By Nayan Chanda)

MUJIBNGAR.—The green, sleepy village of Meherpara in the Kusthia district of East Bengal woke last Saturday to an invasion by an international brigade of journalists. Like the mystified press corps, which had been asked to assemble at six that morning at the Calcutta press club for an "important announcement", the villagers had no idea they were about to witness the formal proclamation of the Sovereign Democratic Republic of Bangla Desh in their village, renamed Mujibnagar.

Indian border security forces stood smilingly by as the convoy of two dozen cars carrying reporters and television crews crossed into Bangla Desh by a rocky dirt road, to meet the Awami League leaders in a lush mango grove in Meherpara—just over a mile from the Indian border, and about 25 miles west of Chuadanga, beseiged by the Pakistani army.

As Acting Head of State Syed Nazrul Islam arrived in a green Toyota jeep an assorted guard of honour—men of the EPR (East Pakistani Rifles) and Ansar (home guard) troops—was drawn up. The purpose of the occasion, said Nazrul Islam, was "to show that the government of Bangla Desh exists, not in imagination, but right on the soil of Bangla Desh." But the venue chosen was close enough to the Indian border to dissuade the Pakistani air force, which had bombed Chuadanga the day before, from trying to make a strafing run.

This genocidal bombing, shelling and machine-gunning of the Bengalis has driven the last nail into the coffin of Pakistan. As Prime Minister Tajuddin Ahmed told the applauding crowd, "Pakistan is now dead and buried under a mountain of corpses . . . and independent Bengal is a reality sustained by the indestructible will and courage of 75 million Bengalis who are daily nurturing the root of this new nationhood with their blood." He was not exaggerating: the heroism of the half-fed and ill-equipped Mukti Fauj (liberation forces) has been astounding—and their failure to withstand a sophisticated military machine the more tragic.

"When we can get hold of a rifle," said one Mukti Fauj officer, "we give it to a man and tell him to go to the front and get himself killed—but first to kill as many Punjabis as he can." But this suicidal courage has not yielded them the victory; the announcement of a provisional government over clandestine radio on April 14 was the only good news in a week which saw a series of key towns fall to the Pakistanis, and they are sweeping eastward in a bid to close the Indo-Pakistani border which looks like succeeding.

Major Osman, the Mukti Fauj commander in chief who also addressed the Mujibnagar gathering, spoke of his determination to fight 20 or even 30 years to liberate the country. But the leadership appears to be banking heavily on foreign intervention to end the war. Tajuddin appealed to outside powers: "In the name of humanity, act now and earn our undying friendship." Every day recognition is delayed, he claimed, "a thousand lives are lost."

If the proclamation of a government helps lure the world off the fence, it may not solve internal problems. The announced cabinet is an all-Awami affair, reflecting the overwhelming electoral mandate given Sheikh Mujibur Rahman. But already the NAP (National Awami Party) is pointing out that Mujib's platform was autonomy, not independence, and that it was their leader Maulana Bashani who first called for a sovereign East Bengal this January.

Not that the NAP is eager to join a government, the main purpose of whose existence is to secure international recognition and massive military aid. The tactics employed so far by the Mukti Fauj have been those of conventional positional warfare. It hopes this way to achieve a quick victory over West Pakistani forces—provided it is reinforced by foreign aid on a massive scale. And to the government's understandable anxiety to put an end to the massacre and other sufferings of its people by a prompt resolution of the conflict is added the openly expressed fear that protracted war would mean a takeover by extremist leaders from the moderate Awami League.

This is the reason the NAP prefer guerilla tactics to a quick military decision, and a Vietnam-style national liberation front to a provisional government. It has made no public comment on the April 14 announcement, but two days earlier one NAP leader told me he was seeking to set up a front, with two objectives acceptable to all parties; to liberate the country and establish people's sovereignty. It would steer clear of international aid in favour of longterm guerilla struggle: "We don't worry whether China openly supports us or not, whether Russia tries to mediate or America tries to replace Yahya Khan. We have to wage our own battle and we are sure to win."

The front idea was obviously cold-shouldered by the Awami League. But the NAP leader claimed all the Naxalite groups in Bangla Desh—the Matin-Sikdar and Zafar-Menon groups—with the exception of Mohammed Toha's EPCP (M-L) (East Pakistan Communist Party—Marxist-Leninist) had pledged their support. Toha's objection was apparently that he put class struggle before national struggle. The NAP leader was not prepared to scratch the Awami League from the front: "Even Chiang Kai-Shek had to collaborate with Mao in fighting the Japanese. Although there is no Mao among us the Awami League cannot ignore a militant party like ours if it is serious about fighting the colonial army of West Pakistan."

Without any formal agreement, at the grassroots level a united front has in fact been taking shape. In the villages, local Awami League, NAP and EPCP (M-L) leaders have made local defence plans and organised supplies for the Mukti Fauj in concert. Operations were directed from the offices of the Awami League, but it held no monopoly on what was decided. In one village, the local Awami League secretary enlisted the oratorical skills of the local EPCP (M-L) leader, a middle-aged schoolteacher, to combat a whispering campaign launched against the League and the liberation war by the ultra-rightist Moslem League and Jamat-i-Islami.

The formation of the provisional government will be welcomed in Bangla Desh as a step towards ending the barbarities of the war. Already it has made an impact on the Pakistan deputy high commission in Calcutta which on April 18 declared its allegiance to Bangla Desh and ran up the green-and-gold flag to the cheers of its staff. But its control, even over areas not yet overrun by Pakistani forces, is uneven. Even sympathetic commentators in different parts of Bangla Desh suggest the party's leadership is already feeling the strain of the war. And many Awami League members of the provincial and national assemblies have gone to India with their families, leaving room for NAP and other leftist elements to take over.

If local leaders are not in evidence, and the Pakistani army's ruthless destruction of cities to "save" them from the rebels continues to demonstrate painfully the ineffectiveness of Mukti Fauj tactics, popular faith in the Awami League's ability to provide leadership will be irreparably flawed. If there is no foreign armed intervention within a couple of weeks, the Mukti Fauj will be compelled to fan out into the villages and begin guerrilla warfare—the step which would increase the probability of an eventual National Liberation Front of Bangla Desh.

[From the Far Eastern Economic Review, Apr. 24, 1971]

THE CROSS OF BENGAL

(By T. J. S. George)

CHUADANGA, EAST BENGAL.—The key to the tragedy of Bengal was forged with the birth of Pakistan 24 years ago. In the wake of independence Chowdhury Mohammed Ali, a member of the ICS (the "heaven-born" Indian Civil Service) who had become secretary to the new Pakistan government and who later rose to be prime minister, prepared a top secret report on East Pakistan. It said East Pakistan was sure to go its separate way one day and that therefore the federal government should not waste any resources on developing the province. This cynical if realistic assessment became a guideline for successive governments of Pakistan.

Founding father Mohammed Ali Jinnah himself had queered the pitch for East Pakistan. Visiting Dacca once he warned that Urdu would be the lingua franca of the new country. Urdu with its Persian base was alien to Bengalis, whose language has a fundamentally different Sanskrit base. Besides, an entire philosophy of nationalism revolved

round Bengali. Even in the days of Jinnah's unquestioned authority, Bengalis had risen against the Urdu fiat.

The leaders in West Pakistan never got the message. In 1949 they attempted to do what every Bengali dismissed as preposterous—to replace the Bengali script with Arabic. The leaders had evidently convinced themselves they could achive integration through administrative decrees. In fact they only sowed among Bengalis seeds of permanent mistrust of the establishment in the western wing.

This unimaginative attitude was in contrast to the statesmanlike eye with which the leaders had regarded the future during the movement for Pakistan's establishment. In 1940, in recognition of the cultural, psychological and physical differences between the widely separated areas of the then northwest and east of India, they had resolved that the two areas "should be grouped to constitute independent states in which the constituent units should be autonomous and sovereign." This was the famous Lahore resolution of the Moslem League which was to be used by the venerable old Maulana Bashani as the basis of his demand for an independent East Pakistan well before the present liberation movement started.

In Lahore the Moslem League leaders were wise enough to realise that Islam alone might not for ever hold together two peoples with nothing else in common. But, with power, wisdom apparently gave way to the kind of expediency articulated by Chowdhury Mohammed Ali. The build-up began. Given the attitudes that grew in West Pakistan soon after independence, it was inevitable the relationship between the two halves of the country should develop into a classic colonial pattern. Given the colonial character of the relationship, it was inevitable a struggle for independence should grow in the eastern wing. And the record of such struggles in Asia suggests that Bengla Desh will become a fact one day.

If the basic fact of the colonial relationship did not attract world attention until now, it was because the world equated Pakistan with the western wing where the government was situated. In the light of the present flare-up, tell-tale facts are clearly seen: East Pakistan has all along been a supplier of raw materials and financial resources to West Pakistan; it also was a captive market for the western wing's manufactured goods; and Bengalis hardly received a square deal in such matters as employment in government services, recruitment to the armed forces, promotions, even facilities for scientific and technical education.

At the time of independence the total regional income of West Pakistan was slightly lower than that of East Pakistan which was then producing 80% of the world's jute. By last year it was at least 25% higher. West Pakistan's growth rate in recent years has been 6%, East Pakistan's 4%. The west's share in GNP increase is 58.4%, the east's 30.6%.

For many years East Pakistan's resources were transferred to West Pakistan at the rate of £20 million a year. Out of Pakistan's total bank deposits of Rs15,000 million the western wing keeps as much as Rs12,500 million. The eastern wing's jute and tea earn most of Pakistan's foreign exchange, but the bulk of these earnings are used for the western wing's industrial development and imports. During the last 20 years West Pakistan imported goods worth more than Rs30,000 million, three times as much as East Pakistan—and Rs20,000 million is excess of its own export earnings.

The pattern extends to fund allocations also. In the second five year plan (1960–65) development expenditure per capita stood at Rs521.05 for West Pakistan and Rs240 for East Pakistan, revenue expenditure at Rs309.35 for West Pakistan and Rs70.29 for East Pakistan. The disparities have since grown. Only some 20% of the total foreign aid received has gone to East Pakistan.

East Pakistan's allocations in absolute terms have increased from plan to plan but this only added to the Bengalis' frustrations and confirmed their worst fears. For administrative bottlenecks invariably prevented East Pakistan from receiving the full amounts allocated to it. A West Pakistan project would be promptly implemented while an East Pakistan project, sanctioned simultaneously, would get bogged down in red tape. This explains why the Bengalis have been condemning bureaucrats along with the west's politicians and capitalists as East Pakistan's enemies.

As early as 1949, the central government bluntly showed its willingness to hit the eastern wing below the belt for the benefit of the western wing. Following the devaluation of the pound, India devalued its rupee. Pakistan refused. This was beneficial for the western wing which was then beginning its industrialisation programme and wanted to import machinery and other goods. But it dealt a body blow to the eastern wing, as India stopped buying not only Bengal's jute but also its fish. East Pakistani leaders begged their central government for a change of policy, but in vain.

After the 1965 India-Pakistan war, East Pakistan was forced to buy its cement and coal from China and Sweden at three times the prices prevailing in West Bengal across the border. It was already the largest consumer of goods produced in the western wing, absorbing 60% of the output. What grated on the Bengalis was that they were paying considerably higher prices than the West Pakistanis for these goods. They also knew that if this captive market were lost West Pakistan would be left to the mercy of international competition.

While the Bengalis were doing much to prop up West Pakistan's economy, they were getting less than their share of key government jobs. They could see that in India, though West Bengal was a small state, its citizens had risen to the highest positions in the country—chiefs of the army, navy and air force, chief justice, secretaries to government. In Pakistan, Bengalis formed a majority but they were nowhere near the top. They account for less than 15% of personnel of the central government services, less than 10% of the armed forces. The highest rank achieved by a Bengali in the armed forces was Brigadier, a solitary officer. Usually they stop at major.

For 24 years the frustrations and the bitterness smouldered in Bengali hearts. The election in December was the first ray of hope that things would become equitable. When those hopes suddenly crashed to the ground, pent-up emotions caught fire. West Pakistan's leaders are once again showing shortsighted lack of imagination in the method they have chosen to put out the fire.

The full story of the atrocities that started in East Pakistan on the night of March 25 has not been told. First, the story is still unfinished; second, the authorities put a blanket ban on reporters. But evacuees have described what reporters were barred from witnessing. It is a story of extreme cruelty.

In the first few days the killings were particularly gruesome. Dacca and Chittagong were in the first line of fire. Tanks and mortars were used in densely populated areas followed by a rain of incendiary bombs. Houses were bombed with residents shut in, crowded bazaars completely gutted, pavement sleepers shot in their sheets. Small groups of people who had sought refuge in nooks and corners were bayoneted. Those who saw the weird tableaux of dead bodies said the groups included little children.

The attitude of the troops was summed up by the comment of an air force officer who was asked by a British evacuee on her way to the Dacca airport why his men were killing children. He answered: "If we leave the children orphan, they will grow up to be anti-West Pakistan."

A Dutch student who reached Calcutta from Chittagong in a British freighter described how the Police Lines (barracks) in Chittagong were taken care of. The Pakistani army major who carried out the operation told him: "We lined up the policemen and reduced them to dogfeed. We've looked after them for 23 years and now they dare behave in this manner. Who the hell do they think they are?"

The Dutch student also said he saw some 15 people buying food in a shop. The troops asked them to come out, then lined them up and shot them down. Such firing squads, he said, operated in many places in the city. Some 200 girl students of Dacca's university were said to have been killed in one lot. The troops then ran bulldozers over the heaped bodies for easier disposal. Often slogan-shouting Bengalis were tied to military trucks and dragged bleeding behind them at full speed until they died. Bombs and grenades were dropped from transport planes.

Evidently the troops were not merely suppressing a rebellion. They were sadistically giving vent to hatred, fear and contempt. The suddenness with which the army struck made things worse. In the packed dormitories Dacca university students never had a chance to duck for cover. The tanks came at dead of night. Children and old women living in the houses of faculty members were seen shot in their beds.

It is said that when the Yahya-Mujib talks in Dacca finally collapsed, General Tikka Khan, Dacca's hardline new military governor, asked for 72 hours to set things right. Perhaps mindful of world reactions and anxious to "set things right" before other countries had a chance to realise what was happening, President Yahya Khan is reported to have given his martial law administrator only 48 hours in which to do the job. The intensity of the killings in Dacca in the first two days was apparently the result of this calculation.

The West Pakistanis have no monopoly of barbarism. When the EPR (East Pakistan Rifles) mutinied their first reaction was to wipe out the non-Bengalis in their own ranks. Some 40% of the 10–15,000 strong EPR consisted of West Pakistanis including most of the officers. One carload of bodies was dumped by EPR men one night across the border by the Indian checkpoint town of Haridaspur.

A sadder story is that of the Biharis—Moslems from the Indian state of Bihar adjoining West Bengal who could not migrate to West Pakistan at the time of partition because of the distance and who were then ceremoniously led into East Pakistan by Adbul Ghaffar Khan, a respected leader of the old Congress movement in India. Numbering a few million, the Biharis are mostly poor, working as labourers. Being non-Bengali, they have been taken as supporters of the West Pakistan government and therefore spies. Many of them have been murdered by the Bengalis. Many other have been put in detention camps, perhaps as hostages for the Bengalis still left in West Pakistan.

An American missionary who made the refugee ship from Chittagong told me that poor Bengalis had started killing one another in places around Chittagong. Prices have gone up beyond control, food and other goods are scarce and already the first signs of famine are visible. Driven by desperation, the poor do not stop to identify their victims when they kill and loot in search for something to eat.

Bengali desperation is perhaps the natural result of West Pakistani cruelty. That cruelty in turn is a reflection of the anger which the failure of the Dacca talks inspired in General Yahya Khan and the army. According to a reliable intelligence source, the talks failed

not over the question of autonomy or the details of federation, but over that of Yahya's own position. It appears the president was inclined to accept a proposal by the Bengali leader Sheikh Mujibur Rahman that he end martial law and transfer power to the provinces pending the framing of a constitution. During the period Yahya was to stay on as provisional head of state.

But Zulfikar Ali Bhutto, the consummate western politician, pointed out to Yahya that as head of state in such a provisional setup he would have no legal status. He said the proposal was a trap set by "the bloody Bengalis" to get rid of martial law and establish their political supremacy. His suggested solution: that the newly-elected National Assembly duly elect Yahya Khan as head of state before martial law is ended and power was transferred.

Yahya is said to have appreciated this point and suggested to Sheikh Mujib that the National Assembly meet for one day. Mujib would not agree. This convinced Yahya Khan that the Bengalis were indeed laying a trap for him. He then angrily decided to go along with the hawks in the army who had been putting pressure on him all along.

The hawk group in the army includes four lieutenant generals—Tikka Khan, Hassan, Irshad Ali Khan and Pirzada (the last being General Yahya Khan's personal staff officer). The first army contingents these officers dispatched to East Pakistan on their own initiative arrived on March 19, only four days after Yahya Khan himself reached Dacca for the talks. Plans for the offensive were reportedly completed by March 23, two days before D-Day.

Informed sources now believe the hawks had reluctantly agreed to go through the motions of the December elections in the hope that no party would make continuance of army control possible. When the elections result upset this applecart, they decided to put their foot down. When Yahya Khan bowed to them for his own reasons, the decks were cleared for the bloodbath.

Admittedly neither the Awami League nor the people of Bengal were prepared for a showdown with the army. Only after the Dacca talks were halfway through did some local leaders in scattered areas begin making some preparations on their own. In the Chuadanga-Kushtia area for example, communication lines and rail links were cut well before the army began its offensive.

For several days the resistance remained pathetically disorganised. The East Bengal Regiment contained the only trained and properly equipped soldiers among the liberation forces. It consisted of six battalions, and its top officers had been West Pakistanis. The East Pakistan Rifles was a para-military organisation, armed only with old weapons. For the rest the liberation forces comprised policemen and homeguard units known locally as Ansars and Mujahids.

Slowly a makeshift communication system developed. It started with a courier service, mostly using bicycles. In the first week of April the three sector commanders of the eastern districts, all majors, were at last able to meet and work out a co-ordinated strategy. The three majors—Khalid Shaffesque who was reported promoted to brigadier by the Bangla Desh government, Ziaur Rahman and Safiullah—along with Major Osman who operates in the western sector seem to be the high command of the resistance movement. Nothing has lately been heard of Major Jia Khan who was first mentioned as head of the provisional government of Bangla Desh.

Last week's announcement of a six-member cabinet could mean another step in the process of consolidation. But there is no evidence yet that this government has a base in Bangla Desh itself. One report alleged that the cabinet in fact met in Calcutta. Perhaps the announcement was one last attempt to persuade some countries to recognise Bangla Desh.

The question most frequently asked now is whether the liberation forces can hold out for long. In a military sense they obviously cannot, unless material aid from outside is forthcoming. This will have to include more than Indian aid—which by itself would only reduce the Bengali freedom movement to the level of the familiar India-Pakistan confrontation. The Pakistan government has been shrewdly trying to make it look like this already—and with some success. India has helped through the glee some political groups have expressed in the looming division of Pakistan, the emotional resolutions passed by various parties advocating such measures as sending in volunteers, the exaggerated reports in some newspapers. If the Bengali freedom fighters put all their eggs in Indian basket, however natural this might seem, it would be an invitation to other countries to stick to the legalistic postures they have traditionally adopted in the wider Pakistan-India context.

But the question remains whether the West Pakistan establishment itself will be able to hold out very long. The western wing's economy also is in the doldrums as a result of the crisis. Prices have shot up, especially of tobacco, meat, tea and jute goods. Though the tightly controlled press has given no indication of it, labour unrest has reportedly broken out in a serious form. Industrial workers have been marching in processions in places like Lyallpur and Labore. There has been trouble also in Karachi, Multan and Hyderabad. In some cases the troops are reported to have resorted to firing.

The general elections had aroused great expectations in West Pakistan also. Bhutto's unexpectedly impressive victory was the direct result of widespread popular desire for a return to democracy and for social reform. Now the army seems to have gone back to square one and all talk about a constitution and socialism (Islamic or otherwise) has been forgotten. The students and workers who threatened dire consequences if Bhutto so much as delayed social reforms will now be as frustrated as the Bengalis themselves.

The establishment also has powerful minorities in the western wing to reckon with, the Pathans and the Baluchis who have their own bones to pick with the Punjabi-dominated central government on the issue of autonomy. In late March there were scattered reports of some unrest in the Northwest Frontier Province home of the Pathans and fights within barracks between Baluchi and Punjabi soldiers. The few West Pakistani soldiers who surrendered in the current fighting in the eastern wing were Pathans.

Islamabad obviously has its hands full. What it hoped would take 72 or 48 hours has stretched into a guerrilla war which threatens to go on indefinitely. Diplomatic efforts from outside alone may now restore a semblance of order in the country. The brutalities the army has indulged in have made any kind of compromise between the two wings all but impossible. Pakistan, as conceived by Jinnah and known to the world for a quarter century, is no more.

Shades of Defiance

(By Nayan Chanda)

It was after midnight in a village south of Jessore. The local Awami League leaders had just said goodnight and left when a tall, sharp man in lungi with a rifle slung on his shoulder walked into the thatched hut I was staying. He was, I discovered later, one of the top leaders of Maulana Bashani's NAP (National Awami Party). This leader, who does not want to be identified, said he wanted to know what the world outside thought about Bangla Desh. In course of the conversation he bitterly attacked Sheikh Mujibur Rahman for having brought this inhuman suffering on the people.

Mujib, he said, never asked the Bengalis to prepare for protracted armed struggle—the only way a people can win its liberation. The precious week he spent behind closed doors with President Yahya Khan was used by the army to prepare a massive onslaught.

Although his party—the NAP—was now actively participating in the liberation war, he did not foresee any prospect of victory in the near future. Given the low level of Bengali preparedness and the genocidal methods adopted by the army, public opinion might even swing overwhelmingly behind compromise rather than protracted struggle. He even insinuated this might exactly be what Mujib had bargained for.

When asked how the NAP was preparing to wage a prolonged fight for liberation, he frankly confessed that although the Maulana was respected universally his supporters were not yet organised. Naxalities like Mohammad Toha and Abdul Huq who had left the NAP were, he said, misled and sectarian—but nonetheless better organised. The army, he predicted, was bound at first to have the upper hand. A liberation rags-and-tatter army simply cannot hold towns against a modern military machine. The people must retreat to the countryside and strike back gradually from there.

The Awami League leaders I talked to put a brave face on things. Yes, the people were suffering but soon the army's supplies would run short and "isolated, famished, battered by our Mukti Fauj (Liberation Army) they will throw in the sponge." But from the anxious inquiries they made about the possibility of foreign intervention to stop the massacre of civilians, or the chances of Bangla Desh being recognised abroad, indicated that psychologically they were not yet prepared to accept the losses protracted guerrilla war against the government forces would involve. "You journalists should try to arouse public opinion so that foreign governments immediately recognise our government."

No such requests were, however, made by one member of the provincial assembly who had won on an Awami League ticket. "Our party has in many areas failed to give leadership to the struggle. Take Jessore district, from which five Awami League candidates were elected. Of them one has been arrested, three have fled and only one is engaged in organising logistics for our Mukti Fauj." With a wry smile he said, "you cannot of course blame them. When they took our partys ticket they hoped to be parliamentarians not commanders."

And that exactly is what gave Nazrul, a member of Mohammad Toha's EPCP (M-L) (East Pakistan Community Party—Marxist-Leninist), his confidence. "We knew political power grows out of the barrel of a gun and and we prepared accordingly," he told me while travelling on a truck carrying EPR (East Pakistani Rifles) soldiers to a front in Jessore. A student of Jessore government college, Nazrul was carrying a second world war bolt-action rifle he had taken from a police station just after the war started. His party's leaders, he said, had gone underground some time before the flare-up and had been able to organise rural bases in Pabna, Rajshahi and Jessore districts which incidentally border India.

Knowing that Mujib is anti-communist, how could they fight alongside the Awami League, I asked. "This," he said, "is just the beginning of our struggle for socialism and at this stage we can collaborate with all patriotic elements." He was sure that ultimately the leadership would rest with the most militant party of the proletariat—the the EPCP (M-L).

Common people—from peasants to vendors and fishermen—I talked to invariably spoke with contempt for the "khans", as the West Pakistanis are commonly called: "The khans have bled us white." One vendor in a small market town pointed out the rice they grew in Bangla Desh cost less to buy in West Pakistan; Bengalis had to pay more for the paper they produced than people in the west.

Jute, he said, was purchased from the peasant at Rs20 a maund and sold abroad at Rs60.

But this awareness of being exploited, the NAP leader told me, was not always matched by readiness to sacrifice what they have in order to get rid of the exploiters. Travelling through villages I also noticed that the further it was from the embattled town of Jessore, the lower was popular concern about the war. "The 'khans' wouldn't come this far," was the half-questioning assertion on many lips. To many who live closer to the Indian side of the district, the war is largely a distant affair—to be fought by the Bengalis of the EPR and supported from afar with sackfuls of rice, flour, eggs and meat.

[From the New York Times Magazine, May 2, 1971]

THE POLITICAL TIDAL WAVE THAT STRUCK EAST PAKISTAN

(By Peggy Durdin)

It would be professionally gratifying but inaccurate to say today that on Feb. 28 when our plane landed routinely on the airfield of East Pakistan's capital city, Dacca, we had premonitions of the gripping, tragic human and political drama that was to be played out in its sprawling, disheveled precincts during the succeeding weeks.

We had come—my husband as a New York Times correspondent and I as a magazine writer on Asian affairs—to cover the meeting scheduled for March 3 of Pakistan's first, freely elected National Assembly. Its task was to adopt a Constitution and end an era of military rule with the inauguration of a democratic system of government.

Everything, in fact, seemed peaceful and normal. Customs officials casually passed our baggage. Then we drove, in the crisp air and bright subtropical sun of Dacca's pleasant winter weather, past jerry-built buildings and tiny shops, down broad streets where dark-skinned, slender, white-clothed Bengalis strolled about their business and little motorized three-wheeled taxis, gay with flower-patterned tops, brightened the traffic.

In the Intercontinental Hotel, guests (including a large group of Japanese on their way to scale a Himalayan peak in Nepal) were enjoying a relaxed Sunday, lying by the swimming pool, chatting, drinking beer and buying curios in the lobby.

Uptown, the city—an agglomeration of scattered, nondescript modern buildings, crumbling old colonial edifices from British days and teeming, incredibly filthy, and dilapidated shack areas—looked relaxed. Even on Sunday Dacca's air was business-as-usual; its population of more than a million busily spilled through the streets, shopping, trading, bargaining, strolling, eating and visiting.

But the very next day Dacca's air of preoccupation with routine, commonplace activities was shattered. Suddenly Pakistan President Yahya Kahn, 1,200 miles away across Indian territory in the national capital of Islamabad, announced the indefinite postponement of the Assembly, which Bengalis of the East had hoped would be their means to fulfilling long-cherished aspirations for self-rule and for freedom from the exploitative domination they had long suffered from the vested interests of West Pakistan and the West Pakistan-run national Government. Almost within minutes of the broadcast announcement, and for weeks afterward, the volatile, bitter, angry Bengalis, from every walk of life, and including women, surged in enormous, shouting processions and demonstrations through the streets to show their resentment and assert their claim to self-determination.

Guided and inspired by Sheik Mujibur Rahman, a tall graying 53-year-old leader blending an attractive gentleness with a stubborn devotion to Bengali rights, the people's movement swelled steadily, with disciplined, complete civil disobedience to Islamabad's authority and an amazing, voluntary, near-universal submission to an impromptu administration of their own.

But the impasse between the freedom the Bengalis were determined to achieve and the concessions the vested interests of the West and Pakistan's military dictator-president were prepared to give finally culminated in one of the bloodiest slaughters of modern times, as Pakistan's armed forces moved with total ruthlessness to reassert Islamabad's authority.

The roots of this tragedy are in geography, history and the nature of man. East Pakistan is a part of the subtropical eastern region of the Indian subcontinent, an arc of river-laced flatlands extending several hundreds of miles inland from the Bay of Bengal. There are 110 million Bengalis in the region, 75 million of them in East Pakistan, the rest in India.

A short, small-boned, wiry, dark, intense and high-spirited people the Bengalis are ethnically and culturally distinctive. Talented in music and art, they have their own language and a notable body of poetry, novels, essays and drama written in their own script. Among internationally celebrated Bengali literary figures are the Moslem poet Nazrul Islam and the philosopher Rabindranath Tagore.

Bengalis are also distinctive for their poverty, one of the worst in the world, more terrible, a European diplomat in Dacca said to me with real pain and shock, than he had seen during his service in black Africa. Nature itself is not kind to the Bengalis. Except for jungled hills in the southeast, East Pakistan is a delta cut into fragments by the great, Himalayan-fed Brahmaputra and Ganges Rivers and their myriad, meandering, shifting subsidiary channel, pouring oceans of water into the area. In addition, for five months of the year, the area is so heavily drenched by monsoon downpours that it becomes a lake whereon tiny boats ply between marooned clumps of bleak, thatch-roofed huts. Periodically, terrible hurricanes and devastating wind-driven tides inundate the coastal regions. Even in dry seasons, transportation is mostly by boat; roads are poor, bridges lacking.

East Pakistan has few mineral resources and little industry; income comes mainly from exports of jute, tea and tobacco, which cannot grow well in the monsoon months, and fish and timber. Food production is so inadequate that milions of tons of rice and wheat must be imported from the outside every year to prevent, not mere malnutrition, but widespread starvation. For some time much of this has been coming from United States aid shipments.

Per capita income is computed to be $30 a year, a figure so low that many economists refuse to believe it, arbitrarily raising it to $50 on the grounds that there must be some mistake in available data. Only 15 per cent of the inhabitants are literate.

Already the world's most densely populated overwhelmingly rural region, East Pakistan is about the size of New York plus Connecticut, but with huge, vacant tracts of deltaic, marshy forests (the Sundarbans), the habitat of the famous Bengal tiger. Yet East Pakistan has a population growth of more than 3 per cent. If birth control continues as ineffective as at present, it is estimated that by the year 2000 East Pakistan will have more than 100 million people in an area of only 55,000 square miles.

Nor has history treated kindly this benighted land. As part of Bengal, it was harshly ruled and plundered by Moslem conquerors from the 13th to the middle of the 18th century. They converted the inhabitants to Islam. Then, in the latter half of the 18th century, the British in India made Bengal one of the first areas of extensive up-country penetration and eventually used it as their base for the conquest of all of northern India. But from British times, Moslem East Bengal, the present-day East Pakistan, always remained a relatively neglected, backward hinterland for the great port of Calcutta. In the early 20th century the area prefigured its attitude of today by agitating to be separated from the western half of Bengal and made a separate province.

Faithful to their Islamic heritage, the East Bengals were ardent supporters of Pakistan when, in 1947, it was carved out of what had been British India as a national homeland for Moslems of the subcontinent. The eastern part of Bengla Desh (Bengal Homeland) became East Pakistan, the most populous of the five provinces of the bifurcated new nation.

But East Pakistanis were soon dismayed and dissatisfied to find themselves discriminated against and exploited by better-developed, more-prosperous West Pakistan, home of 55-million Urdu-speaking Punjabis. One of the East Pakistanis' first shocks came when no less a personage than the exalted Muhammad Ali Jinnah, founder of Pakistan, declared that they should give up their native language and adopt the Urdu used in the West. It was only after years of riots and demonstrations that Bengali was given the same status as Urdu as a national language.

But language was only one of the differences between the Moslems of the East and the Moslems of the West. The Easterners were rice eaters with a flexible, light-hearted temperament like the peoples of Southeast Asia; the Westerners dour, rigid wheat-easters who looked to the Middle East. Easterners were more naturally democratic, Westerners more adjusted to autocratic and military rule. Easterners were more liberal Moslems and preferred a secular state; Westerners, more fundamentalist and insistent upon reinforcing Islamic doctrine and attitudes with state authority. Purdah for women was far more common in the West than in the East. In the West the claim to Moslem-inhabited Kashmir, seized, except for certain mountain areas, by India at the time of partition, was a passionate cause motivating deep bitterness toward India; the East regarded the Kashmir claim with relative indifference and regretted the cutoff of trade and cultural relations with India caused by strained Indo-Pakistani relations.

For many years East Pakistanis earned most of the nation's foreign exchange with their exports, only to find the proceeds used to build up industries in the West, which exported inferior consumer items at higher than world prices to the East under the protection of tariffs and exchange controls. Most big Pakistan state development projects—the dams, irrigation canals, power stations, land reclamation schemes, basic industries and even the expensive, grandiose national capital in Islamabad—went to the West. Most defense establishments with their enormous expenditure were located in the West; less than 10 per cent of the military personnel for the armed forces was recruited in the East. The West got the biggest bite from foreign aid and East Pakistanis found that most of what new enterprises did locate in their area consisted of branch factories, banks, insurance companies and trading firms run by entrepreneurs of the West transmitting their profits to head offices in Karachi and Lahore.

"We are only a colony and a market," became the lament in East Pakistan.

During the 1965 Indo-Pakistani war, East Pakistanis were shocked to find most of the national forces defending the West and few allotted to block India from marching into the East. More embittering still, when cyclone winds and tidal waves devastated much of East Pakistan last November, killing up to half a million people in one of the worst disasters of all time, little aid came from West Pakistan and less sympathy. Foreign countries were the first to help, and in the end provided most of the relief.

Parallel with the development of East Pakistan's disillusionment and bitterness over

the years was the career of the country boy named Mujibur Rahman (Sheikh is a hereditary title passed down from Middle East ancestors of long ago). One of six children of a prosperous land-owning father and a devoutly Moslem home-and-family-centered mother, Mujib was born in the East Bengal village of Tungipara. His precollege education, interrupted by three years of glaucoma necessitating operations on both eyes, was at a nineteen-twenties mission school where he showed no special aptitude for book learning but was liked by both teachers and fellow students for his ability to get along with people and for his skill in sports.

But since the subcontinent was already agitating for an end to British rule and the Moslems for an end to Hindu domination, Mujib at this early age became interested in the politics of independence and Moslem rights. As a teenager he spent the first of what were to be many periods in jail. He was held for a week for showing his nationalistic sentiments by throwing stones at a British police station. This incarceration, he is quoted as saying, "ended my boyhood."

He became still more deeply involved in nationalistic and anti-Hindu politics when he went to Calcutta at the age of 22 for liberal arts study at Islamia College. He became an organizer of student activities and a campaigner in local elections as a member of the new Moslem League. At this time he was described as "intense, warm, gregarious, not particularly studious and obsessed with politics," adjectives generally applicable to him today. The intensity is hidden behind a relaxed manner, a soft voice even when enunciating basic political convictions, a twinkle and a quizzical smile—except when he is completely capturing an adudience with an impassioned speech.

After graduating from Islamia, he entered the University of Dacca in 1947 to study law at his father's request.

When the subcontinent that year achieved independence from Britain as two separate nations, India and Pakistan, Mujib felt that both nationalistic and Islamic aims had been accomplished. He quickly found a new focus for his political activity—in agitation against what he soon concluded was unjust treatment of East Pakistan within the union with the West. He resigned from the Moslem League and joined nationalistic Bengalis in opposition to Jinnah's effort to make Urdu the national language of the new state. His participation in the so-called "language movement" and in strikes and illegal agitation brought him a brief jail term in 1948 and a three-year sentence in 1949. He was expelled from the university, without his law degree.

Then victory was won on the language issue and Bengali made coequal with Urdu as a national language. With seemingly better prospects in view for the East, Mujib, after finishing his prison term, settled with his wife (he had married when still in his teens) and children in a big, nondescript, two-story house in the Dhanmondi district of Dacca that he has occupied ever since. He envisaged a future of more conventional public activity. He had become a founder and important member of the new East Pakistani party, the Awami (People's) League and as a League candidate was elected to the provincial Assembly. He was made a minister, went with a delegation on a trip to Communist China, toured Europe, including Russia, and paid a visit to the United States. Named a delegate to the Constituent Assembly, he helped draft the 1956 Constitution.

But when Field Marshal Ayub Khan established, in 1958, a military dictatorship which later evolved into an authoritarian "guided democracy," vested interests in the West increased their domination over and exploitation of the East, causing Mujib to return to his old anti-Establishment role. As an Awami League leader, he became a spokesman for political democracy and fair treatment for the East. His activities brought him two jail terms, a year and a half in 1958–59 and six months in 1962.

But when free he continued his political activity, tirelessly touring the province and displaying qualities that Bengalis, many Europeans and some of the more discerning West Pakistanis who have observed him attribute to him today. As a Dacca student leader expressed it recently: "He *knew* and *felt* the *nari* [pulse] of the people." Totally unimpressed by wealth or status, he showed an obviously sincere devotion to the people. He treated every Bengali he met, however poor or humble, as a human being worthy of care, help and respect, never forgetting his name and his family circumstances. The Bengalis, in return, trusted him and believed in his honesty, selflessness, courage and his willingness to sacrifice himself for them.

When the 22-day, 1965 Pakistan-India war found the Pakistan Government protecting the West and not the East, Mujib and his friends became convinced the East could hope for nothing under Pakistan as then constituted. The Awami League announced the now-famous six-point program calling for wide autonomy for Pakistan's provinces.

Marshal Ayub found Sheik Mujib's campaigning for the six points intolerable and arrested him in May, 1966, on charges—later found to be trumped up—of participation with some army officers and Indians in a plot to make East Pakistan independent. Public opinion became so inflamed as the so-called Agartala Conspiracy Case went through protracted court hearings that by 1968 the East was in a state of virtual revolt. Its massive opposition to the Ayub regime merged into a similar upsurge in the West, causing Marshal Ayub to release Mujib, resign and turn the Government over to military control under the armed-forces commander, Gen. Agha Bohammad Yahya Kahn. A million cheering people turned out in Dacca to welcome Mujib from prison, and he was borne through the streets on a platform like an emperor. He had been, on this occasion, more than two years in military and civilian jails, part of the time in solitary confinement.

When the 1970 Assembly elections came along, Sheik Mujib's popularity was translated into an overwhelming vote for candidates of the Awami League, of which he was now head. The League won 167 out of the 169 seats assigned to East Pakistan, more than half the total of 313 for the whole country. The League made little effort to win seats in the West.

By the time of this March's constitutional crisis, Sheik Mujib's popularity had reached a peak. For an ordinary Bengali just to touch his clothes was a good talisman. His word had become law. Yet, operating from his house in Dhanmondi, he remained friendly and approachable, every day seeing scores of people singly and in groups.

Tall for a Bengali—5 feet 11—he has a heavy shock of slightly graying hair, alert, expressive black eyes, and a well-groomed mustache. He often donned the wrap-around skirt or lungi of the common man in the East, but usually wore a loose black vest over billowing white cotton pantaloons and a long-sleeved, pajama-style shirt which is traditional dress-up wear in East Pakistan.

His eyes are weak as a result of the glaucoma attack in youth and he has to wear glasses. An inveterate pipe-smoker, he likes foreign makes but insists his pipes are about the only non-Bengali thing that he uses.

Despite the hectic times in March his whole family—his wife, three sons and two daughters—somehow managed to share his house with the milling groups and individuals constantly in and outside it. "I once liked to garden," Sheik Mujib observed ruefully during one visit, "but as you can see the people have taken over."

He also once liked to read—Tagore and Bernard Shaw are favorite authors—but had to drop this, too. His liking for Tagore is indicative of the fact that he is not an intolerant, fundamentalist Moslem. He exalts the culture of the Bengalis, be they the Hindu Bengalis who choose to be in India or the Moslem Bengalis of East Pakistan. He is opposed to religious states and believes in secular, democratic regimes and Socialist policies.

Warm-hearted and generous, he is known as an individual who is likely to turn out his pockets and give whatever he has to any unfortunate who approaches him. Close associates do not rate him as an intellectual or particularly competent in sorting out complicated problems. He seems to lack the domineering quality that a really great leader seems to need, though those who know him claim that while he readily listens to advice he makes the decisions himself in the end.

East Pakistan's and Sheik Mujib's aspirations became passionately enshrined in the six-point program worked out by the Awami League in 1966, the year after the war with India had stirred the East's resentments and distrust of the West to a new pitch. Specifically, the six points provided for a federal, parliamentary government that would leave very limited powers with the center. The national Government would be responsible only for defense and foreign affairs, the latter restricted by certain provincial rights. There would be two separate, freely convertible currencies, one for East and one for West Pakistan or, if a common national currency, a system that would give East and West the right to prevent the transfer of resources and flight of capital from one to another. The provinces would collect taxes, sharing out an agreed proportion for the support of the central Government. They would also control their foreign-exchange earnings and foreign aid and maintain their own militia for provincial security.

When President Yahya Khan called for the 1970 Assembly election, Sheik Mujib and his Awami League won over the majority of the voters with both the six-point program and a promise of extensive socialization of the economy. The next largest party, the Pakistan People's party of Zulfikar Ali Bhutto, won 83 seats entirely in the West on a platform that was also socialistic but without provisions for provincial autonomy.

Mr. Bhutto, a smooth, nimble-witted, ambitious lawyer and wealthy landowner, formerly foreign minister in the "guided-democracy" regime of Field Marshal Ayub Khan that preceded the Yahya Government and a long-time friend and drinking crony of the President, charged the Awami League program would lead to the disintegration of Pakistan. He insisted that he and Sheik Mujib should agree on basic points for a constitution and other arrangements for sharing power acceptable to both before the Assembly met.

Four days before the scheduled Assembly session he said that the meeting should be postponed to allow for these prior agreements, or else the 120-day time limit set for adopting a constitution should be lifted to permit prolonged, indefinite consideration of constitutional issues. If his demands were not agreed to, he threatened to call for strikes and large-scale civil disobedience in West Pakistan.

President Yahya Khan's indefinite postponement order in effect bowed to Mr. Bhutto's demands. To nationalistic East Bengalis it looked like a blockage, dictated indirectly by Mr. Bhutto, of their hopes for the national system and the autonomy that their majority votes would automatically have given them if the Assembly had met on schedule.

As Dacca erupted with angry demonstrators shouting slogans against the President and Mr. Bhutto and chanting "Joi Bangla" ("Hail Bengal") and "Sadhin Bangla" ("Independent Bengal"), Sheik Mujib on March 2 proclaimed a five-day, provincewide general strike; it stopped work everywhere, includ-

ing all Government offices, closed every shop and halted all mechanical transport, including bicycles.

Dacca became a city of eerie quiet except for the mass meetings held day after day in open places and the parades of chanting demonstrators. Since the only way to get around was on foot, my husband and I daily walked 10 to 20 miles through the wide, trafficless streets, past the shuttered shops and empty markets. We were viewing one of the most extraordinary displays ever to occur anywhere of virtual universal voluntary compliance with the directives of a leader with no machinery for their enforcement except persuasion by little squads of patrolling Awami Leaguers, and the mutual trust and shared convictions of himself and the Bengali people.

"Gandhi at the height of his popularity during the struggle against British rule in India was never able to get more than 1 or 2 percent of Government workers to go out on strike," a member of the Indian diplomatic mission in Dacca observed. "Here everybody has quit."

The high-pitched fervor sometimes turned xenophobic not only against West Pakistanis—who in some cases were killed on the streets and in their homes and often had their shops looted—but against Europeans. At the Intercontinental Hotel, Awami League gangs tore down all English signs, including the name of the hotel in electric lettering high up on one side of the building. A shot was fired through a lobby window and such hostility was shown for some days toward foreigners that the Swiss manager of the hotel closed the swimming pool and asked all guests to stay in their rooms except for meals. These, because the strike and transport difficulties had depleted staff, became self-service repasts consisting chiefly of rice and several kinds of curries.

On the first day of the general strike particularly emotional groups of demonstrating, shouting teen-agers near the great Maikul Mokarrum Mosque started to attack my husband and me with iron bars and long poles. Miraculously an Awami Youth patrol spotted us and, in the nick of time, pushed in quickly between us and the assailants, beating them off with their own poles and deftly herding us down narrow alleyways to safety in a local Awami League headquarters.

But this xenophobic aspect soon faded under stern orders from Sheik Mujib and other Awami League leaders and the popular feeling toward foreigners progressively became one of exhilarated friendliness.

The martial-law authorities representing Islamabad's military rule in the East ordered Government servants back to work, without success. They clamped a nighttime curfew on East Pakistani cities and when it was widely and deliberately violated they shot into crowds, killing scores of people in Dacca and other places.

Impressed by the manifestations of popular sentiment in the East, President Yahya Khan reversed himself on March 6 and announced a new date, March 25, for the National Assembly meeting, adding fuel to the fire by laying blame for the impasse that had occurred on the Awami League.

Too much had happened by now for such a move to placate the aroused Bengalis. They were inflamed by the army killings, by a statement in the President's Assembly announcement that he was determined to insure the "complete and absolute integrity" of Pakistan and had ordered the armed forces to act toward this end, by the sending in of reinforcements to the 30,000-man military force already in the province, and by the replacement of a moderate military Government and a moderate martial-law administrator with a Punjabi general, Tikka Khan, known for his toughness and ruthlessness. The Bengalis feared the new date for the Assembly was not set as an act of good faith and that machinery was being put into place to suppress them regardless of the scheduled meeting.

The effectiveness of resistance was made manifest when the Chief Justice of the Dacca High Court, B. A. Sidiqui, on strike like all other Government personnel, refused to swear in the new general as Governor. Then a large mass rally led by student activists, with the participation of labor and many other groups, declared the independence of Bangla Desh and symbolically burned the Pakistan flag. I visited student leaders at this time and found them absolutely determined to have independence and unshakably confident that Sheik Mujib would go along with their aims.

Sheik Mujib gave East Pakistan's reply to the President when he laid down a promised long-range action program before a cheering, excited mass meeting on the race course on March 7, attended by a half-million persons shouting: *"Joi Bangla," "Bangla Desh shadeen"* ("Independent Bengal") and slogans against the President, Gen. Tikka Khan and Mr. Bhutto, and singing the newly popular old song written by Tagore, "Bengal, My Golden Bengal." On the speakers' platform was the new flag of Bangla Desh—a map of the area set in a red circle against a dark green background.

Sheik Mujib said the Awami League would "consider" attending the Assembly meeting on March 25 if President Yahya would end martial law, pull back troops to their barracks, conduct an inquiry into the curfew-time killings and transfer his power before the Assembly met to the elected representatives of the people—that is, to the National Assembly. This was drastically changing the game. The League and other political parties had participated in the National Assembly elections in 1970 on the basis of tacit acceptance of the President's stipulations that his martial-law regime was to keep power until the Assembly could meet and adopt a new constitution under which a new Government would then and only then take over. The President had also made it clear in a Legal Framework Order that he would veto the new constitution if it did not preserve the unity and integrity of the country, another stipulation also tacitly accepted by participants in the Assembly elections.

The Awami League's new demands were evidence of an intention that later became clear to use the newly aroused feelings and unity of the East Pakistanis to obtain, by agreement if it could, self-rule for the East. League leaders insisted at this stage that they did not mean independence, but they admitted more radical elements could push matters to a proclamation of independence. To prepare the way for self-rule and to carry out a course of nonviolent noncooperation with Islamabad, Sheik Mujib ordered continued indefinite strikes in selected Government offices while authorizing work under Awami League direction in others and throughout the private sector.

The system that was established in effect bypassed central authority, symbolized by the martial-law troops, and set up a parallel government directed by the Awami League. Sheik Mujib ordered East Pakistanis not to pay central Government taxes while continuing payments to the provincial coffers; he directed the setting up of road blocks against military movements and asked workers to mobilize against military use of railways and ports; he took over radio stations, telecommunications, foreign trade and the banking system, including control of money transfers from East to West. He called for the organization of resistance groups in labor unions, villages and urban neighborhoods and by closing all educational institutions freed the students—a tough, politically experienced key factor with their 700,000-man organization—for resistance activity.

"Our people have already proclaimed to the world that they shall no longer allow themselves to be exploited as a colony and a market," he said. "I pledge to lead the people to emancipation; I am prepared to shed my blood for freedom; this is a fight for freedom, liberty and self-determination. Everyone must be prepared for sacrifice, even death."

Radical students later said he used the word independence in this passage, but this did not appear in most translations of his Bengali address. But he had, in effect, hurled defiance at the President and proclaimed a wide-ranging confrontation between his nationalist movement and Islamabad's martial-law authorities. In fact, the die was cast on March 7. Even if Sheik Mujib did not intend to go for secession (and he afterward continued to talk in terms of continued East-West union under the loose confederation formula implicit in his six points), he had loosed forces and enthusiasm that would inexorably carry the movement he had launched to a complete break with West Pakistan.

The President waited for a week, conferring in Islamabad with Mr. Bhutto and other Western political leaders, before he finally flew to Dacca on March 15 to talk with Sheik Mujib and others there, taking the long six-hour flight from Karachi around the southern tip of India that had been made necessary by an India ban on flights over its territory by Pakistani aircraft. The mood in Dacca was hostile when he arrived. No local leader met him at the airport; he came into a heavily guarded Presidential mansion in an armed convoy; in the evening a student group braved possible shooting from security forces to march past the house and shout slogans against him.

Dacca seethed. Black flags that Sheik Mujib had asked everyone to hoist to manifest nationalist-sentiments sprouted on every house, flew from every vehicle. Daily demonstrations—of shabbily dressed workers, of women in bright saris, of striking civil servants, office clerks, university staffs—straggled through the streets, usually ending before Sheik Mujib's house with noisy proclamation of independence slogans. Declarations of support for the Sheik came from virtually every group, every important leader in East Pakistan.

Aged Maulana Bhashani, one-time political enemy of Sheik Mujib as head of the radical left-wing National Awami party, went about the country making speeches advocating support from all, including the Marxist left, for Sheik Mujib and his program.

Despite injunctions from the Sheik and others that the movement was to be kept nonviolent and tolerant of all who lived in Bangla Desh, attacks on and sometimes the killings of non-Bengali Pakistanis continued. In Chittagong there were pitched battles between Bengalis and non-Bengalis, with heavy casualties on both sides. Meanwhile, the military forces were kept sullenly in their barracks along with Gen. Tikka Khan, waiting for the time when they would be called on to act.

In his Dhanmondi house, as crowds trampled his lawn and flowed into his sitting room, Sheik Mujib had premonitions of the trials and bloodshed to come. He told delegations to be prepared for the ultimate sacrifice and warned them that they must realize he might not always be left free or alive to lead them. But he always responded to his deep conviction and feeling that he was the instrument of his people; he would say, "I will do what the people want, what the people tell me." He seemed borne along by the passions of a movement that now had its own momentum.

"Why can't they let us part as brothers?" he once said in an exasperated comment on the attitude of the Western Establishment. "I am a man of peace and nonviolence. If it comes to bloodshed and war, others will take

over, more radical—very possibly the Communists—and there will be another Vietnam."

He and his advisers repeatedly talked of their fear that the Punjabi soldiers who largely made up the Pakistani Army would bathe the East in blood and, if they finally had to give it up, would pull out in an orgy of killing and destruction. The East Pakistani leaders pleaded with foreign newsmen to present this fear to the world in the hope that foreign powers would bring pressure to bear on Islamabad against such an eventuality. "Genocide" became the Bengali stock description of what had already happened—and, in fact, of what was to come.

The Dacca talks eventually encompassed most of Pakistan's party leaders. In their final stages Mr. Bhutto and a battery of his aides arrived to take part. All during March, Sheik Mujib and his aides seemed to be playing a devious game and refusing to be candid about their aims and strategy. (In fairness it must be said that this was the only tactic open to them, since an open stand for independence would have made them immediately liable to charges of treason.) They consistently maintained that they were for a united Pakistan under the six-point scheme. But Sheik Mujib never showed the slightest interest in being a national leader of East and West, of taking the position of Prime Minister of an all-Pakistan Government that the Assembly majority entitled him to. President Yahya had on one occasion referred to him as the future Prime Minister. And a large number of West Pakistanis—representing groups and underdeveloped provinces such as Baluchistan which resent military domination and commercial exploitation—were willing to have Sheik Mujib as a national leader.

Westerners were therefore nonplused when Sheik Mujib, who had not even visited West Pakistan after his party's Assembly victory made him by great odds the national figure with the biggest mass following, virtually turned a cold shoulder to a position of all-Pakistan leadership that *might* have enabled him to redress Eastern grievances, in spite of possible lack of whole-hearted support from the army, the bureaucracy and other vested interests of the West. In any case, he fostered a movement based on a separatist attitude and animosity to West Pakistan.

I asked him a few days before he was to observe his 53d birthday on March 17 if he might use the occasion to proclaim the independence of Bangla Desh. He parried the question, saying cryptically, "Well, you know the tendency." He always returned to the assertion that he was only the instrument of the people, saying, "If the people want it that way, that is the way it is going to be." It was clear that a lot of the people, probably a vast majority, wanted independence.

At one stage of the bargaining, the Awami League sought to get a Presidential proclamation withdrawing martial law, allowing provincial governments to be set up by recently elected provincial assemblymen, and agreeing to a meeting of the National Assembly in the form of two committees, one of members from East and one of members from West Pakistan. In a later broadcast to the nation, President Yahya said he was prepared to go along in principle with this plan but on the condition that all other political leaders besides those of the Awami League agreed to the scheme. He said he found other leaders, particularly mentioning Mr. Bhutto, "unanimously opposed" on the grounds that after his proclamation ending martial law no other central authority would exist; only the provincial Governments—with the result that chaos would ensue. The President said other political leaders argued that if martial law was to be lifted the National Assembly should first meet and pass an appropriate interim constitution for Presidential assent.

Mr. Bhutto later reported that in his talks with Sheik Mujib the latter indicated he wanted the two sections of the Assembly to adopt separate Constitutions, one for the East and one for the West, after which the two committees would come together and consider ways for the two wings to coexist, presumably in a confederation of some kind based on the Awami League's six points. Mr. Bhutto stated at one stage that he had rejected a proposal from Sheik Mujib that he be Prime Minister of West Pakistan, leaving Sheik Mujib to be Prime Minister of East Pakistan.

Without Awami League leaders free to explain themselves, the world may never know whether the proposals they advanced in the last stages of the Dacca talks were, indeed, their final positions. Accounts have all come from others present, chiefly the President and Mr. Bhutto. These two participants maintain that Sheik Mujib told political leaders on March 23 that his proposals were final and he would make no further changes. However, high Awami League leaders met with Presidential advisers on March 24 and told foreign correspondents they had arrangements for further meetings the next day.

They never had a chance to convene. On March 23, the anniversary of the Lahore Declaration in which Moslem leaders of India first projected a separate Moslem nation in the subcontinent three decades ago, the Bangla Desh flag was hoisted on Sheik Mujib's house and demonstrators marched past and tore up the national flag. Sheik Mujib declared a general strike for March 27, and his opponents later said a declaration of independence was, in fact, planned for March 26.

On the night of March 25 the armed forces struck without warning. The President had just taken off to fly back to West Pakistan. In Karachi at 7 P.M. on the night of the 26th, almost 24 hours after the military crackdown in the East had begun, the President in a broadcast to the nation announced he had authorized the armed forces to restore the authority of the Government in the East. He pronounced the Awami League outlawed and declared Sheik Mujib a traitor, in effect guilty of flouting Government authority, insulting the armed forces and bringing the nation to the verge of disintegration.

Sheik Mujib and his collaborators had pushed matters further than the President was willing to tolerate without the use of force. The Sheik had all along declared himself a man of peace and advocated nonviolence for his followers, despite the fact that more radical elements had for weeks been collecting guns and making homemade explosives for the anticipated showdown with the army.

It is impossible to know at this stage whether Sheik Mujib simply miscalculated, thinking he could get his sweeping demands through agreement, and did not really think the President, who had gone to unexpected lengths of compromise, would finally call in the military. It is possible he had lost control of revolution-minded colleagues like Tajuddin Ahmed, the Awami League Secretary general, and had gone too far along their road to turn back even if he had wanted to.

The crackdown was brutal, in the tradition of the Moguls and their bloody 15th- and 16th-century conquests. I had left Dacca by that time and can only judge by accounts of those who stayed behind what happened, and accounts vary widely. But it is plain that in Dacca the Punjabis of Gen. Tikka Khan moved in with tanks, mortars and machine guns against a surprised, unalerted city at about 9 P.M. Selecting Awami League offices, houses and dwelling areas of strong Awami League supporters as their targets, the troops unloosed a terrible orgy of killing and destruction. Buildings and clusters of buildings were shelled and then burned, often with the shattered occupants inside; Hindu areas and workers' concentrations in the old section of the city were heavily attacked.

When Sheikh Mujib heard what was happening he sent his family away and dismissed everyone at his home at about 10 P.M. except for three aides and a bodyguard and sat down to wait. Foreign correspondents who telephoned the house at 1 A.M. the morning of March 26 were told he was still there, still waiting. At about 1:30, a military group approached his house and, after firing an automatic volley over the roof, called for him to surrender. He appeared at a second-story window and reportedly said, "Yes, I will come down. I am a man of nonviolence and if you had telephoned I would have come over to your headquarters."

The soldiers handed him into a military vehicle, shot a guard at a neighboring house who showed signs of intervening, and drove away. Reports are that their prisoner was flown later to West Pakistan and incarcerated in the ancient Morgul fortress of Attock, 45 miles west of Rawalpindi, long used for political detainees. Thus the man who was largely instrumental in leading his people to the point of revolt left it to the leadership of others.

The slaughter at Dacca was duplicated on a smaller scale at other centers. At first, apparently, resistance was slight. City dwellers began to flee by the hundreds of thousands to the countryside, seeking refuge in ancestral villages from the urban danger. At Dacca shooting on a diminished scale went on for two weeks, sometimes betokening more crackdowns by the armed forces, sometimes indicating insurgents were fighting back, sometimes revealing vendetta conflicts between civilian non-Bengalis and Bengalis. The fatalities in Dacca alone in the first few days have been estimated in the thousands. Simon Dring of The London Daily Telegraph, who was present, figured a 7,000 total for the capital and many thousands more elsewhere in the province. In many cases troops hurriedly dug mass graves and disposed of piled-up bodies.

Resistance stiffened once the first shock of attack had passed. In the cities it was sporadic, in the countryside more organized. Resistance forces declared themselves a Liberation Army and proclaimed an independent provisional Government of Bangla Desh. Planes began bombing points in rural areas. Arms and infiltrators, Islamabad claimed, began to arrive from India. Islamabad sent more reinforcements and shiploads of equipment and military supplies to the East. A civil war was under way, developing in the guerrilla pattern that characterizes such conflicts in these times.

It is too early to tell how things will develop. The scope of the resistance and the range of support within the populace are not yet clear. But if even a few million of the pepole of East Pakistan fight or support the fight against Islamabad's forces of 40,000 to 50,000 men it is difficult to see how the rebels, with arms from India and sanctuary available in Indian territory, can be defeated by Government troops that have to be supplied by a 3,000-mile route around the tip of India.

New York Times correspondent Sydney H. Schanberg, who has been as close as newsmen can get to the scene, has cabled: "The prospect is for a long, sullen war. Most diplomats and foreign observers believe that the Bengalis, by hanging on, will eventually make life untenable for the West Pakistanis. But these observers also agree that, unless foreign powers put an economic squeeze on the Pakistani Government, it could be years before the Bengalis finally win their freedom."

Much will depend on how really determined the Bengalis are. By all ethnic, cultural and geographical standards, they deserve to be a nation on their own. After what has happened they can be kept part of Pakistan only as a beaten, bitter people.

[From the Times Magazine, May 3, 1971]

PAKISTAN

DACCA, CITY OF THE DEAD

(NOTE.—Within hours after launching a tank-led offensive in Dacca and other East Pakistani cities on the night of March 25, the Pakistan army imposed a virtual blackout on the brutal civil war in Bangla Desh (Bengal State) by expelling foreign newsmen. Time Correspondent Dan Coggin, who was among them, recently trekked back from India by Honda, truck, bus and bicycle to become the first American journalist to visit Dacca since the fighting started. His report:)

Dacca was always a fairly dreary city, offering slim pleasures beyond the Hotel International and a dozen Chinese restaurants that few of its 1,500,000 people could afford. Now, in many ways, it has become a city of the dead. A month after the army struck, unleashing tank guns and automatic weapons against largely unarmed civilians in 34 hours of wanton slaughter. Dacca is still shocked and shuttered, its remaining inhabitants living in terror under the grip of army control. The exact toll will never be known, but probably more than 10,000 were killed in Dacca alone.

Perhaps half the city's population has fled to outlying villages. With the lifting of army blockades at road and river ferry exits, the exodus is resuming. Those who remain venture outdoors only for urgent food shopping. Rice prices have risen 50% since the army reportedly started burning grain silos in some areas. In any case, 14 of the city's 18 food bazaars were destroyed. The usually jammed streets are practically empty, and no civil government is functioning.

"KILL THE BASTARDS"

On every rooftop, Pakistan's green-and-white flags hang limply in the steamy stillness. "We all know that Pakistan is finished," said one Bengali, "but we hope the flags will keep the soldiers away." As another form of insurance, portraits of Pakistan's late founder Mohammed Ali Jinnah, and even the current President Agha Mohammed Yahya Khan, were displayed prominently. But there was so mistaking the fact that the East Pakistans viewed the army's occupation of Dacca as a setback and not a surrender. "We will neither forgive nor forget," said one Bengali. On learning that I was a *sangbadik* (journalist), various townspeople led me to mass graves, to a stairwell where two professors were shot to death, and to scenes of other atrocities.

The most savage killing occurred in the Old City, where several sections were burned to the ground. Soldiers poured gasoline around entire blocks, igniting them with flamethrowers, then mowed down people trying to escape the cordons of fire. "They're coming out!" a Westerner heard soldiers cry. "Kill the bastards!"

One Bengali businessman told of losing his son, daughter-in-law and four grandchildren in the fire. Few apparently survived in the destroyed sections—25 square blocks—of the Old City. If they escaped the flames, they ran into gunfire. To frighten survivors, soldiers refused to allow the removal of decomposing bodies for three days, despite the Moslem belief in prompt burial, preferably within 24 hours, to free the soul.

The dead of Dacca included some of East Pakistan's most prominent educators and businessmen, as well as some 500 students. Among at least seven University of Dacca professors who were executed without apparent reason was the head of the philosophy department, Govinda Chandra Dev, 65, a gentle Hindu who believed in unity in diversity. Another victim was Jogesh Chandra Ghosh, 86, the invalid millionaire chemist. Ghosh, who did not believe in banks, was dragged from his bed and shot to death by soldiers who looted more than $1 million in rupees from his home.

Looting was also the motive for the slaying of Ranada Prasad Saha, 80, one of East Pakistan's leading jute exporters and one of its few philanthropists; he had built a modern hospital offering free medical care at Mirzapur, 40 miles north of Dacca. Dev, Ghosh and Saha were all Hindus.

"Where are the *maloun* [cursed ones]?" rampaging soldiers often asked as they searched for Hindus. But the Hindus were by no means the only victims. Many soldiers arriving in East Pakistan were reportedly told the absurdity that it was all right to kill Bengali Moslems because they were Hindus in disguise. "We can kill anyone for anything," a Punjabi captain told a relative. "We are accountable to no one."

NEXT PRIME MINISTER

The tales of brutality are seemingly endless. A young man whose house was being searched begged the soldiers to do anything, but to leave his 17-year-old sister alone; they spared him so he could watch them murder her with a bayonet. Colonel Abudl Hai, a Bengali physician attached to the East Bengal Regiment, was allowed to make a last phone call to his family; an hour later his body was delivered to his home. An old man who decided that Friday prayers were more important than the curfew was shot to death as he walked into a mosque.

About 1:30 on the morning of the attack, two armored personnel carriers arrived at the Dhanmandi home of Sheik Mujibur ("Mujib") Rahman, 51, the political leader behind the campaign for Bengali independence. Mujib first took refuge beneath a bed when the Special Security Group commandos' began to spray his house with small-arms fire. Then, during a lull, he went to the downstairs veranda, raised his hands in surrender and shouted, "There is no need for shooting. Here I am. Take me."

Mujib was flown to West Pakistan, where he is reported held in Attock Fort near Peshawar. As an activist who had already spent nine years and eight months in jail, he may have reasoned at the time of his arrest that his political goals would be served by the martyrdom of further imprisonment. But he obviously did not expect to face a treason charge and possible execution. Only two months earlier, after all, President Yahya had referred to him as "the next Prime Minister of Pakistan."

NO CHOICE

In Mujib's absence, the resistance movement is sorely lacking leadership, as well as arms, ammunition and communications gear. In late March, the *mukti fauj* (liberation forces) overwhelmed several company-size elements, as at Kushtia and Pabna, but bolt-action rifles cannot stop Sabre jets, artillery and army troops operating in battalion strength.

Still, everywhere I visited on the journey to Dacca, I found astonishing unanimity on the Bengali desire for independence and a determination to resist the Pakistan army with whatever means available. "We will not be slaves," said one resistance officer, "so there is no choice but to fight until we win." The oncoming monsoon rains and the Islamabad government's financial problems will also work in favor of Bangla Desh. As the months pass and such hardships increase, Islamabad may have to face the fact that unity by force of arms is not exactly the Pakistan that Jinnah had in mind.

[From the Washington Post, May 7, 1971]

AIDE ADMITS MASSACRE IN EAST PAKISTAN

DACCA, EAST PAKISTAN.—Lt. Gen. Tikka Khan, martial law administrator of East Pakistan, said today "there was quite a lot of massacre" during civil war here.

"I am sorry to say there was quite a lot of massacre, mainly directed against pro-Pakistani and pro-regime elements . . . Bengalis against non-Bengalis," the general said. His West Pakistani troops completely control Dacca.

Tikki referred to widely reported accounts of mass killings of non-Bengali people by indigenous Bengalis, whipped up by political developments that led to civil war in March.

Tikki said his troops had to kill students and others who he said fired when the Pakistan army tried to disarm them.

Foreign journalists who arrived in Dacca today found only a scant portion of the city's one million inhabitants on its normally teeming streets. Signs everywhere underscored the crippling economic damage from the strife.

[From the New York Times, May 8, 1971]

COPTER VIEW OF EAST PAKISTAN: VAST DESTRUCTION BUT NO FIGHTING

(By Malcolm W. Brown)

NOTE.—The following dispatch is by one of the six foreign newsmen allowed into East Pakistan this week by the Pakistani Government for a tour with official escorts.

MYMENSINGH, PAKISTAN.—From a helicopter flying over the eastern region of East Pakistan, vast destruction could be seen in towns and villages but no evidence of continuing fighting.

There is virtually no battle damage, however, in the city of Mymensingh, which was captured by Government soldiers from separatist Bengali troops in a one-day battle April 15. But a visit here is a visit to a city of desolation.

Apart from a handful of people at the market place, who carefully saluted passing army jeeps, the city was virtually deserted.

GRAVES IN THE STREETS

At intervals along streets lined with ramshackle houses bodies have been buried in shallow graves and covered with piles of red bricks. Bodies covered with bricks are found even on the porches of houses, which themselves are unoccupied and closed.

Authorities said that of a heavily armed Bengali insurgent group of about 1,000, nearly all had been killed in the fighting. The insurgents were said to have been well entrenched and armed with anti-aircraft machine guns, mortars and rocket launchers, largely of Indian origin.

Officials also said that, before the Government soldiers took the city, the Bengalis had killed at least 1,000 Bihari or non-Bengali residents. Army officials introduced correspondents to people who said there had been a slaughter of Bihari residents by the dominant Bengali group led by members of the Awami League, the political party that was outlawed by the central Government soon after the military action began in East Pakistan on March 25.

("There were 5,000 non-Bengalis where I lived and now there are 25 survivors," the Associated Press quoted the assistant postmaster as having said.)

Officers from West Pakistan commanding the forces occupying this region decline to disclose overall casualty figures in Mymensingh District, which is described as the most populous single district in all south Asia. Such figures, in any case, may not be known.

"There were so many bodies here," one officer said, "it was impossible to identify them or bury them."

He said they had to be thrown into the Brahuaputra River, a tributary of the Ganges. For the last two months, it is said, swarms of vultures have been gathering in the area.

The main loss of life here apparently occurred in the fields and fruit groves outside Mymensingh, and in clusters of huts that had been burned to the ground.

In Dacca, capital of East Pakistan, correspondents were shown three prisoners said to have been captured from the ranks of infiltrating Indian forces inside Pakistan.

ARMY CONTROLS TOWNS

The three men said that they had been sent to Indian border posts and had removed

their unit badges before crossing the frontier. Pakistani authorities said that they had captured five Indian border guards in all, one of them wounded.

There seems little question at this point that the army is in full control of all major towns of East Pakistan, most of which have been evacuated by at least half the residents.

Army officials said that pockets of resistance continue. They said that attempts had been made to blow up bridges and other lines of communication but that search-and-destroy operations with helicopter support were rapidly neutralizing these.

[From the New York Times, May 9, 1971]

BENGALIS DEPICT HOW A PRIEST DIED

(By Malcolm W. Browne)

NOTE.—The following dispatch is by one of the six foreign newspaper allowed into East Pakistan this week by the Pakistani Government for a tour with official escorts.

JESSORE, PAKISTAN.—In the Catholic hospital grounds of this smashed and burned city is the fresh grave of an Italian priest—the only foreigner known to have been slain in the fighting that has gripped East Pakistan for the past two months. The grave is that of the Rev. Mario Veronesi, 56 years old, who worked at the Roman Catholic mission here for 18 years.

Newsmen touring East Pakistan were permitted one hour by their military guides today for private interviews. Ordinarily, escorts are present at all times and most of the trips during the five-day permitted stay have been taken up by official briefings.

Father Veronesi was one of four Italian priests at the Fatima Catholic Hospital here. All were members of the Xaverian order. Two are physicians.

SEPARATISTS CONTROL CITED

According to witnesses, Jessore was controlled by Bengali separatists after the outbreak of fighting March 25.

Most of the population of East Pakistan is Bengali. The Government of the nation is in West Pakistan, which is separated from East Pakistan by more than 900 miles of Indian territory. A traditionally bitter and sometimes bloody rivalry exists between the Bengalis and the more prosperous West Pakistanis.

When the violence erupted, the Bengalis were pitted against the small number of West Pakistanis in East Pakistan.

The national army, consisting almost entirely of West Pakistanis, attacked, first in the major towns and later in the smaller ones. The long-standing anti-Bengali bitterness on the part of most of the army's officers and men were exacerbated by the slaying of a number of non-Bengalis here over a period of months.

NIGHT OF SPECIAL HORROR

The night of special horror for Jessore was April 4, four days after the local East Bengal regiment had revolted against the national army.

The army had smashed into the city, leveling many houses. At the Catholic hospital, according to witnesses, two soldiers arrived late in the afternoon as a doctor priest was about to operate on a girl. Witnesses and the soldiers began firing into the house and Father Veronesi walked out with his hands up. They said he was wearing no cassock, but his shirt carried a Red Cross badge. The grounds are clearly marked as a Catholic hospital. At this point, a soldier is said to have opened fire at the priest with a Sten gun, killing him instantly.

The witnesses said that troops then entered the church and shot four persons, including two women.

Troops on a truck reportedly opened the offensive in Jessore by firing a machine gun at all buildings as it passed along the street near the hospital.

QUESTION UNANSWERED

Two days ago, Gen. Tikka Khan, military governor of East Pakistan, told foreign newsmen that the army had not desecrated or damaged any religious shrines. Asked by a reporter whether an Italian priest had been killed, he paused and said that an Italian journalist had been wounded. When the Italian ambassador to Pakistan reportedly visited the mission, military authorities informed him that Father Veronesi had been killed by the rebels, not the army.

Jessore and Khulna are among the most heavily damaged towns in East Pakistan. Many market areas and buildings are burned out, the streets deserted.

Throughout the tour, Government authorities and persons produced for interview have told of thousands of non-Bengali residents, including women and children, having been slain by the separatists, often after having been tortured.

DECAPITATIONS CHARGED

At Khulna, newsmen were shown facilities where frames were said to have been set up to hold prisoners for decapitation. Fragments of bloody clothing and tresses of women's hair were strewn about. The place was said to have been used by Bengali insurgents for the execution of thousands of non-Bengali residents.

At no time have Government authorities disclosed any estimates of the number of Bengalis slain.

"When people start shooting, you shoot back," said the commander at one town. "We killed them all.

"You don't go around counting the bodies of your enemies, you throw them in the rivers and be done with it," he said.

Flickers of resistance by small Bengali groups apparently continue but reporters have seen little evidence that any significant fighting continues.

[From the Washington Sunday Star, May 9, 1971]

CITIES OF EAST PAKISTAN SHOW WIDE DEVASTATION

JESSORE, EAST PAKISTAN.—Communal violence and military action to put down the rebellion in East Pakistan have wreaked death and devastation here and in Khulna, the province's second port and third ranking city.

In Khulna, newsmen on an army-conducted tour yesterday saw what a non-Bengali resident described as a human slaughter-house. Sheds were said to have been used by East Pakistan's dominant Bengalis in mass killings of Bihari immigrants from India, West Pakistanis and other non-Bengalis during March and early April at the height of the Secessionist uprising.

Reporters were shown a wooden frame with chains affixed on top where women and children reportedly were beheaded with knives.

GARROTE, NOOSES SHOWN

There was a form a garrote attached to a tree where the resident said victims were choked to death. Cords attached to one tree were described as hanging nooses.

Bodies were said to have been thrown over a low wall into the river running alongside.

Long rows of shops and homes in the non-Bengali sector of Khulna were badly burned, apparently by Bengalis, but other sections, including solid brick buildings in the Bengali-dominated town were devastated as if by explosives or Pakistani army artillery.

In Jessore, newsmen saw the grave of a 59-year-old Italian priest reported to have been gunned down by Pakistani soldiers in his mission hospital complex.

Four East Pakistanis, including a mother and 14-year-old boy, also were killed by the troops in the attack, residents said.

According to an authenticated report, the Rev. Mario Veronesi, who had been here 18 years, walked out of the small mission house the morning of April 4 as two soldiers approached.

He was cut down by automatic fire as he raised his hands, it was reported.

BURIED IN FIRE

A fellow priest buried him nearby the following day, taking 6½ hours because of gunfire whistling around him.

A nun from the mission is reported to have left for the Vatican with the blood-soaked Red Cross badge the priest was wearing when he was shot.

The market area of Jessore looked bombed and burned out. A number of houses and shops were said to have been razed both by Bengalis and the Pakistani army in taking over the town.

A resident described what he called indiscriminate firing by the army seeking to dislodge the rebels who had controlled the town.

[From the Baltimore Sun, May 1971]

ARMY, REBELS FIGHT OVER RUINED PAKISTAN

(By Mort Rosenblum)

(NOTE.—The writer was one of six correspondents admitted to East Pakistan after a five-week period during which foreign correspondents were officially barred from the area. This dispatch was brought out of Dacca and filed free of censorship.)

A civil war of staggering butchery and hatred has left the 23-year-old nation of Pakistan on the brink of economic and political ruin.

Pakistan, though broke, is spending more than $2 million daily to support the Army that shelled and machine-gunned this province of 75 million into submissive inactivity.

It is responsibly estimated that deaths since the war started March 25 number more than the 400,000 killed by nature in last November's cyclone. This time, each death means a family's lasting bitterness.

INDISCRIMINATE KILLING

The killing was indiscriminate. Bengalis bent on a separate Bengal nation slaughtered many of the province's 6 million non-Bengalis. When the Army moved in, it settled the score, aided by non-Bengalis seeking revenge.

The resultant fighting brought damage reminiscent of World War II. Markets were razed and flattened, towns were devastated. Road and rail links were cut at a dozen major points, crippling communication.

Losses to industry and to commerce between the two wings of Pakistan are incalculable. So are the effects of stalled development. The 55 mills that turn out jute, East Pakistan's chief money-maker, are working at 15 to 20 percent of capacity.

MILLIONS FACE FAMINE

Reporters touring East Pakistan found that millions face starvation from famine and from halted relief distribution.

The Army is believed by some to have taken over American boats and Japanese jeeps meant for relief, jeopardizing, future aid. The country's military rulers insist that while they welcome aid, it must come without foreigners to look after its distribution.

In many areas, food supply is a critical problem. The key port, Chittagong, is choked with 400,000 tons of goods, 100,000 tons more than it handles normally in a month.

Before, river craft carried only a fourth of the cargo from Chittagong into the interior. Now they must carry it all, perhaps for months. Even when roads and rail are open, shippers say, 10 river craft carry food stocks. Now, they say, the Army allots only four boats for food supply.

POLITICAL PROBLEMS

Politically, the problems are as great. Bengalis elected 167 to 169 members of Sheikh Mujibur Rahman's Awami League to the Na-

tional Assembly in December. He is now jailed, the party is banned and no one has any idea what will happen next.

President A. M. Yahya Khan, who went back to the West after talks with Sheikh Mujib on restoring civilian rule collapsed in Dacca, maintains he wants politicians to take back control of the government.

But betting is heavy that General Yahya will not last the year as president and the Army will not find anyone who thinks the soldiers' way and can still walk unescorted through the streets of East Pakistan.

Confidence is shattered among Bengalis, West Pakistanis and Muslim migrants from India who fled here at partition in 1947.

At a Chittagong jute mill, where Bengalis evidently killed 180 women and children, only 20 of 7,500 workers have dared to return.

Non-Bengali officers and officials refuse to even admit that there are Bengali widows and orphans in need.

Hindu Bengalis made up 12 per cent of the population. They chose to remain here though West Bengal in India is largely Hindu and East Bengal—East Pakistan—is mostly Muslim.

Radical Muslim students rejected the religion that bound them to West Pakistan, espousing instead Hinduism and "Calcutta culture." Hindus were widely blamed for fomenting the rebellion.

HINDUS SINGLED OUT

As a result, the Army singled out Hindus. Their shops and homes were smashed and burned. A temple in Chittagong was blown completely on its side. Undamaged shops in otherwise devastated Hindu areas sometimes bear signs in English and Urdu, the Western Pakistani tongue, proclaiming the owner a Muslim.

Often being a Muslim—or showing a Pakistani flag—did not help.

The job of rebuilding what the Army and rebels burned and battered down will take massive human and financial resources.

Whole blocks of two-story brick buildings in several cities and towns lie in rubble. What was not burned or destroyed in fragments was looted.

"We will manage," said Lt. Gen. Tikka Khan, the military governor in charge of quelling the rebellion and rebuilding the province.

"Nature has a way of putting things right and we are making good progress."

[From the New York Times, May 10, 1971]

ALL SERIOUS ARMED OPPOSITION SEEMS ENDED IN EAST PAKISTAN

(By Malcolm W. Browne)

(NOTE.—The following dispatch is by one of the six foreign newsmen allowed into East Pakistan this week by the Pakistani Government for a tour with official escorts.)

RAJSHAHI, PAKISTAN.—The crushing force of West Pakistan's military operation against the Bengali separatists has apparently destroyed all serious armed opposition in East Pakistan.

Rajshahi, a city that used to have a population of 100,000, stands on the east bank of the muddy, sluggish Ganges River, with India visible on the opposite shore 3,000 yards away. Border towns like this were political strongholds of the now-banned separatist Awami League, which won a sweeping victory in the national legislative election Dec. 7. The National army, made up mostly of Punjabis from West Pakistan, struck against the separatists throughout East Pakistan on March 25.

By mid-April, apparently, the army's campaign was virtually completed. The last-ditch opposition the army met in border regions was squelched swiftly and although army patrols still draw occasional sniper fire, the eastern wing seems firmly under control.

VAST DESTRUCTION

The cost for all concerned has been agony. Newsmen have seen tens of thousands of leveled or gutted buildings. In the towns, concrete walls pocked by hundreds of bullets where firing squads did their work, human bodies dumped into community wells and desolation testify to the ferocity of events.

Precisely how it all happened is not apparent because testimony is totally conflicting, depending on the point of view of the witness. The army and civilian peace committees established throughout the eastern wing say that the bulk of the destruction and slaughter was perpetrated by the rebels or Indian troops who, they charge, infiltrated across the border. But newsmen often are approached by Bengals who slip up to whisper a few words before darting out of the sight of the ever-present peace committeemen.

Don't believe what they're telling you," one said. "They did it all. We are oppressed and cannot tell you what happened."

Most of the peace committee members, to whom the army has delegated a certain measure of civil administration, are Moslem Biharis who came from predominantly Hindu India to Pakistan when the nation came into existence in 1947.

Business and trade in East Pakistan is largely in the hands of Biharis, who are a small minority among the local Bengalis. The latter was mostly Moslems, but there is a substantial Hindu minority.

Resentment on the part of many impoverished Bengals toward the somewhat more prosperous Biharis was a factor in the Bengali separatist movement in the recent war. The impression, based on the testimony of hundreds of witnesses is that what seemed that the Awami League was about to come to power, Bengalis in some communities looted, and burned Bihari houses and slaughtered their occupants.

The Bengalis in the national army revolted to join the separatists. When the predominantly Punjabi army of West Pakistan smashed its way into the eastern wing it had ready allies among the minority Biharis, most of whom were burning for revenge.

BENGALIS FLEE CITIES

The magnitude of the killing that followed has sickened most observers. As a result of the violence, a majority of the Bengalis and nearly all of the large Hindu minority in towns like this have fled. Here, the block of buildings making up the main market area of the city lies smashed, apparently by mortar fire from army units that took the town April 14.

Some five-story buildings with ornately decorated wooden balconies in the area still stand, but sometimes with their upper floors in ruins as the result of shelling. But much of the city is untouched by shellfire, and bicycle rickshaws and street vendors have begun to ply the streets. The town again has water, electricity, communications, and even a complaint bureau.

[From the New York Times, May 16, 1971]

THAT SHADOW IN THE SKY IS A VULTURE—A FAT ONE

(By Malcolm W. Brown)

DACCA, EAST PAKISTAN.—"Our vultures are the happiest creatures in Pakistan," a weary villager said last week, speaking of the series of disasters that have struck the country's eastern region.

Watered by the Ganges and hundreds of tributaries, East Pakistan normally is verdant with rice and jute paddies and grows delicious tropical fruit. But within the past year it has suffered a disastrous flood, followed in turn by a calamitous cyclone that took half a million lives and by a civil war (or, rather, a pogrom on a vast scale). The estimate of some foreign observers that another half-million East Bengalis were killed in the butchery may not be greatly exaggerated. Exact figures are hard to come by because of the practice of dumping bodies in the rivers before the deaths are counted.

Now it appears, in the view of foreign experts, that famine and epidemic cholera are at hand.

And, despite this staggering loss of life, the demon of population growth continues to press against the diminishing supply of land. At the current growth rate, the loss of lives during November's cyclone was replaced in an estimated 83 days.

Of all the catastrophes, it is the civil war that has been the hardest to chronicle.

About 40 foreign newsmen and camera crews happened to be in Dacca, East Pakistan's capital, at the time the national army, made up mostly of the Punjabis of West Pakistan, struck with a ferocity that has left the Bengali population cowed. The newsmen, who were seeing more than the Islamabad Government in the West had intended, were expelled from East Pakistan, which is separated from West Pakistan by 900 miles of Indian territory. Their notes and film were confiscated.

Since then, several newsmen have sneaked into East Pakistan from India and reported their impressions of a region under the heel of what amounts to a foreign occupation army. And last week the Government permitted six foreign newsmen (including this correspondent and one from Communist China) into the eastern region.

By now it is probably impossible to determine who was the first to butcher women and children as the violence—stemming from the East Pakistani demand for autonomy and the Islamabad Government's refusal to grant it—spread through the eastern region last March.

There can be little doubt that some atrocities were committed by groups of separatists. Generally such killings were done by Bengali workers nurturing grudges against shop foremen and administrators in the jute mills. Many of the foremen are Biharis, Moslem immigrants from India, who have done well in East Pakistan and whose success is resented by the less successful Bengalis.

The Pakistani Army, for its part, denies that it fired indiscriminately when it attacked in East Pakistan. But the physical evidence and direct testimony of hundreds of witnesses indicates that the army burned and blasted entire neighborhoods in towns and cities, picking off anyone showing himself in a window.

Soldiers smashed their way into apartments in Dacca's Old City district, hunting down university professors and killing them and their families in cold blood. In Jessore, an Italian priest was killed at point-blank range as he stepped from a hospital building, his hands in the air and a Red Cross banner pinned to his chest. West Pakistani troops smashed most Hindu temples and shrines they passed, and leveled all houses anywhere near them. The Hindus are a minority group in Moslem Pakistan and are always suspected of being agents of the "arch enemy"—India.

Mopping up has been continuing ever since. Rubble has been cleared away. Roadblocks erected by rebels have been removed. Gas, telephone and power lines have begun to operate. A few carpenters and sign painters have trickled into the shattered bazaars. And some of the fat vultures have been shot.

LIFE DISRUPTED

But life in the region is still badly disrupted. At least eight vital bridges lie felled by explosives. One of them provided the only link between the port of Chittagong in the south and the northern part of the region. The damage could be repaired in a year, according to Lieut. Gen. Tikka Khan, commander of the occupation forces and military governor of the eastern region.

Industries, services, port facilities and town business in general operate at about 20 per cent of normal throughout East Pakistan. Some people have taken to the fields. More than a million others—2 million according to an Indian official at the United Nations last week—are reported to have fled the country entirely across the rivers into India.

"East Pakistan is doomed whatever happens," a Pakistani scholar said. "It has no hope as an independent entity and is equally doomed if it remains the colony of West Pakistan. For West Pakistan the East wing is going to be an unbearable economic, military and social burden, and yet we cannot give up East Pakistan, for reasons of religious and national doctrine.

"There is our tragedy and our problem."

U.S. INVOLVEMENT

Mr. CHURCH. Mr. President, what has been America's involvement in these startling events? When did it begin? How should it be altered?

For its savage crackdown on the Bengalis, the Pakistan Army used imported guns, automatic weapons, mortars, artillery, trucks, armored personnel carriers, tanks, airplanes, and ammunition. The officers in charge were men trained in the United States or Great Britain. Most of the ordnance and supplies came from the United States, acquired over the years through our lavish grants of military assistance and subsidized arms sale programs. The Bengalis, on the other hand, have literally used bows and arrows, knives, rocks, homemade bombs, and captured hand weapons to resist.

Starting in 1954, when Secretary of State John Foster Dulles negotiated a large arms agreement with Pakistan, the U.S. Government developed a special relationship with the ruling feudal oligarchy of West Pakistan—the generals, the handful of landowning families who control 80 percent of the wealth, and the civil servants. We furnished immense quantities of arms, and more than $4 billion worth of economic and food assistance, the bulk of which was channeled into West Pakistan.

The military largesse, costing the United States nearly $2 billion in arms, was perenially justified to Congress and the American people as a shield to protect the Pakistanis—and the United States—against Communist aggression. Pakistan joined SEATO and CENTO; in turn, the United States built a communications and air base complex at Peshawar to gather intelligence data from Central Asia. Far from containing the Russian bear or the Chinese dragon, however, Pakistan has used its American-furnished military equipment first against India in 1965 and now against its own people. Indeed, in 1968, Pakistan unabashedly closed down our electronic listening post at Peshawar in order to placate Russian and Chinese feelings. By all standards, then, our military assistance policy has proved a failure—but it has been kept alive by the persistence of our arms bureaucracy and the insistence of the Pakistan junta.

In October, 1970, the United States lifted its embargo on lethal arms to Pakistan that had been imposed after the 1965 Indo-Pakistan war. When this policy turnabout was announced, I warned in the Senate, as I had in the early 1960's, against fueling the Pakistan-Indian rivalry, that trouble and violence would be the end-product. "It could be," I said on October 14 of last year, "only a matter of time before recent history repeats itself and the United States is burned again." This has happened, but in another, unforeseen way.

When a policy goes sour but is not changed, the results are sordid. New public information reveals this about the Pakistan case. In April, 1967, the United States altered its arms embargo to ease military transactions. We permitted commercial sales of what could be termed "nonlethal end-items," and this was interpreted here and internationally as communications and transportation equipment. Now it has come to light that our sales to Pakistan were averaging $10 million per year and of that amount, the State Department confessed a month ago, $2.5 million went for ammunition. Our arms purveyors reasoned that ammunition, though lethal, was not an "end-item."

After hedging for more than a month, the State Department acknowledged on May 5, 1971, that the Pakistan Government was using U.S. supplied tanks and jet fighters in imposing military rule upon the majority of its population which lives in East Pakistan. In a recent letter that I have received from Dacca, an American observer writes that the success of the Pakistan Army to date in occupying key towns "is heavily related to the use of C–130's to move" men and materiel. Before he and other foreign correspondents were expelled at gunpoint from East Pakistan, Selig S. Harrison of the Washington Post noted the disturbing fact that:

The universal attitude expressed in Dacca by representative Bengalis from Sheikh Mujibur Rahman down to the street vendor is that the United States has wittingly or otherwise made it possible for West Pakistan to ride roughshod over the East through its military assistance to the Punjabi-dominated army and an economic aid approach reflecting the bias of the largely West Pakistani bureaucracy.

In regard to our military involvement, the St. Louis Post-Dispatch concluded that "the United States must share the guilt in this atrocity." In sum, our military ties with Pakistan has implemented and made possible the carnage.

I ask unanimous consent that newspaper articles dealing with our military aid to Pakistan be printed at this point in the RECORD.

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

[From the Washington Post, Mar. 30, 1971]

BENGALIS SEE U.S. ROLE IN RAWALPINDI EFFORT

(By Selig S. Harrison)

BANGKOK, March 29.—The universal attitude expressed in Dacca by representative Bengalis from Sheikh Mujibur Rahman down to the street vendor is that the United States has wittingly or otherwise made it possible for West Pakistan to ride roughshod over the East through its military assistance to Punjabi-dominated army and an economic aid approach reflecting the bias of largely West Pakistani bureaucracy.

Prominent Bengalis such as the late Premier H. S. Suhrawardy warned privately when the United States started its military aid in the 50s that it would ultimately be used to suppress Bengali aspirations. The army wanted American firepower, he once said, more for domestic political reasons and for use against the Indians than for the stated purpose of countering international Communism. But even Suhrawardy never anticipated the carnage inflicted on Thursday night by M24 "chaffee" tanks provided under the now defunct military aid program.

Despite the marginal supplies of Chinese and Soviet military equipment supplied since the United States terminated its grant military aid in 1965, Bengalis stress that the army is still overwhelmingly American oriented and point to the recent controversial decision by the Nixon administration to sell a small amount of equipment and spare parts to Rawalpindi for the first time since the Indo-Pakistan war. Every time one of the giant U.S. C–130 transport planes with troop reinforcements zoomed overhead in Dacca last week, Bengalis made acid comments for the benefit of Americans present.

One of the key advisers to Sheikh Mujibur Rahman said that Awami League leaders see a U.S. hand behind the hawkish counsel given to Yaha in Dacca by Gen. U. A. Umar, secretary of the National Security Council, and Gen. Mohammad Akbar, director of interservice intelligence.

Generals Umar and Akbar are regarded in the Awami League as Islamic zealots who pushed Yahya into his military confrontation on Thursday, and "some sections" of the U.S. establishment in Pakistan with old ties dating back to the days of the military alliance are blamed, in turn, for allegedly encouraging the hardliners.

Conversations with Awami League leaders, key West Pawistanis and American sources suggest that the attitude of U.S. Ambassador Joseph Farland in his formal contacts with both West Pakistani and Bengali leaders has been one of reticence and detachment.

But in the Bengali view, this amounted to giving Yahya a blank check, and the United States should at least have made a serious and explicit effort to prevent the use of American military hardware against East Pakistan.

When Yahya asked him in a late February meeting what he should do, Farland reportedly stuck to his script and replied that the United States would honor "whatever the people of Pakistan decide." Farland also met the sheikh two days before Yahya made his March 3 speech postponing a scheduled constitution—drafting session of the National Assembly. He reportedly sounded out the sheikh on key foreign policy issues and heard him out on Bengali grievances but said little.

It is understood that the sheikh asked the United States to observe "genuine" impartiality if it did not wish to take sides and to avoid getting into the position of indirectly underwriting whatever West Pakistan chose to do. He emphasized the need for restraint by the army, and reiterated his often-stated differences with Yahya's foreign policy, warning of future Chinese pressures and underlining the advantages for East Pakistan in trade with Indian West Bengal.

He spoke proudly of the overwhelming election mandate won by the Awami League. This provided the necessary moderate democratic political base on which to build the state economically, he contended, warning that revolutionary forces of varying stripes were lying in readiness to exploit his failure.

The underlying tone of Bengali comments concerning the role of the United States has been one of distress rather than anger at a time when the United States is still viewed as the only conceivable source of salvation for East Pakistan. One common theme is that the United States has been "egocentrically" thinking of its own foreign policy interests in a narrow way without regard for Bengali aspirations.

Thus, it is argued, the United States has been hoping for a relatively strong central

government with the sheikh as premier, since the sheikh's views on China would presumably have shifted Pakistani foreign policy in a westerly direction. The Bengalis, however, do not want the sheikh to go to Rawalpindi. They want loose confederation with a token central authority, and the United States, in this view, has indirectly encouraged Yahya in his hard line.

Another factor often cited as evidence of U.S. bias toward the west wing is the identification of U.S. aid officials and the World Bank with the thinking of West Pakistani economic planners. Bengali economists believe that the planners in Rawalpindi led by M. M. Ahmed, Yahya's principal economic adviser, are frankly dedicated to maintaining "neo colonial" relationship between East and West Pakistan in which Bengal serves as more or less permanent golden market for West Pakistani indusry, market protected from foreign competition by tariffs in which prices can be jacked up at the will of West Pakistani entrepreneurs.

The Begali nationalist weekly "Forum" cites the report of 1970 U.S. aid report on industrialization in East Pakistan and recent World Bank staff study as reflecting the Rawalpindi attitude. Both studies urged tax incentives for West Pakistani investors and implied that there is no entrepreneurial talent in the East.

The bank's resident director in Pakistan, David Gordon, grants that there might have been "some insensitivity" to Bengali needs on the part of Western aid officials in the past reflecting close working ties with Rawalpindi officials.

But Bengali experts have recently begun to come up with clear, well-planned projects, and the bank's Pakistan aid consortium has been shifting its major interest during the past year from the western wing to the east "in the belief that this is where the problems are." Gordon arrived in Dacca last Thursday afternoon with hopes that a political settlement might be in the offing and discussed future aid possibilities amid the background music of mortars and cannon.

One of his tasks had been to confer with local officials on priorities governing a long-term $1.6 billion flood control program for East Pakistan adopted by the bank last summer. The aid givers have "positive attitude," he observed with a glance at a tank visible through the hotel window, and more than $125 million has already been pledged, "but perhaps the pertinent question is will we have any government, administration or economy to deal with about floods or anything else."

[From the St. Louis Post-Dispatch, April 4, 1971]

U.S. ARMS IN DACCA

It is no wonder that the West Pakistan military tried to conceal its actions in East Pakistan last weekend by rounding up foreign news correspondents at gunpoint and expelling them from the country. Reports now becoming available are to the effect that tanks and incendiary weapons were used in Dacca to crush the East Pakistan home-rule movement; it is said that some 7000 Bengalis armed only with knives and bamboo sticks were slaughtered.

The United States must share the guilt in this atrocity. The tanks were American-built, furnished as part of well over two billion dollars in military aid given to Pakistan in return for its willingness to ally itself with United States objectives. Giant transport planes supplied by the United States carried the troops used in the suppression.

This is not the first time Pakistanis have misused American assistance. Ever since the arming of Pakistan was begun in the 1950s India has claimed that its neighbor would employ the weapons against India; to protect itself India was forced to spend scarce development funds on arms. In 1966 India's fears were realized when Pakistan used its American arms against India in the struggle over Kashmir.

The massacre in Dacca, which may turn out to have been worse than reported, is another example of how arms given by the United States to an "ally" are used to maintain a dictatorship regime in power. India, which has a large Bengali minority, has appealed to the United Nations to take action to help relieve the suffering in East Pakistan. It is the government in West Pakistan that ought to show humanitarianism, and the first thing it could do, if it is not too ashamed, would be to make all the facts available.

[From the New York Times, Apr. 10, 1971]

UNITED STATES CONTINUES AID TO PAKISTAN ARMY—AMMUNITION AND PARTS SENT—AMERICAN-SUPPLIED ARMS MAY BE IN USE IN EAST

(By Benjamin Welles)

WASHINGTON, April 9. The United States is continuing to ship to Pakistan ammunition and spare parts for weapons under a program begun in 1967.

There is growing evidence that the Pakistani Army has been using American tanks, jet aircraft and other equipment in its attempt to crush the movement for autonomy by the predominantly Bengali citizens in the eastern half of the country.

That equipment was shipped from 1954 to 1965, when the United States embargoed further arms shipments to Pakistan. The embargo was eased in 1967 to permit Pakistan to buy spare parts and ammunition for the weapons.

ESTIMATED AT 30,000

The Pakistani Government forces, estimated at 30,000 to 40,000 men, are believed to have received 48 light tanks and 16 Sabrejets from the United States before the embargo. They also use British, Soviet and Chinese Communist equipment.

At least twice, the United States has expressed concern to the Pakistanis over reports of the use of American equipment in the east, but otherwise has muted its disapproval for fear of jeopardizing the safe evacuation of Americans from East Pakistan and of appearing to intervene in what the State Department regards as primarily an internal affair.

As the reports have continued, there has been mounting concern in Congress, reflected in the press and in public circles. Four Senators—two Democrats and two Republicans—asked Secretary of State William P. Rogers today to specify United States aid to Pakistan and to clarify whether American weapons had been used by army units against the East Pakistanis.

The Ripon Society, a private organization of progressive young Republicans has made public a study of the Pakistan crisis that urges the Administration to rescind President Nixon's offer of last October to sell arms to Pakistan on a "once-only" exception to the 1965 embargo.

The society has also urged that economic aid to Pakistan be suspended and that diplomatic efforts be made to halt the conflict and gain self-determination for the East Pakistanis.

FOUR SENATORS "DEEPLY DISTURBED"

Senator Edmund S. Muskie, Democrat of Maine, Walter F. Mondale, Democrat of Minnesota; Edward Brooke, Republican of Massachusetts, and Mark O. Hatfield, Republican of Oregon, said in a joint letter that they were "deeply disturbed over the recent bloodshed in East Pakistan." They called on the State Department to disclose "even the most indirect" American involvement.

Congressional sources said that Senators Mondale and Clifford P. Case, Republican of New Jersey, would soon cosponsor a resolution in Congress to bar all military aid and sales to Pakistan until the current conflict ended.

From 1954 to 1965 arms aid exceeded $1-billion, according to expert sources here.

Charles W. Bray 3d, State Department spokesman, said that the Administration was closely reviewing Pakistani requests for future economic aid—including $20-million in food grains in addition to $87-million for agricultural commodities under an agreement signed last November. United States aid to Pakistan—about $200-million for each of the last two years—makes up 30 percent of all foreign aid reaching Pakistan annually.

CONFERS WITH MCNAMARA

A senior Pakistani finance official, Azi Ali Mohammed, who arrived here two days ago, conferred today with Robert S. McNamara, president of the World Bank, reportedly to request an extension of Pakistan's debt repayment of $20-million due the bank June 30. Mr. McNamara was reported by one informed source to have been "polite—but tough."

Pakistan owes an estimated $4.6-billion to foreign creditors and is facing severe financial difficulties as the conflict with the East continues, experts say. Pakistan's foreign-exchange holdings are reportedly $184-million, and the conflict is said to be costing $70-million monthly. Some United States officials say privately that Pakistan cannot maintain the present expenditures longer than two months.

Meanwhile, there were reports that five lighters, or barges, lying off Chittagong and loaded with United States relief wheat for East Pakistan were fired on today by Pakistani armed forces when they sought to move away. The grain was unloaded in February from two United States-registered ships, the Olympic Power and Olympic Pegasus. Since February the lighters have been stalled off Chittagong, prevented from unloading by Chronic port congestion and the recent disorders.

BURMA EXERTS PRESSURE

Pakistan has reportedly shipped and flown 5,000 to 7,500 men to the East since early March.

In recent days, however, Burma is said to have begun cutting down on vital petroleum supplies both to Pakistan and to Ceylon to bring pressure for a halt to the fighting Pakistani troop planes normally refuel at Colombo, Ceylon. Ceylon has now barred military flights by Pakistan's eight United States-supplied C–130 air transports but is officially overlooking the ferrying of Pakistani troops in civilian clothes on airliners of Pakistan International Airways.

The growing costs in landing rights and fuel charges are, however, said to be worrying Pakistani Government leaders.

"I wouldn't be surprised if the fighting was now costing Pakistan at a rate of $80-million per month," said one official. "That's pretty steep when you realize Pakistan has $4-billion in foreign debts and her reserves are down to $160-million."

EASTERNERS FLEE TOWNS

GOALUNDO, PAKISTAN, April 9 (AP).—East Pakistanis were reported fleeing towns along the Padama River today, fearing an advance by West Pakistan Army units trying to crush the two-week old independence movement in the East.

Women and children in the ferry port of Goalundo and other towns along the Padama, the local name for the Ganges River, were said to have started fleeing their homes as soon as word was received that Government troops had occupied the town of Aricha, just across the river.

Local officials ordered residents to take refuge. They said Pakistani Navy gunboats were on their way up the Padma River to cover a crossing by the army.

The inland port of Goalundo would be a

logical place for a crossing, because it is at the head of the railway leading from the Padma toward the Indian border, 80 miles west of here.

An army advance along the railway line would stab deep into the heart of territory believed held by East Pakistanis of the Bangla Desh, or Bengal Nation movement.

The East Pakistanis are said to hold most of the territory west of the Padma-Ganges, which divides East Pakistan in half. On the other side the West Pakistani Army is reported to control the main urban centers, including Dacca, 40 miles east of the river.

[From the New York Times, Apr. 14, 1971]

U.S. ACKNOWLEDGES SALES OF AMMUNITION TO PAKISTAN

(By Benjamin Welles)

WASHINGTON, April 13.—The State Department conceded today that the United States had been selling approximately $2.5-million worth of ammunition yearly to Pakistan since 1967 as "nonlethal" equipment.

Until now, the Administration has insisted that only minimal amounts of "nonlethal" military supplies have been furnished to Pakistan. It has described such supplies as military personnel carriers and communications equipment.

Robert J. McCloskey, the State Department spokesman, disclosed in response to questions that sales of military items to Pakistan—both on commercial and on credit terms—had in fact been running at "just under" $10-million a year.

About 25 per cent of this—or about $2.5-million—has been in the form of ammunition, he said.

Mr. McCloskey explained that United States supplies of both lethal and nonlethal equipment had been embargoed when the India-Pakistani fighting erupted in 1965.

"In 1966 and 1967 the embargo was lifted to permit sales of what we have described as nonlethal equipment," Mr. McCloskey said, "although I acknowledge that to some extent it included ammunition."

PROTESTS IN U.S.

Since March 25 when the Pakistani Government used troops to suppress a movement for political autonomy sponsored by the Awami League, the predominantly Bengali political party of East Pakistan, there have been protests in the United States Congress, the press and among the public that the Pakistani forces were using United States-supplied arms.

Despite Pakistani's expulsion of American and other foreign newsmen and her tight censorship, there have been widespread reports of killing and damage in East Pakistan.

Mr. McCloskey said that the State Department was unable to ascertain when the last United States arms deliveries were made to Pakistan, what was now en route or what was being prepared for shipment.

Defense Department sources said that intensive efforts began last weekend to assemble from Army, Navy, Air Force and commercial records a composite picture of what the United States military items had been sold to Pakistan in the last four years. However, they warned, it will require "more computer runs" and possibly two more days before the full facts are known.

At the same time Mr. McCloskey was able to furnish figures from the Agency for International Development showing that there were 700,000 tons of American wheat—or a four months' supply—now available in East Pakistan for civilian needs.

There are an additional 200,000 tons aboard ships awaiting unloading in East Pakistani ports, he said, and 300,000 tons more have been authorized for shipment as soon as delivery bottlenecks can be eliminated.

Mr. McCloskey said that the United States had stressed to the Pakistani Government that the current problem was not one of supply but of distribution. Ports, roads and railways have been disrupted, he said, and port labor in East Pakistan is unavailable—presumably because of widespread fighting.

Mr. McCloskey acknowledged that President Agha Mohammad Yahya Khan had still not responded to proposals by the United Nations and the United States for an international relief effort in East Pakistan. He reiterated the willingness of the United States to assist in such an effort.

Meanwhile, the State Department disclosed that the United States was selling to Ceylon—via Britain—six Bell OH–13S–H, or "bubble" type, helicopters to help suppress the left-wing guerrilla uprising in that country.

In 1969, it was said, Ceylon bought—on military-credit terms—three Bell helicopters, each valued at $125,000 new. The actual sales price was not disclosed although the State Department said that spare parts for the craft were flown to Colombo, yesterday in an Air Force jet transport.

The six smaller Bell craft—a type widely used in this country for police surveillance—are being sold at "nominal" costs, sources said. They pointed out that Ceylon had asked for helicopters from both the United States and Britain although Britain had none available.

Because Britain was the traditional arms supplier to Commonwealth countries, they said, the sale of the helicopters was a "sensible triangular arrangement."

[From the Wall Street Journal, Apr. 5, 1971]

A DUBIOUS HONOR

It's not a particularly new story, but repetition doesn't make it any prettier: The U.S. is continuing to send arms to the government of Pakistan, where American weapons are evidently being used in the effort to crush the secessionist movement of the Bengalis in the eastern part of the nation.

Such aid, to Pakistan and to many other countries, was of course intended primarily to provide strength against possible Communist aggression, not to settle internal scores or make war against other non-Communist countries. Not many years ago, for an additional example in the same area, India and Pakistan were having at each other, and U.S. arms were involved then too.

According to Washington estimates, the U.S. sent Pakistan more than $1 billion worth of arms from 1954 to 1965, when the aid was embargoed. The embargo was eased in 1967, and now this country is reportedly shipping ammunition and spare parts for weapons.

True enough, if the U.S. weren't supplying arms, others presumably would, and they might well be unfriendly others. Still, our military aid and sales to Pakistan do not appear to have deflected it from its leftward course in recent years. At the least one might think the U.S. could insist on more effective controls on the uses to which its weapons are put.

The question is one of degree, we suppose. America's lavish dispensing of arms all around the non-Communist world was part of a general approach which critics called global interventionism. Now that the Nixon doctrine stipulates considerably less intervention, perhaps curtailment of military aid is being studied; it should be. For our part, we would not mind seeing the U.S. lose its prominence in the arms-furnishing business.

[From the New York Times, Apr. 18, 1971]

KEATING REPORT STIRS PAKISTANIS—WESTERNERS ASSAIL REMARKS ON THE CONFLICT IN EAST

(By Eric Pace)

KARACHI, PAKISTAN, April 17.—The Pakistan radio said tonight that Pakistani troops yesterday evening "secured" Chuadanga, the town "that Indian propagandists had been claiming as the seat of the so-called Bangla Desh Government."

"The troops moved into the town without firing a shot," the radio said, "and found no trace of a ghost government—which it appears exists only in the imagination of the Indian propagandists."

The radio reported other military successes in East Pakistan tonight.

Meanwhile, a furor arose here in West Pakistan over reported remarks by the United States Ambassador to India, Kenneth B. Keating. Mr. Keating, a former United States Senator from New York, is reported to have said in Bombay Thursday that the East Pakistan problem was the concern of the world community and not merely Pakistan's internal affair.

PARTY CRITICIZES KEATING

The spokesman of West Pakistan's strongest political party, the Pakistani People's Party, criticized Senator Keating, saying it was "surprising that a government that insisted upon its right to intervene in Vietnam should be caviling at Pakistan's right to restore order in an integral part of her territory."

Similar criticism came from another political party and from West Pakistan officials and intellectuals. The furor was played up in the Pakistani press.

According to a Reuters dispatch, as published in the papers here, Ambassador Keating said to reporters in Bombay, "This phrase 'internal affair' has a certain international usage, but it should not be overdone."

He reportedly said that the official United States view was that as far as East Pakistan was concerned, the meaning of the phrase was "limited to the geographical fact that what is taking place is within [Pakistan's] territory."

The Pakistani Government has repeatedly asserted that the East Pakistan problem is its own business and nobody else's.

No official reaction was forthcoming from the Pakistani Government yesterday—Friday is the Moslem holy day—but Karachi's largest evening paper, The Daily News, reported tonight that Pakistan "is likely to protest to the United States against the remarks made by the American Ambassador in India."

It was understood that the matter was under study by the Pakistani Government, which was awaiting confirmation of the initial Reuters reports.

INDIAN "INTERFERENCE" DENOUNCED

The Pakistan radio also denounced what it termed Indian interference and infiltration in the East.

Reporting that the Chuadanga area had been "combed and cleared of miscreants," the radio said:

"All sources of supply to the infiltrators and antistate elements in the area have been sealed off. Short of supplies, they are now completely demoralized and disarrayed. They also loot foodstuffs from private houses and harass peace-loving civilians. These elements are being chased and wiped out."

It also broadcast this account of other reported achievements: "Another column of the Pakistani Army yesterday reached Kushtia 25 miles east of the border and 100 miles northeast of Calcutta and fully secured the town without facing much resistance. In the region cleared of miscreants, rural people have resumed their normal work."

It continued: "In a mopping-up operation in the border belt of Jessore district, Pakistani troops ambushed an Indian supply column near Benapol [a town five miles east of the border]. The infiltrators were killed and their war material was seized. The captured arms include rifles, machine guns and mortars, and the captured ammunition bears the markings of the Kirkee ordinance factories of India."

INDEPENDENCE CEREMONY

BAIDYANATH, TALA., PAKISTAN.—The Independence of Bangla Desh was formally proclaimed today in this East Pakistani town a half mile from the Indian border.

The troops of Pakistani's central Government were but 30 miles away and the resistance of Bangla Desh or Bengal Nation—the East Pakistani autonomy movement—was crumbling steadily.

The acting president of Bangla Desh, Sayed Nazrul Islam, and Prime Minister Tajuddin Ahmed appealed for recognition by foreign powers.

The Indian authorities played a major part in the ceremony, and a contingent of Indian troops was on hand just across the frontier.

Mr. Nazrul told a crowd of applauding Bengalis that he was proclaiming the "independent Democratic Republic of Bangla Desh" on behalf of its leader, Sheik Mujibur Rahman. The Pakistani Government has announced that Sheik Mujibur is in custody.

[From the New York Times, Apr. 18, 1971]

PAKISTAN'S MADE-IN-U.S.A. ARMS

(By Chester Bowles)

ESSEX, CONN.—The appalling struggle now going on in East Pakistan is a further testimony to the folly of doling out arms to "friendly governments" with little regard for whom they are to be used against or for what reasons.

The billion-dollar military equipment program for the Government of Pakistan (meaning West Pakistan) between 1954 and 1965 enabled and encouraged the Pakistanis to attack India in 1965. Now (along with some Soviet and Chinese equipment) it is being used by the West Pakistan Government to beat down their fellow countrymen in East Pakistan who recently voted overwhelmingly for greater independence.

It is a particularly shoddy spectacle because there is no indication that our Government feels the slightest responsibility for how our weapons are being used. Indeed it has done its best to sweep the whole situation under the rug.

Even when the International Red Cross was refused entry into East Pakistan, when all foreign correspondents had been hurriedly ushered out of the country, and when daily on-the-spot reports from our Consulate General in Dacca had described in detail the massive military action by the West Pakistan Army against East Pakistan civilians, our Government persisted in saying it did not know what was going on and therefore was in no position to comment.

It was only when some 500 American refugees from East Pakistan began to give accounts to the press that our Government offered even a mild protest to the West Pakistan Government.

Two actions, it seems to me, should be taken at once. First, we should lodge a strong protest with the West Pakistan Government over the misuse of U.S. military equipment and all aid except medical supplies and food should promptly be stopped. Second, we should call for a meeting of the Security Council of the United Nations to consider appropriate steps to deal with the threat to the peace of Asia which this conflict clearly has become. U.S. Government spokesmen have already ignored the first suggestion and rejected the second on the ground that the fighting in East Pakistan is an "internal question" in which we have no right to interfere. But what about U.S. action in the Congo? What about South Africa, Southern Rhodesia, Cyprus?

When peace is threatened on such a massive scale the United Nations has an overriding obligation to do everything possible to settle the conflict before it gets out of control. This obligation is particularly clear when the "internal problem" is created by the efforts of a well-armed minority to subdue the overwhelming majority constituting more than one-half of a divided country, separated by more than 1,000 miles of alien territory, speaking different languages and with deep built-in cultural conflicts and differing economic interests.

If we assume leadership in mustering world opinion to stop the fighting, the Soviet Union, which has limited its reaction to a mild plea for restraint, will almost certainly support our position. This is particularly so since China has seized upon the situation to stir up trouble between India and Pakistan even though this puts them in bed with the rightist military dictatorship of West Pakistan.

The upheaval in East Pakistan came at a moment when there was new hope for political stability and economic progress in South Asia. In December, the overwhelming victory of Sheik Mujibur Rahman and his Awami League in the first free election ever held in Pakistan had opened the door not only for the first genuinely democratic government but for greatly expanded trade with India and the easing of the conflict between the two nations.

Two months later, Mrs. Gandhi's landslide election in India provided her with a mandate not only for an all-out effort to ease the poverty of the Indian masses but also to improve India's relations with its neighbors.

Tragically, the action of the West Pakistan Government has destroyed for some time to come the hope for a politically stable, united Pakistan living at peace with its neighbors. In all likelihood, the West Pakistani forces in East Pakistan ultimately will be driven out. Although their military superiority is substantial, the movement of food and military supplies in the coming monsoon through the aroused countryside will be extremely difficult. An independent East Pakistan appears to be in the cards.

But if the United States and the U.N. combine to look the other way and the present struggle is allowed to continue to its inevitable bloody climax, East Pakistan will become a political vacuum with 70-million embittered people convinced that the only hope for support is from the most extreme elements in India. This is particularly likely if, as many observers believe, Sheik Mujibur Rahman, who has been deeply committed to the democratic process, is already dead.

As this danger grows, Mrs. Gandhi's Government will be increasingly diverted from its programs of economic development to raise the living standards of the Indian people, instead turning to the political and military problems of securing its northern and eastern borders.

[From the Wall Street Journal, Apr. 23, 1971]

PAKISTAN'S PLIGHT BODES ILL FOR NIXON'S NEW, HIGHER FOREIGN AID REQUEST

Congressional critics of aid will seize on Pakistan's bloody conflicts as "proof" that the program is wasteful, ineffective. The country, after receiving $4 billion in U.S. help, is sacrificing internal progress in its civil war. The weapons used are mostly American. U.S. agreements permit the arms to be used for internal security—a point that aid's foes will stress.

The Pakistani economy is near chaos. Reports say $200 million in outside aid is held up by the current crisis. Officials seek speedier U.S. assistance, plus emergency help from the World Bank, International Monetary Fund. But donors are loath to bankroll a government that guns down its own citizens, bars international relief agencies.

Any remaining cash Pakistan has may go for arms, not economic projects. That would make outsiders even more reluctant to rush to the rescue.

[From the New York Times, Apr. 25, 1971]

PAKISTAN: BIG POWERS IN A DIPLOMATIC MINUET

(By Sydney H. Schanberg)

CALCUTTA.—The independence struggle in East Pakistan is drawing the United States, the Soviet Union, Communist China and India into a sort of diplomatic minuet and maneuver with considerable potential consequences. What these countries eventually decide to do could determine not only the outcome of the war but also the future course of South Asia.

The process promises to be a long-drawn-out one. The autonomy drive of the Bengali population of East Pakistan could conceivably last for years. It could plunge the entire Indian subcontinent into turmoil, particularly if it turns into a Maoist or similar insurgency.

The reaction so far of the major powers affected by the insurgency has gone something like this:

RUSSIANS CRITICAL

The Russians, the first to speak, sharply criticized the Pakistani Government in West Pakistan and called for an immediate end to the "repressive measures and bloodshed." Pakistan responded curtly by saying that this was an internal matter and by telling the Russians in effect, to mind their own business.

A week after the Moscow move, Communist China, which has been wooing Pakistan in an effort to counterbalance Russia's influence in India, publicly took sides with the Pakistani Government. The Chinese praised President Yahya Khan for taking "the relevant measures," and charged that the United States and the Soviet Union, "working in conjunction with the Indian reactionaries, crudely interfered in the internal affairs of Pakistan."

The United States at first took a cautious stance, saying that, if the Pakistani Government sought humanitarian assistance for those suffering in East Pakistan, Washington would respond. This was essentially an echo of the position taken earlier by U Thant, the United Nations Secretary General. But Pakistan rejected the idea of humanitarian assistance from others, and turned back a Red Cross relief plane that had come to Karachi with the intention of flying on to Dacca, the East Pakistani capital.

As press and other reports mounted about the widespread killings of Bengali civilians by the Pakistani Army, Washington expressed concern about the army's use of previously supplied American arms and about the loss of life. The State Department said it was reviewing its entire aid program to Pakistan.

India, which has fought two wars over Kashmir with Pakistan and a border war with China, has denounced the Pakistani action as "medieval butchery" and "systematic genocide" of the Bengalis, and has rejected the notion that the strife is an internal Pakistani matter.

Many observers believe that India, which is already giving some assistance, on an unofficial basis, to the Bangla Desh (Bengal Nation) rebel force, may have to declare herself soon and provide direct aid in significant amounts.

Some Indian Army officials are itching to pin back the Pakistanis' ears in this crisis, and the possibility of another Indian-Pakistan war cannot be entirety ruled out. All it would take would be one irrational military act.

Most diplomats here view the Chinese pledge of support to Pakistan as a *pro forma* move—more bluster than a real military

threat against Pakistan's critics. But at this euphoric moment of improving relations between Washington and Peking, it might be enough to make Washington think longer about coming down hard against Pakistan and risking a diplomatic blow-up with the Chinese.

Another explanation offered is that the American stance simply reflects its two decades of support of Pakistan's military governments with billions of dollars in military and economic aid. Many of those in the State Department who endorsed this policy find it difficult now to admit, as some critics charge, that, on balance, it was a failure, that it fostered development only in West Pakistan and left East Pakistan a badly treated poor relation. It was this situation that helped fuel Bengali bitterness and led to the present crisis.

Foreign aid is a key factor in this crisis. Should the World Bank, the United States and the 10 other Western countries in the aid-Pakistan consortium refuse to make any future commitments and reject Pakistan's requests to delay the payment of existing loans, Pakistan would probably be compelled very quickly to pull its army out of East Pakistan and bring it home—a 1,000-mile trip across Indian territory.

The Russians and the Chinese, both of whom have been providing Pakistan with military aid in recent years, do not seem to have the same fence-straddling problems as the Americans.

The Russians, in taking the Bengali side, have apparently decided that Pakistan is an extremely sick country, that India is the important power in this region and the power to line up with.

The Chinese have apparently decided that whatever the Russians and Indians support, they must oppose. Some analysts think the Chinese may have blundered by turning their backs on the Bengali independence movement for reasons of power politics.

Few Bengalis understand all this world diplomacy. They know only that no one has recognized their new Government.

[From the Washington Post, May 6, 1971]

U.S.-AID TANKS USED IN PAKISTAN

The State Department has acknowledged that the central government of Pakistan has used U.S.-supplied tanks and jets in putting down the rebellion by breakaway East Pakistan.

But it said that Pakistan was under no obligation to consult with the United States on the transfer of the equipment from one part of the country to the other.

The action by Pakistan's central government was taken despite secret diplomatic pressure from the United States, according to the department.

The statements were made by David M. Abshire, assistant secretary of state for congressional relations, to four senators who had asked for information on the status of U.S. military and economic aid to Pakistan.

The letter from Abshire was addressed to Sens. Walter Mondale (D-Minn.), Edmund S. Muskie (D-Maine), Edward W. Brooke (R-Mass.) and Mark O. Hatfield (R-Ore.).

[From the New York Times, May 7, 1971]

SENATE UNIT ASKS PAKISTAN ARMS CUTOFF

(By Benjamin Welles)

WASHINGTON.—The Senate Foreign Relations Committee called unanimously today for an immediate suspension of American military aid and arms sales to Pakistan until the civic conflict there is resolved and the distribution of relief supplies is resumed.

By a voice vote the committee approved a resolution sponsored by Senators Clifford P. Case, Republican of New Jersey; Walter F. Mondale, Democrat of Minnesota, and 14 other Senators. In so doing it overrode State Department objections that the language of the resolution was too imprecise to be applicable.

The resolution, which now goes to the Senate, has no force in law. However, if approved, it would reflect growing concern in Congress over the protracted fighting in East Pakistan during which, the State Department has conceded, United States arms have been used. A similar resolution will be introduced soon in the House of Representatives.

Defense Department sources said that the effect of the Senate panel's action would be mainly symbolic. There have been no deliveries of United States arms or ammunition to Pakistan since March 25, when the fighting began, they said.

From 1954 until 1965, other sources said, the United States delivered $1-billion in arms to Pakistan for defense against Communist aggression, primarily within the context of the Central Treaty Organization. However, they said, the original United States-Pakistani agreements permitted use of these arms for "internal security." Therefore, they said, the United States has virtually no control over Pakistan's current use of United States arms.

In 1965, at the time of the Pakistani-Indian war, the United States embargoed all arms grants and sales to Pakistan. In April, 1967, the embargo was eased, officials said, to permit commercial sales of what were termed "nonlethal-end items" to keep United States-supplied equipment functioning. These items were described repeatedly by officials here as transport and communications equipment.

However, on April 13, in response to newsmen's questions, officials conceded that the sales had been averaging $10-million yearly and that, of this, $2.5-million yearly in ammunition had been sold to Pakistan as a "nonlethal-end item."

"Ammunition is lethal," one official explained today, "but at the Pentagon it is not considered an 'end item'."

Officials insisted that all shipments had been cut off with the outbreak of fighting in East Pakistan on March 25. They said also that Pakistan's financial difficulties had prevented her from buying 300 armored personnel carriers and up to 24 bombers and jet fighters authorized by President Nixon last autumn as a "once only" exception to the 1965 embargo.

On March 25 the Pakistani Government began to use force against a movement for political autonomy among the overwhelmingly Bengali people of East Pakistan. With continued strife in the area, the Government has barred any international humanitarian relief effort despite repeated urging by the United States, Britain and other governments. It has been reported that Secretary of State William P. Rogers and the British Foreign Secretary, Sir Alec Douglas Home, sent an urgent plea to Secretary General Thant of the United Nations asking him to continue his attempts to intercede with the Pakistan regime headed by President Agha Mohammad Yahya Khan.

Agha Hilaly, Pakistan Ambassador here, sent a protest to nine Senators, including Senators Mondale and Case, who asked Mr. Rogers Tuesday for greater United States efforts to get a relief program started.

Mr. Hilaly described the statement of the Senators—which urged no further United States foreign-exchange aid to Pakistan until such a relief program was begun—as "tantamount to the use of threats" and "interference" in Pakistan's internal affairs.

Meanwhile, it was reported that M. M. Ahmed, an economics adviser to President Yahya would arrive here Monday to seek a fresh "rehabilitation and reconstruction" aid package for Pakistan, whose economy has been severely strained by the fighting.

INDIA APPEALS ON REFUGEES

(By Sydney H. Schanberg)

NEW DELHI.—The Indian Government growing increasingly concerned about its ability to cope with the mounting flow of East Pakistan refugees fleeing the Pakistan Army, issued a new appeal today for outside help and said the refugees were an international responsibility.

At a news conference here, R. K. Khadilkar, Minister of Labor and Rehabilitation, said the refugees were now pouring into India from East Pakistan at a rate of 60,000 a day and that the total number had passed 1.5 million.

The official estimated that perhaps as many as five million would eventually cross into India. It would cost the Government possibly about $150-million a year to support them, he said.

BANGLA DESH: SITUATION AND OPTIONS

(By Prof. Rahman Sobhan)

In the light of the facts as available, the silence and inertia of the major powers and international bodies is difficult to understand. Whilst it is regarded as idealistic to appeal to the conscience of the world to act on the planned genocide of at least 200,000 Bengali's to date, it is sad that their political judgment should be so distorted as to inhibit response.

Today we are witnessing an attempt by a military junta, whose own position is somewhat tenuous, to crush a popularly elected party and the political forces which sustained it. Whilst the representative status of most leaders of insurrections has been ambiguous there can be no doubt that Sheik Mujibur Rahman and the Awami League speak for Bangla Desh. An electoral mandate which gave them 167 out of 168 seats and 80% of the popular vote puts their credentials beyond question. They represent 75 million people or 55% of what once constituted Pakistan. To confer legitimacy on Yahya and his Junta by accepting his right to talk for Bangla Desh effectively writes off 75 million Bengalis who constitute the eighth largest conglomeration of people in the world. This not only makes a mockery of any commitment to democratic principle but is without political sense.

Today the Pakistan government is trying desperately to convince the world that it is in effective control of Bangla Desh. They point to the fact that they are in possession of the major towns and that effective resistance has ceased. They draw witness to the fact that administrators are to be found in their offices in the Dacca Secretariat.

What they do not say is that even today the secretariat is not functioning because most of the subordinate staff are still away from Dacca for fear of random killing by the army. That only about 50% of those shops not burnt by the army are open and these function with some trepediation for fear of looting by the army. That even up to the end of April curfew was in force at night in Dacca and that streets after dusk are largely deserted. That a week ago the army had to mortar villages on the outskirts of Dacca to dislodge "miscreants." That the army has had to issue martial law order 148 on April 27, which imposes the death penalty on all acts of sabotage on government installations and which states:

"Inhabitants of the surrounding area of all or any such affected place or places will render themselves liable to punitive action collectively."

This merely gives documentary evidence of resistance and the army response which would be known to anyone who has managed to step out of Dacca.

Here they would find that in the Sylhet where the forests in the Tea Garden areas provide natural cover is still unpacified and

under control of the Bengal regiment. That a force is still holding out in the Chittagong Hill Tracts. That all over Bengla Desh armed Bengali's have withdrawn into the rural areas and are harassing army units through guerrilla action. This may be expected to increase in frequency and intensity as the resistance acquires more skill at this type of warfare, get additional supplies and weaponry, of which sizeable quantities have already been captured from the Pak Army and when the monsoons make the logistical problems of the army more insecure. The capability for waging a prolonged war is there because the political motivation of the people has been guaranteed by the indiscriminate character of the war waged by the army. By destroying villages within the range of their artillery and declaring these areas as "free fire zones" they have made the Pakistan army an object of hatred and a direct threat to the security of 75 million Bengalis who will be willing to resist or aid any resistance to this alien force.

Massive terror has however still secured scant gains for the Pakistan government. While they command major towns these are ghost cities, depopulated, without any economic activity and without any administrative structure. Barely 10% of the population of these towns has stayed behind, if that, whilst the administration, which actually worked with the resistance during the phase when these towns were liberated, is not taking any chances on staying behind. This means that whilst the territorial orbit of army control may cover the province, in effect not more than a million out of 75 million Bengalis are within their administrative control. The army holds key jurisdictions and operates along the grids set by the road network which permits it to move in heavily armed motorised conveys from one town to another.

As a consequence of this tenuous hold over the region, economic life is at a standstill. Even in the industrial areas of Dacca, Chittagong and Khulna, those industries which have not deliberately been destroyed, are barely operative because most of the labour force is still in the villages, fearing reprisal by the army. Exports are at a standstill because of the breakdown of communications and the disruption of the marketing framework. Many key personnel in the marketing of both jute and other commodities, as well as imports were either West Pakistani's or Hindus. These have fled or been killed so that very little can be expected to move in or out of Bengla Desh in the near future. Congestion at Chittagong port due to continued absenteeism by port workers has further aggravated the problem.

Economic breakdown in Bangla Desh is in itself of only marginal interest to the Yahya government. Scorched earth policies which have through the use of U.S. financed Sabrejets and Chinese migs, destroyed grain stores, tea gardens, factories, gas storage installations (at Brahmabaria) point to starvation and economic disclocation as a weapon of intimidation in the hands of the Army.

The attendant loss of 50% of the country's foreign exchange earnings which came from Bangla Desh through its export of jute products is of more immediate concern. 80% of the free foreign exchange from Bangla Desh exports was used in West Pakistan. This cannot immediately be replaced by increased exports from the West where industry is already down to 40% capacity operations due to shortage of foreign exchange.

To this end the Pakistan government is pressing for a rescheduling of its debt service liabilities which requires payment of about $100 million to sundry creditors by the end of June. Over and above this, Pakistan needs fresh aid commitments mainly for commodity imports to stimulate her ailing industry but also to maintain the momentum of development. While her own exchange earnings have fallen drastically because of the cessation of Bangla Desh exports her own exchange needs remain high. In normal times West Pakistan imports were double its exports but today the need to purchase arms and munitions to replenish and augment stores to sustain its war on Bangla Desh have further increased. French arms suppliers have been approached for a moratorium on debt repayment and for better terms for, interalia, 30 mirage fighters, currently on order. Actual or contemplated freezing of U.S. military supplies will require more cash foreign exchange to compensate this loss by turning to the open market for arms.

The visit of Mr. M. M. Ahmed is therefore of considerable importance, because Pakistan now expects the World Bank, the U.S. and other aid donors to bail them out of their current economic crisis and in effect underwrite their military operations in Bangla Desh. Any suggestion that aid will be used for alleviating famine in Bangla Desh and reconstructing the war damage is deliberately misleading. The government's writ does not extend beyond the range of its guns and it lacks the administrative control or machinery to implement and aid programme. It would likely divert any aid for East Pakistan to the West and use foodgrains to feed its occupation army or as an instrument of political coercion and patronage.

In this context there is therefore no question of any aid donor playing a neutral role. By responding to the needs of the Pakistan administration they will in fact not be performing any humanitarian service but will be underwriting the military action. By refusing to reschedule debt service liabilities as demanded by Pakistan and withholding further commitment of aid, including what is already in the pipeline, the full cost of this military adventure can be brought home to the regime.

The world must realize that aid giving can never return to a "business as usual" posture—as it did following the India-Pakistan war in 1965 and the downfall of the Ayub regime in 1968. Thus the aid givers should also guard against any subterfuge vis-a-vis the debt or in any form—which is intended to convey the impression that Pakistan is acting in good faith. Murderers of 200,000 unarmed civilians do not know the meaning of acting in good faith.

The economic dislocation in Bangla Desh has already cost West Pakistan its captive market. There are no customers, income or marketing framework to accommodate West Pakistan's exports to Bangla Desh which account for 40% of their total exports. Industries which used to selling their wares at up to 100% above world price face ruin and a major economic recession threatens West Pakistan's business world. A 50% price inflation is also anticipated within the next three months due to a fall in industrial output and imports. The foreign exchange crunch has led to the abolition of the free list for imports; the complete ban on 47 items for import and the placement of licensed imports on cash-cum-bonus. In effect all imports are on bonus and a partial devaluation has already been carried through. The economic position of the country therefore makes the government highly vulnerable to economic pressures exercised by aid donors.

But to what end can pressures be used? The objective clearly lies in an end to military action as a substitute for political discussion. Here negotiations can only take place with the leader and elected representatives of the people of Bangla Desh. Attempts to resurrect discarded political hacks from the political grave dug for them at the recent polls not only makes the government an object of derision but clearly cannot deliver any sort of secure settlement.

Today the political leadership is still in the hands of the victors at the polls—the Awami League. Their leadership structure is intact and except for Mujib, physically present to conduct the government of Bangla Desh. The Cabinet which presented itself to the world on April 17th, 1971, consists of the entire party hierarchy. In collaboration with the civil administration who have withdrawn beyond the range of the Army guns and sustained by the military strength of the Bangla Desh liberation army, the government is attempting to establish a formal administrative structure and line of command in the rural areas of Bangla Desh. The task is rendered difficult because of the novelty of the situation and formidable logistical problems but over a period this will provide the political and administrative infrastructure for the guerrilla war which is being waged against the army and which can be sustained indefinitely.

This should not delude the world into believing that they can sit back and reserve their options. The longer the war goes on the more the present leadership and control structure is jeopardized. Today leadership is still in the hands of moderates who are sufficiently concerned about destroying the existing social and economic format of Bangla Desh to oppose even the blowing up of key bridges and vital economic installations as part of the tactics of resistance. Army terror, prolonged and pervasive, will compel extreme responses which will be less inhibited about destroying the existing social organisms as part of the technique of waging total war against an occupation army. History provides too many lessons about the social consequences of prolonged war for this point to be reemphasized.

Yet another cost of inaction is likely to be the price in human life. The West Pakistan army is itself likely to raise its toll of Bengali life to the million mark. In event of a military conclusion to the war the possibility of communal carnage through reprisals on Bengalis in the West wing and non-Bengalis in the East may add another million to the death toll, thus raising it to above two million. If we add the potential death toll from famine this could become one of history's major human tragedies.

Nor can one expect the region to remain insulated from the rival concerns of big power conflicts. Both India and China surround or are close to Bangla Desh and cannot expect to remain bystanders as the fires of civil war wage within sight of their borders. With the Vietnam war in its closing stages it is hardly in the interests of the big powers to remain witness to another conflagration in the area which promises to exceed in dimension anything witnessed thus far.

There is a chance to contain an international crisis whilst it is still in its infancy. There is still a leadership structure in Bangla Desh which can be available to negotiate a political settlement. This settlement must aim for a peaceful parting of the ways. Yahya's genocidal war clearly indicates that he is convinced that Pakistan is dead and that not even a shared humanity binds its two peoples. In Bangla Desh the totality of the revulsion engendered by this war makes any attempt to bind up the wounds unthinkable. The task for the future remains to come to terms with the reality of Bangla Desh so that a sustained programme of massive economic reconstruction can attempt to rebuild this shattered nation and lift its people from the depths of poverty, starvation and disease to which they have been reduced. Such a programme must inspire the conscience of the world already aroused by the horrors of the cyclone and now this war. With international assistance on a sufficient scale Bangla Desh can yet be saved from disaster and can build for the future within the framework of democracy and social justice.

[From the Wall Street Journal, May 12, 1971]

BANGLA DESH: A PRAGMATIC SILENCE

(By Peter R. Kann)

CALCUTTA.—Consider this scenario for an American intervention.

Our ally: the 75 million Bengalis of East Pakistan who, with considerable justification, consider themselves victims of two decades of political and economic exploitation by the Punjabis of West Pakistan. Bengali leader Sheikh Mujibur Rahman and his moderate, generally pro-Western Awami League recently won national elections in Pakistan. The Bengalis were then savagely attacked by the Punjabi controlled Pakistan army. Many Bengalis are now determined to fight for an independent Bengal nation (Bangla Desh) but they lack the military knowhow and means with which to fight.

Our enemy: the 70,000 or so West Pakistani troops seeking to suppress the Bengali freedom movement and reoccupy East Pakistan. They are fighting for an autocratic military regime that has close relations with China. They have virtually no support among the Bengalis they seek to rule. They are fighting more than 1,000 miles from home dependent solely on sea and air supply routes, without the economic resources required for a long and costly war.

An interventionist's dream. First some strong words from Washington, then a few destroyers assigned to cruise the East Pakistan coast. Some dramatic overflights by American jets. If necessary, a naval blockade to cut off Pakistan army supplies. Perhaps some air-dropped American carbines for the Bengalis. Only as a last resort some air strikes on Pakistan army bases in East Pakistan. After that, it's only a matter of passing out miracle rice seed to the happy liberated peasants of Bangla Desh—that new pro-Western bastion astride the strategic crossroads where East and Central Asia meet.

If only Vietnam had been East Pakistan.

A NATURAL VICTIM

As it happened, of course, Bangla Desh did not even rate weak words of support or sympathy from Washington. Presumably the last thing America needs these days is another war, even a winnable one in a worthy cause. And even if Uncle Sam still considered himself the world's policeman, it's doubtful that he would arrest West Pakistan for assault and battery against the Bengals, East Pakistan is simply one of those parts of the world that fails to provoke foreign passions. Overpopulated and impoverished, it encroaches on the world's consciousness only when stricken by a calamity of Biblical proportions, like last fall's fearful flood that claimed up to half a million lives. An East Pakistan earthquake that killed only 10,000 would probably rate less attention than a three-car collision on the Jersey Turnpike. East Pakistan is one of the world's natural victims.

All this is only to say the obvious: that American foreign policy doesn't follow moral imperatives. Neither does any other nation's. When the cause of Bangla Desh finally forced its way to the attention of the world's great powers they all reacted with what's called cynicism among men but passes for pragmatism among nations.

The politics of the Indian subcontinent were complicated enough before the cause of Bangla Desh came along. India and Pakistan have been enemies since they were carved out of the subcontinent's communal conflicts in 1947. Russia has edged close to India in recent years. China, for national rather than ideological reasons, is tied to Pakistan. Russia and China, of course, are at odds. America, worried over Soviet influence in India and Chinese influence in Pakistan, has tried to remain friendly with both.

What, then, are the politics of pragmatism of those nations involved with the Bangla Desh cause and of those that have sought to stay uninvolved?

For Pakistan there were several choices: To let democracy have its way, which would have meant a united Pakistan led, for the first time, by the Bengali majority rather than the Punjabi minority. To grant East Pakistan independence and seek good relations with the new sister state of Bangla Desh. To forcibly resubjugate East Pakistan. Pakistan opted for the third solution. Its army moved rapidly and ruthlessly, with tactics that included not only wanton slaughter but also systematic slaying of the Bengali middle class: politicians, professional men, students and civil servants. These are precisely the people needed to keep an administration and an economy functioning, in a conquered territory or a new nation.

In the short run the Pakistan army may well be able to maintain control of East Pakistan—now a hostile, occupied territory. But how to patch up the East Pakistan economy? How to support the cost of the occupation army? How, in the long run, to avoid being bled by a guerrilla war?

Perhaps even the Pakistanis are doubtful about their long-term prospects. But if they suspect that they will have to pull out of East Pakistan some year soon, why should they worry about killing off moderate Bengali leadership, about the Bangla Desh movement thus falling into militant leftist hands? Pakistan could then at least leave a chaotic, Communist-veering Bangla Desh as a permanent plague on neighboring India. Or so the Indians fear.

A SYMPATHETIC INDIA

For many reasons, India has been openly sympathetic with the Bangla Desh cause. Pakistan is an enemy, and half an enemy is better than a whole one. An independent Bengal nation, under moderate leadership, might even be friendly to India. As a democracy, India is subject to public pressures, and articulate segments of that public, particularly in West Bengal, have demanded intervention. The sooner India provides support—arms, training, border sanctuaries—for a Bangla Desh liberation army, the more likely it is that the Bangla Desh movement will remain under moderate leadership. Some such aid is already being given. And if a more active Indian role risks war with Pakistan, it would suit some aggressive Indian army commanders just fine.

Yet India failed to extend diplomatic recognition to Bangla Desh and has moved only slowly and cautiously in giving military assistance. Why? Bangla Desh would have had to have been recognized very quickly, because once the Pakistan army began moving the liberation army collapsed. Only a month after the civil war began, on March 25, the provisional government of Bangla Desh could venture no further into East Pakistan than a mango grove 300 meters from the Indian border, Indian policy makers, whatever their virtues, are not noted for quick decision-making. By late April India would have been recognizing what amounted to a government in exile. And no other countries would have followed suit.

The poor performance of the Bangla Desh leaders and their makeshift liberation movement was a disappointment even to strong Indian sympathizers. Some of them realized that channelling aid to this movement would be far from simple. Giving guns would not be enough. Training and organization are needed. And the Indian army is no great repository of wisdom on the waging of guerrilla wars.

What even of the simple problems, like insuring that guns given to the liberation army don't end up in Communist hands?

Then too, the risk of a full-scale war with Pakistan, which large-scale Indian military assistance might entail, is not to be taken lightly. India probably would win such a war, but it would divert Indian resources from the monumental domestic problems that Prime Minister Indira Gandhi was just re-elected to try to solve. And then there's China, which might support Pakistan with more than words. India's mountain passes along the Chinese border may be much better defended now than at the time of the 1962 Sino-Indian border war, but few sane Indians seek a rematch. (Nor, probably, does domestic-oriented China.)

Finally, some Indians are concerned that a new ethnic state of Bangla Desh would provide a potent impetus for independence movements among the many ethnic groups in the patchwork Indian nation.

Red China, the proponent and patron of liberation wars, chose to side verbally with West Pakistan's decidedly unrevolutionary military regime in its suppression of a popular revolution. An outrageous reversal of revolutionary doctrine, or is it? To Chairman Mao, liberation wars are not won by the likes of Sheikh Mujibur and the bourgeois bureaucrats of his Awami League who have led the Bangla Desh movement to date. Why not let the Pakistan army kill off these bourgeois nationalists, the sooner to see them replaced by leftist militants and a "people's war" that follows the gospel of Chairman Mao? That may be a long time coming, for East Pakistan's Communists are still a small force and Peking's policy is to let even approved revolutionaries help themselves. But China is nothing if not patient.

In the meantime China has cemented its friendship with West Pakistan, a valuable national ally as a counterbalance to India (with its Soviet ties) and as a solid link in Peking's chain of contacts with the rest of the noncommunist underdeveloped world. China has given Pakistan large amounts of economic and military assistance over the years, including a $200 million loan late last year, and Peking, like other nations, does not lightly write off such investments.

So China, in the short run, has backed an old friend and picked a winner in the process. And China's longer run options are still open. By the time China is ready to commit herself to a Communist insurgency in East Pakistan the West Pakistanis may already have decided to abandon the area.

The Soviets were openly critical of West Pakistan's actions in East Pakistan and called for an end to the bloodshed. But the reasons probably have much more to do with Soviet friendship with India and hostility to China than with any sense of brotherhood with the Bengalis. And Soviet sympathies have not been so strongly expressed as to ruin relations with West Pakistan.

WHILE FROM THE U.S.

From the United States, silence. And in a situation like this, silence naturally supports the status quo—which is not a Bengal nation. There are probably several reasons: the simple wish to avoid any new foreign entanglements, a fear of reducing U.S. influence in West Pakistan and thus increasing that of the Chinese, a tendency to stick with a country in which the U.S., too, has invested much military and economic aid. Perhaps there's also another, somewhat subliminal, reason. The West Pakistanis, in addition to being a known quantity, are a rather compatible one for U.S. policy makers. Military men with handlebar mustaches and Sandhurst accents run a superficially efficient regime with clear lines of authority. It is a nation that can use American dollars to build impressive dams, train its soldiers to use American weapons and teach its farmers to grow miracle wheat. It's not a mysterious corner of Asia teeming with little black people. When American VIPs go to Pakistan, it's to see parades in Islamabad (in the West), not to see poverty in Dacca (in the East). Lyndon Johnson invited a West Pakistan camel driver to the White House, not a Bengali rickshaw puller.

It's several years too soon to say whether or not America, China, Russia, India or Pakistan made the right moves in the spring of

1971. But it's at least a reasonable bet that some kind of new nation will evolve in the years to come. When that happens, ambassadors from Washington, Peking, Moscow and Delhi will be standing at attention in Dacca for the singing of the Bangla Desh national anthem, "My Golden Bangla Desh, I Love You." And some ambassadors, of course, will be in better favor than others.

[From the Washington Post, May 12, 1971]

THE REQUIREMENTS IN PAKISTAN

Pakistan continues to act badly towards the citizens of its eastern wing, whose movement for political autonomy—carried on through legal and democratic channels—was cruelly crushed by the Pakistani army during the spring. The Yahya Kahn military government still does not let international relief flow to the suffering Bengalis of East Pakistan; they are being forced to flee into India to benefit from such relief. The western-controlled army has found the resources to stamp out the remnants of Bengali military resistance but not to expedite the movement of American wheat through the port of Chittagong. The relatively few Bengalis in the Pakistani army and civil services—Bengalis are a large majority in Pakistan overall—reported are being weeded out, and the government is treating the whole Bengali movement as a seditious faction of "miscreants" rather than as the legitimate popular cause it unquestionably is. Reconciliation seems to be the last thing on the Khan government's mind, vengeance the first.

All this would be, for Americans, a matter of regret at remote distance were not the United States government so heavily involved in support of the Pakistani government. But it is American arms, given in the name of anti-communism, that were used to suppress the Bengalis. It is American loans which undergird the Pakistani economy and civil-war effort. It is American wheat which is being denied to hungry Pakistanis. The American role is painfully pointed up by General Khan's dispatch to Washington of his chief economic adviser to ask the United States (plus the World Bank and International Monetary Fund) to help cushion the large financial impact of its actions in East Pakistan.

It is out of the question for the United States to take further steps whose effect would be merely to aid a military government to suppress a democratic majority of its own citizens. The relief channels must be opened, and the Khan government must demonstrate it is in a position to serve fairly both of its wings, before the United States can resume its contributions to the welfare and stability of Pakistan.

[From the New York Times, May 12, 1971]

THE VULTURES OF BENGAL

Fat vultures brood over the ravaged towns of East Pakistan, grim testimony to the slaughter which took place during the Pakistan Army's savage crackdown on Bengali separatists. The fighting has died down for the time being, with the Bengali resistance largely routed, but what may become known as the year of the vulture in East Bengal is not ended. Famine now stalks this tragic land of chronic disaster.

As a result of the dislocations of the civil war, the devastation of floods and cyclones last fall and of persistent food shortages in this heavily overpopulated region, at least 10 and perhaps 30 million of East Pakistan's 75 million inhabitants face starvation within the next few months. Contrary to bland assurances which continue to emanate from West Pakistani spokesman, the situation is unquestionably desperate and will require a large-scale international relief effort if a tragedy of major proportions is to be averted.

The groundwork for some relief operations is already being laid with a promise of American food aid and a visit of United Nations officials to India, where refugees from East Pakistan are already pouring across the border at the rate of 60,000 a day—to a current total of over 1.5 million, according to Indian officials.

The larger effort, however, must be made in East Pakistan itself. A report that the Pakistani Government is preparing to allow UNICEF to begin relief operations in the strife-torn province is encouraging. But there is little evidence so far of the kind of concern in Islamabad and preparation abroad that will be required to meet the needs of East Pakistan in time.

Because of this country's unique capacity to furnish needed relief supplies and essential logistical support, the United States has a special responsibility to take the lead in organizing the relief effort. Because of the heavy dependence of Pakistan's military regime on American economic and military support, the United States Government also is in a unique position to prod Islamabad to abandon its policy of repression in the East and to cooperate more fully in the international effort to deny the vultures of Bengal further human prey. Moves in Congress to suspend military and economic assistance to Pakistan until such changes are made represent the kind of firm policy in the Pakistani crisis that the Administration should have adopted long ago. Although Administration spokesmen have said that Pakistan aid programs are "under review" and that no arms have been shipped to that country since the beginning of the crackdown, no general suspension of aid has been announced and, in fact, it appears that some aid has been continuing.

[From the (Washington, D.C.) Evening Star, May 12, 1971]

AID FOR EAST PAKISTAN

There is no excuse for further delay by the Pakistani government on international offers of aid to the stricken eastern wing of the country. Current reports indicate that there is no effective armed resistance to forces of the national army operating in East Pakistan. The Punjabi troops have done well, by West Pakistani lights, in stopping for the time being the Bengali drive for independence.

The most pressing concern now is the fate of millions of East Pakistanis, whose lives are threatened by the disruption of vital food sources. Rice production in the province has been hit by the fighting, and the internal distribution system is in disarray. At the same time, imports from West Pakistan and from the rest of the world have been stopped since the start of the army crackdown March 25. The main port of Chittagong has handled only military traffic.

Among those who stand the best chance of starving, if the situation is not improved very soon, are 4 million East Pakistanis who have been depending on imported food since the devastating cyclone and flood of last November.

The national government, nevertheless, has stalled on agreeing to many offers of humanitarian help from around the world, several of which have been communicated by United Nations Secretary General Thant. The United States is among the nations that would like to take part in international aid efforts, irrespective of Pakistan's internal or external politics.

There has been reluctance in West Pakistan to acknowledge the enormity of East Pakistan's plight. This undoubtedly is due in large part to sensitivity over the slaughter of Bengali civilians by the army. But there is an unpleasant history of West Pakistani casualness toward suffering in the East. The national government was laggard in responding to last year's disaster, and this added to the Bengalis' bitterness.

The international community, particularly the countries on which Pakistan is more than ever dependent for economic aid, should keep the pressure on Islamabad to permit the humanitarian effort to start before it is too late for those now near death.

[From the Baltimore Sun, May 13, 1971]

U.S. ASKED NOT TO AID PAKISTAN

(By Adam Clymer)

Washington, May 12—Any American economic aid to Pakistan "will leave cash in their hands to pay their French arms bill and to step up arms purchases in the open market," a spokesman for the East Pakistani rebels charged today.

The United States should give not aid, except for relief to be dispensed by international agencies, according to Rahman Sobhan, the Bengali spokesman.

Mr. Sobhan, an adviser to the imprisoned Bengali leader, Sheikh Mujibur Rahman, said any other aid "would simply prolong the conflict at tremendous cost in direct deaths from military operations as well as deaths from the pending famine."

SEEKS SUPPORT

Mr. Sobhan, who fled East Pakistan in April after fighting began March 25, is in Washington seeking support on Capitol Hill and elsewhere for Bangla Desh, as he and other Bengalis call the independent state they have proclaimed. State Department personnel have been ordered not to see him.

In an interview, he challenged the claims of M.M. Ahmed, a senior Pakistan government official now in Washington on an aid-seeking mission, that central government control of East Pakistan has permitted the resumption of normal administration.

"The government simply does not have the administrative control over Bangla Desh to run an aid program," he said, contending that in 16 out of 17 administrative districts higher local officials had sided with the independence movement and lesser officials were still in hiding.

POLITICAL TOOL

He charged that the central government wants to use relief as a political tool and for "coercion" not for humanitarian reasons. It is seeking boats, he said, not because there was any shortage of them in East Pakistan, but in order to provide assault landing craft for the Army. He said some of them had already been secured from Turkey—"U.S.-supplied, inevitably."

And while the Pakistan government is talking about seeking reconciliation and turning over power to a civilian regime, said Mr. Sobhan, this should not be taken seriously. "Murderers of 200,000 people do not know the meaning of good faith," he said.

"OUTRIGHT LIE"

He said Mr. Ahmed is telling officials here that about 70 officials of Sheikh Mujib's Awami League are ready to co-operate with the government. This is "an outright lie," he said, adding that only one elected official has thrown in with the central government.

The Dacca University economics professor said if Mr. Ahmed does not get the economic aid and postponement of debt payments he is seeking, continued military operations against the Bengalis would become economically unbearable for West Pakistan.

"The major economic demands," he said, "are for commodity assistance to keep industry afloat. They are geared to supplies from the West." He said the suggestion that China might meet these needs is false because "the Chinese are in no position" to supply Western materials.

"The U.S. has to make up its mind," he said, "whether it wants to underwrite a military adventure with no conceivable policy solution at the end of it." He suggested the

government here tell the Pakistan government "If you want to do it, you foot the bill."

[From the Washington Daily News, May 13, 1971]

AID TO PAKISTAN?

An emissary of the Pakistani military regime is in the United States seeking hundreds of millions of dollars in aid to stave off his country's financial collapse.

President Nixon should consider most carefully before giving any help to the Pakistani central government. As far as we can see, its sole distinction was its brutal if not genocidal attack on the Bengali people of East Pakistan.

Certainly Mr. Nixon ought to withhold any aid until he is sure it will not be hogged by West Pakistan, as is so often the case, but will be shared with the suffering masses in the east. So far the Pakistani government has been so callous that it has not replied to several United Nations offers of food and medicine for the starving Bengalis.

The current political and financial crisis in Pakistan is a good opportunity for the United States to re-examine its relations with that country.

During the last 20 years, Washington has lavished more than $4.5 billion in economic aid on Pakistan. And we lead an 11-nation consortium that has been pumping $450 million a year into the country to keep it afloat.

This Western aid has not, incidentally, prevented the Pakistani rulers from aligning their foreign policy with Communist China's.

In addition, the United States has given "anti-Communist" Pakistan more than $1 billion in arms. This has been done in the framework of the Central Treaty Organization, one of our more ludicrous alliances.

Pakistan has used those arms to fight the 1965 war with India, a democratic country with which America has normal relations. More recently, it used them savagely to suppress the East Pakistani movement for political autonomy.

Before deciding where America's "interests" lie in the aid matter. Mr. Nixon should ask a few moral questions, including:

Do we believe in self-determination? If so, should we help 60 million West Pakistanis dominate 73 million residents of East Pakistan, which is 1,000 miles away?

Should we be blind to the racist aspects of the light-skinned, martial Punjabis of the west lording it over the darker Bengalis?

Can we really be anticolonial and ignore West Pakistan's "internal-colonial" exploitation of East Pakistan?

Is it right to give financial aid to Karachi when this releases other funds for the purchase elsewhere of arms that may be used to slaughter the Bengalis?

Finally, in an America that traditionally sympathizes with political prisoners, why is there no compassion for Sheik Mujibur Rahman?

His offense was to win an honest election that established him overwhelmingly as leader of the Bengali people. If there were democracy or justice in Pakistan, he would be prime minister. As it is, he is a prisoner in a Pakistani military dungeon—if indeed he has not been murdered.

[From the New York Times, May 14, 1971]

FULBRIGHT IS SAID TO REBUFF ROGERS—SECRETARY REPORTEDLY ASKED HEARING FOR PAKISTANI

(By Benjamin Welles)

WASHINGTON.—Secretary of State William P. Rogers was reported today to have tried unsuccessfully to arrange a public hearing by the Senate Foreign Relations Committee that would, in effect, have publicized Pakistan's appeal for more assistance from the United States for economic development.

Mr. Rogers, according to trustworthy sources, telephoned Senator J. W. Fulbright, Democrat of Arkansas, the committee chairman, yesterday to ask that he arrange a committee hearing for M. M. Ahmed, senior economics adviser to Gen. Agha Mohammad Yahya Khan, President of Pakistan. Mr. Ahmed arrived here Sunday from Islambad and met President Nixon and Henry A. Kissinger, Assistant to the President for National Security Affairs, Monday at the White House.

Officials, meanwhile, discounted reports that Communist China had offered Pakistan an interest-free loan of $20-million not tied to the purchase of Chinese products.

"China is spending about $200-million yearly helping North Vietnam," a financial official said. "It hasn't that much left over for Pakistan. It could never, for instance, pick up the entire $450-million yearly that Pakistan relies on from the 11-nation [Western] consortium to keep going."

PAKISTAN SEEKS $70-MILLION

The United States has provided Pakistan with $4.5-billion in economic aid since 1954 and has contributed $200-million annually in recent years to an annual $450-million subsidiary granted to Pakistan by the 11-nation consortium, which is supervised by the World Bank. Pakistan is seeking $70-million in United States development loans before the fiscal year ends June 30.

Mr. Rogers, who met with Mr. Ahmed yesterday, is also reported to have suggested to Mr. Ahmed that he go to Congress and also appear if possible on television to publicize Pakistan's plea that United States economic aid be resumed.

Senator Fulbright is reported to have rejected Mr. Rogers's suggestion that the Foreign Relations Committee in effect serve as a sounding board for the Pakistani Government.

United States development aid to Pakistan has been suspended since March 25, when Pakistani troops were ordered to suppress a movement for political autonomy backed by the predominantly Bengali population of East Pakistan.

FULBRIGHT SEES DANGER

In rejecting Secretary Rogers's suggestion that the Foreign Relations Committee help Mr. Ahmed's appeal for resumed aid, Senator Fulbright is said to have warned of a potentially dangerous trend.

There is a danger, he is said to have explained, that foreign statesmen of feuding factions within foreign governments might increasingly seek to win support by pitting the State Department and the White House against Congress.

"We don't always see eye to eye with the State Department," said one Congressional source," "but they're the people who should really be handling foreign visitors."

On the subject of supplying relief for East Pakistani civilians, Robert J. McCloskey, State Department spokesman, said that the United States is hampered until invited by the Pakistani Government to participate in an international relief program. Secretary General Thant of the United Nations disclosed yesterday that President Yahya had declined a United Nations offer of aid but had hinted that it might be acceptable in the future.

CHANGING U.S. POLICY

Mr. CHURCH. Mr. President, how can we change the present course?

The lessons learned here are obvious, or should be. First, we should admit that to take a truly "neutral position" in the civil conflict, we must stop favoring West Pakistan over the east with military weapons and economic aid. This process can begin by altering our arms arrangement as the Case-Mondale resolution proposes. We should stop pretending that Pakistan must be treated as an "ally" because of its SEATO and CENTO membership; Pakistan's participation over the last 10 years has been no more than ritualistic. The fact of the matter is that, diplomatically, Pakistan has clasped hands with Peking. The Chinese currently are providing Islamabad with millions of dollars of arms, including AK–47 automatic rifles and Mig–17 aircraft, and have promised $20 million in grant aid.

Second, we should reject the Pakistani military government's contention that the slaughter of elected leaders and repression of the majority of its population in the east is not a proper matter of concern for the international community. Close to 3 million refugees are now in India. As the killing or threat of violence continues, there will be more. Victims of the fighting still in East Pakistan plus refugees need care; the food crisis worsens; disease and epidemics spread, even across borders into India. International action is essential in rehabilitating and reconstructing the devastated area of Bengal, one of the most densely populated regions of the world.

Senator EDWARD M. KENNEDY, chairman of the Senate Subcommittee on Refugees has spoken on this subject, and I ask unanimous consent that his testimony before the House Subcommittee on Asia and the Pacific be printed at this point in the RECORD.

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

STATEMENT OF SENATOR KENNEDY

I appreciate very much the opportunity to be here this afternoon—because, as Chairman of the Judiciary Subcommittee on Refugees, I share your deep concern for the victims of natural disaster and civil war in East Pakistan. I am hopeful these hearings will contribute toward a better understanding of the undeniable problems which exist in relieving this basically humanitarian problem. And I am also hopeful that the hearings will underscore the urgent need to further encourage the initiatives underway to meet the needs of the Bengali people.

Official reports from our government and elsewhere express very serious concern about the condition of the people in East Pakistan. These reports say that within a month the condition of the people will become "acute". The precarious situation which exists today will evolve into a nightmare of death for millions—unless immediate and concerted efforts are made to meet the needs of the people involved.

Although reports from East Pakistan suggest that violence has subsided considerably, reports also indicate that feelings are tense between the people and the army of the central government. In fact official reports to our government suggest that the great bulk of the population is alienated, perhaps forever. Regrettably, this can only complicate, and perhaps delay, the organizing of a meaningful relief program, and the solving of those political problems which generated the recent violence.

Moreover, reports also indicate that the army effectively controls only the cities and towns, and that throughout most of the countryside, government administration and services do not exist. The transportation and distribution of available foodstocks and medical supplies are at a standstill—even in the area struck by the cyclone last fall, where conservative estimates say a million per-

sons have been solely dependent for their survival on effective relief operations. Food reserves—not confiscated by the army—are very low.

The tragedy, finally, has now spilled over into India, which so far has found it necessary to give asylum to nearly 2,000,000 refugees—of whom at least 526,000 are in camps. The recent daily influx into India has reportedly been some 50,000. The State Department informs me that the influx will continue at a high level, "at least until the beginning of the monsoon in a few weeks, when both military operations and travel will become more difficult." The continuing heavy influx of refugees into India is a stark reminder of how bad conditions have become in East Pakistan.

Over the last month I have repeatedly communicated my concern in these matters to officials in the Department of State and elsewhere, in an effort to encourage and support reasonable initiatives by our government and the international community to help meet the urgent political and humanitarian problems in East Pakistan. I have strongly believed these initiatives should be taken through the United Nations.

On the humanitarian problems, at least, some progress is being made.

On the Indian side of the border, and at the invitation of the Indian government, representatives of the United Nations High Commissioner for Refugees (UNHCR) are currently assuming relief needs and developing a plan of international action. According to a communication I received from the Department of State this morning, our government has "authorized up to $2.5 million in food and other assistance as our initial contribution to the international relief effort." While the UNHCR effort is being organized, the U.S. is providing emergency food assistance for 217,000 refugees in West Bengal. The food assistance is being distributed by CARE, Catholic Relief Services, and Church World Service/Lutheran World Federation.

Far less progress in meeting relief needs is being made in East Pakistan. Initiating an adequate relief program is undoubtedly being hampered for a number of good reasons—but, on the basis of talks I have had, the primary cause may very well be a simple lack of candor in recognizing the vast dimension of human need brought on by the conflict. Let us not quibble over how we label the situation. Whether we call it a minor disturbance, a disaster, or an emergency—the threat of mass starvation puts a heavy obligation for action on the government of Pakistan and the international community.

In the name of neutrality, some in our government say we must not be involved in East Pakistan today. But we are involved. Our weapons have been involved in the violence. Our aid has contributed to East Pakistan's development for more than a decade. And today, our government, at the highest levels, is involved in discussions for even more aid. So we *are* involved. The only question is what this involvement will be. At this point it *must* be humanitarian—aid that will heal and rehabilitate, not further divide and destroy.

In this connection, I strongly urge that our government leave no stone unturned—especially this week when high level representatives of the Pakistani government are present in Washington—in supporting current efforts by the United Nations to organize a relief program within East Pakistan. Since the last week in April representatives of UNICEF, the U.N. development program, and the World Food Program have traveled to Dacca to ascertain relief and logistical needs.

Moreover, representatives of the Pakistani government have assured me of their government's willingness to accept humanitarian aid and personnel through U.N. channels and private voluntary organizations. Thus there is nothing but inertia to prevent a meaningful relief effort.

Solving the political and humanitarian crisis in East Pakistan is, first of all, Pakistan's task. But in this effort, there is scope enough for all the energy and charity that the emergency of the civil war has called forth, among Americans and peoples throughout the world.

And so today, as an individual concerned about the dignity and preservation of the ultimate resources on our planet, I appeal to the leaders of Pakistan, to the leaders of other countries, and to our own government, to support immediately a mercy mission and airlift into areas of need. And, hopefully, the appeal of the Indian government for assistance to meet refugee needs within her borders, will also receive the sympathetic response by all concerned.

We are conditioned in this world we have created to accept suffering and injustice—especially in our time when violent conflict and oppression are active in so many areas. But the newer world we seek will not evolve if we ignore these challenges to leadership, and take comfortable refuge in the mundane patterns and attitudes of the past.

In the case of East Pakistan—in the effort to help a people caught in the clutches of natural disaster and the passion of conflict—I cannot believe that governments stand paralyzed in the face of great tragedy. The situations must not be ignored. At stake are human lives—innocent lives—Pakistani lives—thousands, even millions of lives—whose destruction will burden the conscience of all mankind unless something is done to save them.

Mr. CHURCH. Then, too, the Pakistan Government, in constantly blaming India for its troubles, has internationalized the issue, thus aggravating the danger of spreading the war. A New York Times editorial on April 21 stated this danger well:

There is ample evidence to justify a strong plea by the world community for an immediate end to the bloodshed and for the admission of international relief agencies into East Pakistan.

The Pakistani Government itself has made this conflict an international issue by attempting to place the blame for Bengali resistance on neighboring India. If deep-rooted—and now profoundly aggravated—Bengali grievances are allowed to fester, mounting tensions between India and Pakistan could explode into a war that might quickly involve one or more of the major powers. The United Nations Security Council and its member states have not only the right but the responsibility to do all that is in their power to try to forestall such a development.

A particularly heavy burden of responsibility falls on the United States Government since Washington's arms provide the principal muscle of West Pakistan's military power and American economic aid will become increasingly crucial for the Pakistani Government's survival. Washington has the leverage to support democratic and peaceful development in Pakistan. Continued blind backing for the military regime in Islamabad can only lead to disaster for this country's substantial interests on the Indian subcontinent.

Third, our military assistance program has exacerbated troublesome situations before. The pages of recent history are full of the well-known role American arms have played in fueling existing tensions between Greece and Turkey, Jordan and Israel, Honduras and El Salvador, Iran and Iraq, India and Pakistan, France and Algeria, Portugal and its African colonies, to mention a few. "Guns provided others," editorialized the Baltimore Sun, "will in all probability be discharged, but not necessarily discharged against the target of your prescriptions." This is the reason Congress needs to alter drastically the export of American arms in the future. Certainly the Pakistan example is a flagrant case in point. I plan to offer such legislation later this year, in the hope that the United States will end its addiction to arsenal diplomacy, and stop pressing armaments on other nations through grants.

For now, however, adoption of the pending resolution is a place to start.

I ask unanimous consent that a series of news reports on the current economic, refugee and food crisis in East Bengal be printed at this point in the RECORD.

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

[From the Washington Post, Apr. 10, 1971]

PAKISTAN SEEKS U.S. AID TO AVERT BANKRUPTCY

(By Ronald Koven)

Pakistan has dispatched a senior finance ministry official to Washington to seek emergency assistance from the international financial community to ward off the country's impending bankruptcy, according to U.S. and diplomatic sources.

This has created a major dilemma for the World Bank and an international consortium of Pakistan's creditors, the largest of which is the United States. Pakistan's total international debt is about $4 billion, and the country is rapidly running out of reserves to pay the interest on those debts.

But officials representing Pakistan's creditors say their agencies do not want to open themselves up to the charge of financing the Pakistani central government's civil war against East Pakistan.

In January, well before the current rebellion, Pakistani government reserves were down to $184 million, compared to $342 million just a year before.

The monthly earnings from exports of West Pakistan, seat of the central government, are said to be only $28 million, while the western regions imports have been running $70 million monthly. The exports of the now-embattled eastern region have traditionally made up much of the difference.

The Pakistani official, Aziz Ali Mohammed, was said to have four goals:

To persuade the United States to speed up delivery of the uncommitted portion of the current fiscal year's $120 million in aid funds.

To get a moratorium from the World Bank on a forthcoming $40 million repayment.

To get a standby credit of $175 million from the International Monetary Fund.

To convene a meeting of the Pakistan creditors consortium, which includes the United States, Britain, France, West Germany, Italy, Belgium, the Netherlands and Japan.

The initial U.S. response has apparently been cool. Asked whether the U.S. government was reviewing its future aid to Pakistan, State Department spokesman Charles Bray said that "decisions of this nature are under continuing review in the light of the situation that has obtained in the last several months."

Of the $4 billion debt, more than $1.3 billion is owed to the United States directly, and about 70 per cent of the U.S. credit is repayable in hard currency.

The next largest creditor is the World Bank and its related agencies, with almost $900 million. The U.S. share of those credits ranges between 30 and 40 per cent, depending on the category.

Pakistan has been in a parlous economic state for about a year, and there has been much speculation about the advisability of a massive devaluation of the rupee.

Aside from problems over Pakistan's exports since the calamitous cyclone which hit East Pakistan late last year, the central government has been drawing down on its reserves for some time with large arms orders.

Pakistan's need for an international rescue operation gives the creditor nations leverage over the central government's campaign to repress the East Pakistani rebellion. But the Pakistani military government's financial crisis also gives the military rulers leverage of their own which could cancel out any international pressure attempts.

If Pakistan were to threaten to default on its external debt—and some sources maintain hints of that have already been brandished—the international financial community could be confronted with its biggest unpaid sum since World War II. It is an established precept of international finance that the debtor, not the creditor, calls the shots if the creditor wants his money back.

[From the Washington Post, Apr. 13, 1971]

INDIA'S STABILITY ALLOWS MODERATION ON PAKISTAN

(By Selig S. Harrison)

NEW DELHI.—In a striking historical juxtaposition, Indira Gandhi won her landslide election victory just two weeks before the start of the bloodbath in Bengal, dramatically underlining the contrast between the torment of Pakistan and a hopeful new phase of political stability in India.

The emergence of Prime Minister Gandhi to a position of authority even her father failed to achieve was not only an event of great promise for this country in domestic terms.

At a moment when the entire South Asian subcontinent could slide abruptly into a chain reaction of conflict, the fact that power in New Delhi is in strong hands has also made it possible for India to act with notable caution and moderation in the East Pakistan crisis.

Islamabad, the Pakistani capital, has reacted bitterly to the Indian parliament's resolution expressing "sympathy and support" for the Bengali resistance fighters in East Pakistan, pointing to swollen army strength in West Bengal as evidence of interference in Pakistan's internal affairs. But the Indian response appears restrained when measured in the light of the political pressures here and of what New Delhi, with its easy access to East Pakistan along the lengthy West Bengal frontier, could have done.

ARMY PRESENCE

The army presence in Calcutta was enlarged to three divisions a full month before the fighting started, to cope with election turbulence.

The parliament resolution was designed to offer verbal psychological release in place of substantive action and was accompanied by a series of private meetings with opposition leaders in which Mrs. Gandhi successfully appealed for a free hand.

By all accounts, she neutralized the issue without making firm commitments on either military aid or recognition of an independent East Pakistan regime.

Both the reports of foreign correspondents who have visited border areas and the best information available here suggest that so far there are no systematic or large-scale supplies of Indian weaponry going across the border. On the contrary, the greatest fear of some officials is that Indian profiteers and smugglers in Calcutta will gravitate toward the affluent West Pakistani authorities in Dacca rather than toward the hard-pressed Bengalis, making the most of acute food and fuel shortages.

The cautious Indian response has been governed not only by the self-evident dangers of military escalation inherent in the situation but also by domestic political factors and fear of getting caught up in a power struggle between contending Bengali factions through extending premature recognition.

One of the immediate reasons for the cautious Indian government reaction to date is that Awami League leaders in East Pakistan have indicated their desire to avoid excessive identification with India, which would play into the hands of West Pakistani propagandists, until Indian help can be blended with a larger international assistance effort.

This factor would obviously no longer apply if an independent regime is formed in the weeks ahead and New Delhi sees no further hope for even a transitional political settlement between Islamabad and Dacca.

India might well decide on recognition under such cirrcumstances, but it would do so with the same misgivings that have accounted for the go-slow policy followed until now.

What has basically given Mrs. Gandhi pause is a fear that continuing strife in East Pakistan could gradually erode the internal stability achieved in the election and give a new lease to the very forces defeated at the polls.

One of the most significant aspects of the voting was the setback suffered by the Hindu right wing and the united support given to Mrs. Gandhi by the 65 million Indian Moslems. Now the Hindu right has the most powerful anti-Pakistan issue in years as well as a weapon for stirring up suspicion against Indian Moslems as secret allies of Pakistan.

With Hindu extremists gloating over West Pakistan's situation, some Moslem leaders have reacted by maintaining a silence that has been conspicuous at a time when Indian politicians generally are vying for pro-Bengali honors. Moslem newspapers such as Azad of Banaras have implied that a weakened Pakistan inevitably means diminished security for the Indian Moslems. The resultant response of the Hindu right ignores the fact that the victims in Bengal are primarily Moslems, too, since the rightist objective is to build up an anti-Pakistan atmosphere looking to an eventual war.

MILITARY RETALIATION

It is widely assumed here that recognition of an independent East Pakistan regime would lead to a rupture of diplomatic relations by Islamabad and possible military retaliation. Mrs. Gandhi's dilemma is that the recognition demand reflects both authentic sentiments of positive support for the Bengali cause on the part of some Indians and what is really an effort to provoke a breach with West Pakistan on the part of others. In any case, if the end result is a war, this would not only strain the delicate communal fabric she has so carefully developed but would mean postponement of plans for a massive rural public works program and other economic priorities to permit support of an expanded military effort.

Perhaps the most far-reaching achievement by the prime minister in her election sweep was her defeat of regional parties on both the right and left. By separating the parliamentary elections just held from state legislature elections, in contrast to past practice, she pushed local issues to the side and was able to focus popular attention on symbols of national rather than regional patriotism. But just when regional forces were at bay, the East Pakistan upheaval has given West Bengal Communist groups and advocates of greater regional autonomy in other states a powerful new fillip.

In West Bengal, Mrs. Gandhi's state regime seems sure to suffer whether or not she sticks to her nonrecognition policy. At present she is belabored for not helping the Bengalis enough, and this mood is being vigorously exploited by the Communists. Yet the establishment of an independent East Bengal regime could well prompt the West Bengal Communists to adopt a hardened autonomy, going beyond their present limited demands for the major share of taxes collected in the state to a more sweeping, specific program comparable to the six points of Sheikh Mujibur Rahman.

In time, a sovereign East Bengal could lead to a revival of the "United Bengal" idea proposed twice during the years immediately before and after the 1947 partition of the subcontinent by Bengali Moslem leaders, including two who became prime ministers of Pakistan, Mohammed Ali Bogra and H. S. Suhrawardy. Two years ago, in the euphoric first days of the leftist United Front government installed in West Bengal following the 1969 elections, Communist leaders Promode Das Gupta and Hari Khrishna Konar made it clear in interviews with me that they had the idea in mind as a long-term possibility if they could consolidate their position in West Bengal and like-minded forces ever came to power in East Pakistan. Hindo-Moslem tension and the provincial autonomy issue are both embodied in the perennial, unresolved Kashmir dispute. The triumph of autonomy in East Pakistan, even in a confederal setup, would turn a searing spotlight on Indian Kashmir policy, and full independence for Dacca would give a handle to Kashmiri nationalists at a time when the principal Kashmiri leader, Sheikh Mohammed Abdullah, has been more amenable to proposals for an autonomous status within the Indian union than ever before.

SHEIKH BANNED

Despite some mellowing in his position during recent years, Mrs. Gandhi banned Sheikh Abdulla from Kashmir during the election period and has just extended the ban for another three months in a move barely noted by the Indian press.

Vulnerable as New Delhi is on Kashmir, however, it would not be correct to equate the Indian record in Srinagar with West Pakistani treatment of East Pakistan quite apart from the fact that Indian repression has never remotely rivalled the West Pakistani performance.

The two cases are superficially alike in that both India and Pakistan have had to maintain costly occupation forces. But India has also poured enormous sums into rice subsidies and development programs, in complete contrast to the colonialist economic approach of Islamabad to the Bengalis.

INDIAN OFFICERS EXPECT TO AID EAST PAKISTANI GUERRILLAS

(By Lee Lescaze)

CALCUTTA.—Senior Indian army officers are taking it for granted that a successful guerrilla campaign can be mounted in East Pakistan and that India will aid the insurgents.

Such aid will not be announced or even acknowledged by India's government, well-informed sources here believe. However, army officers apparently have decided that the opportunity provided by the East Pakistan fighting cannot be passed up.

In several conversations, officers have assumed that fighting will go on at a low level and that India will take steps to insure that the guerrilla leadership is non-Communist.

The threat of a Communist top command taking over the East Bengali resistance movement is being used here as a justification for giving arms and training to non-Communist fighters.

One officer conceded that it would be a difficult intelligence task to identify effective non-Communist leaders or potential leaders from among the hundreds of thousands who have landed in India after fleeing Pakistan army attacks.

TO BE EXPECTED

"Some mistakes will be made," he said. "And there will be heavy casualties among the first groups, but that is to be expected in

this sort of game. Eventually the right types can emerge."

He predicted that up to three-quarters of the first low-level cadre chosen to infiltrate East Pakistan and harass the Pakistan army will be killed or found unsuitable.

The expectation here is that the guerrilla fighting will last a long time, but that the East Bengalis will eventually force the Pakistan army to give up.

"I am talking about several years, maybe five, but at some time they (Pakistan's army) will lose," one officer remarked.

The Indian army does not appear to be giving any assistance to the Bengalis at present, other than sheltering them in army camps close to the border where they are safe from Pakistan army pursuit.

While the Indian and Pakistani governments and newspapers exchange charges over alleged incidents of Pakistan army shooting across the border into India and Indian interference in Pakistan's affairs, the Indian army is apparently being very careful to avoid any possible direct clash.

NORMAL STRENGTH

Along the West Bengal-East Pakistan border, for example, there appears to be no more than the normal number of Indian border security troops. Regular army units have not been shifted close to the frontier although about 40,000 men are available in West Bengal.

Instead of taking military measures to beef up its border forces, the Indian army apparently has been concentrating on gathering intelligence about the East Pakistan fighting and the leaders of both sides.

As the army sees it, Pakistan will never be able to reassert civil authority over the Eastern wing. Therefore, the reasoning goes, after some time the East will become free as either a pro-India nation or an ally of Peking.

China will cease its current support of West Pakistan, it is believed here, if Peking gains control of the East Pakistan resistance and turns it to Chinese political ends.

WESTERNERS AGREE

In addition to the army, several Indian politicians and Western analysts believe in this scenario and think that India cannot afford pro-Peking revolutionary state in East Pakistan.

An immediate military consequence would be the increased threat to India's northeast frontier and the Assam, Indians believe. The narrow corridor of West Bengal connecting Assam to the bulk of India would be very vulnerable if China had military access to East Pakistan. Without that corridor, supplying the Indian divisions facing China along the northeast frontier would be almost impossible.

There would also be a less direct threat to the corridor, officials here believe, in the form of greater agitation for an independent West Bengal or a union of West Bengal and East Pakistan in a larger Bengali nation.

Maoist Naxalite terrorists are already strong enough in West Bengal to concern the army. And they would gain a friendly neighbor should Communists take hold across the border. The Naxalites are widely rumored to have sent cadres into East Pakistan to train resistance fighters, but there has been no conclusive evidence of such activity.

The Indian army, and most Indian politicians, discount the possibility that East Pakistan guerrillas will never become effective. They argue that the estimated 400,000 refugees already in India provide a manpower pool that inevitably will produce able resistance fighters. The brutality of the Pakistan army has made it impossible for large numbers of these people to live under army domination, officials here believe.

The reported Pakistan army atrocities puzzle India's officers. Although the two nations are enemies, many of the senior officers know their counterparts and they find it difficult to believe that such widespread massacres have been condoned.

Several officers suggest that Pakistan army discipline must have broken down and that small units have been killing without the authorization of their senior officers. However, all the evidence to emerge from East Pakistan points to a top-level Pakistan decision to use mass killings in an attempt to cow the remaining civilians.

[The Washington Evening Star, April 28, 1971]

ARMY HAVOC IN EAST PAKISTAN CAN BE EXPLOITED BY REDS

(By Henry S. Bradsher)

HONG KONG.—The army from West Pakistan has created conditions in the smoking ruins of East Pakistan which will benefit Communist extremists.

But it will be some time before it becomes clear which of the various factions of Communists in East Pakistan will grow strongest in the guerrilla warfare there.

Moscow has endorsed one faction by letting it use the Soviet Communist party newspaper, Pravda, to denounce the president of Pakistan, General M. A. Yabya Khan.

MAOIST ELEMENT IGNORED

Another faction which has espoused Maoist ideas has been publicly ignored by Peking. The Chinese are backing Yahya Khan's use of the army to suppress the eastern region of Pakistan.

It seems premature to observers here to suspect secret Chinese support for East Pakistani guerrillas. But if the struggle goes on as long as many expect, China might decide to take out private insurance against a guerrilla victory by giving help.

The army, representing the minority of Pakistan's people in its western section, has been trying to crush the effort of the eastern majority to escape the west's domination. The army is reportedly winning the towns, but these can be illusory victories.

Much of the middle-class leadership of East Pakistan reportedly has been shot by the army. Some leaders, including Sheikh Mujibur Rahman, whose Awami League won 72.6 percent of the province's vote last December, are under arrest.

This has created a vacuum for Communist leaders to move into.

Tougher, harder men than Rahman's band of lawyers, the communist leaders have been conditioned by years of illegal activity for the kind of violent life now forced on East Pakistani nationalists.

TEST OF FITNESS

So the government's terrorism has given the Communists a chance to prove they can survive as the fittest for guerrilla warfare.

Bengal, the region divided in 1947 between East Pakistan and the Indian state of West Bengal, has a strong Communist tradition. At the time of partition an estimated 10,000 Communists were in the eastern part.

Their party was banned, however, and some 3,000 of them were jailed in the first five years. Others went to India when Moslem-Hindu riots broke out in 1950. Some estimates are that only 3,000 Communist remained in East Pakistan, operating underground.

The public home for some of them became the National Awami party, headed by a radical peasant leader, Maulana Abdul Hamid Khan Ghashani. Bhashani, now 87 years old, sympathized with Mao Tse-tung's ideas of rural revolution, although not himself a Communist.

COMMUNISTS DIVIDED

His Communist associates splintered into three or four factions. The main ones identifiable today are headed by Mohammed Toaha and Abdul Matin.

Toaha, a well-educated man in his 40s, appears at the moment to be the main Communist guerrilla leader. He was general secretary of the National Awami League until last May 30, when he broke with Bhashani. His chief side, Abdul Huq, was general secretary of Bhashani's peasant movement, the Krishak Samiti.

An unidentified spokesman for the pro-Moscow Communist party of East Pakistan criticized these "Peking-ites" last year in the "World Marxist Review," a Soviet-controlled journal. There is no love lost among the various Communist factions.

Toaha seems, however, to have the support of the Naxalites, the Maoist-inspired Communist revolutionaries operating in the West Bengal state of India. They could provide a channel for weapons and knowledge of how to use them.

The Naxalites have been praised in the past by Peking. But the situation now in East Pakistan is awkward for the Chinese. They have strongly backed Yahya Khan's government, which is their most important diplomatic friend in Asia.

The Soviets, on the other hand, have been critical of the bloodshed in East Pakistan. They have showed more concern about cementing a future friendship with the East Pakistanis than protecting their present ties to Yahya Khan.

Soviet President Nikolai V. Podgorny announced that the East Pakistan Communist party—which is illegal at home—was attending the recent party congress in Moscow. Then Pravda published the speech of the unidentified delegation head.

After praising the Soviet Union, the speaker thanked his hosts for their concern over "the massacre of thousands of unarmed, innocent people by the reactionary military government" of Pakistan.

The speech was stronger than anything the Soviet government has said, but not much stronger, and by publishing it in the newspaper of the party which controls that government the speech was officially endorsed.

The Kremlin might well hope that its supporters among East Pakistan's splintered Communists will assume leadership of the leftist forces fighting the army.

This seems doubtful, however. The Maoists are stronger at the moment. And they can get help across the Indian border, whereas pro-Moscow Indian Communists have little strength in West Bengal.

[From the New York Times, Apr. 29, 1971]

A DIPLOMATIC TIGHTROPE FOR INDIA

(By Sidney Schanberg)

NEW DELHI.—The Indians, with strong sympathies for the month-old Bengali independence struggle in East Pakistan, are trying to keep their balance on a diplomatic tightrope, buffeted by a heavy wind.

Despite its denunciations of the Pakistani Army's offensive against the independence movement, New Delhi has so far refrained from recognizing the new government of Bangla Desh, or Bengal nation, proclaimed by the East Pakistani independence movement.

There are two basic reasons for this restraint. One is the desire to avoid having another war with Pakistan, although India's military strength is superior and independent observers believe India would quickly win such a war.

The other reason, perhaps the more important at this stage, is concern that recognition of Bangla Desh now might tend to substantiate, in the eyes of the world, the Pakistani charge that this has been at the bottom of the Indian-Pakistani dispute and that the Bengali insurgents are essentially Indian puppets.

India is at present embroiled with Pakistan in a diplomatic feud over the repatriation of Indian diplomats in Dacca, the capital of East Pakistan, who want to return home, and the repatriation of East Pakistani diplomats in India who do not, because

they have sworn allegiance to the independence movement.

But the immediate issue is military, not diplomatic. The Bangla Desh forces badly need arms and training, if they are to carry out effective guerrilla warfare to dislodge the better-equipped Pakistani Army. Some Indian assistance has already been channeled to the Bengalis, but it has been done on an unofficial basis and it has not so far been on a large scale.

Indian officials recognize privately that merely to sit back and wait to see what happens in the civil war could be a self-fulfilling negative strategy. Without some significant help now, the Bengali struggle, though not likely to crumble, will take much longer to achieve significant results and in the process might turn away from its moderate leadership and become a militant leftist insurgency.

So the likelihood, according to authoritative Indian sources, is for increased aid to the Bengalis—still on an unofficial basis—but no commitment of Indian fighting troops.

Such increased aid would include not only ammunition, arms (presumably without Indian markings), food and transport, but also training—which the Bengalis sorely need, since no more than 12,000 to 15,000 of them are regular soldiers who have fled from the Pakistani Army.

But even if all this is done through unofficial channels, it will put an increasing strain on Indian "neutrality." With Indian public opinion growing more and more pro-Bengali and more and more anti-Pakistani, and with strong pressures for recognition of the new Bengali Independence regime within her own Government, Prime Minister Indira Gandhi will have to use a firm hand to maintain India's present restrained posture.

At the same time, reliable informants say, Mrs. Gandhi is sharply aware that India is the only likely source of help now for the Bengalis, and that West Bengal State's 700-mile border with East Pakistan provides the easiest access corridors for supplies to the insurgents.

The Indian roads leading north from Calcutta to points along the border already look like a supply route. Bengali trucks can be seen heading into Indian towns for fresh supplies—carrying empty fuel drums and ammunition boxes.

Bengali independence forces have set up camps near Indian border posts, which probably explains some of the brief shooting incidents recently between Indian and Pakistani troops.

In Calcutta, capital of West Bengal State, there are many stories of new instances of Indian military assistance.

One report is that Indian munitions factories are turning out weapons and ammunition without Indian markings. Another is that Indian officers accompanied a large Bengali guerrilla force on a raid last week on a Pakistani Army garrison at Navaran, on the road to Jessore.

The Indian Government denies all such reports, but in discussing some of them Indian officials privately offer alternative explanations. One is that some former Indian Bengali officers—given emergency commissions for the 1962 border war with Communist China and the 1965 Kashmir war with Pakistan, but since retired—may have joined up with the East Pakistani Bengalis. By their language and appearance they could not be told apart.

And some Indian officials tell their friends that if the East Pakistanis come across the border seeking arms and training, "they will find ways to get them."

"LOCAL HELP" OBTAINED

East Pakistani insurgent leaders insist that they are getting very little from the Indian Government. They always add, however, that they are receiving a lot of "local help."

According to authoritative sources, India wants to wait—perhaps some months—before deciding on recognition of Bangla Desh. Mrs. Gandhi is said to want to see what will happen when the monsoon rains set in heavily in a few weeks and the Pakistani Army's heavy armor bogs down in the mud, forcing a lull in its offensive.

What she wants to find out, these sources say, is whether the Bengalis can mount a reasonably effective guerrilla campaign or whether the independence movement's leaders will weaken and accept some kind of Pakistani political settlement, perhaps made through a foreign country—in other words, whether the Bengalis are determined to see this struggle through to the end.

New Delhi is also sounding out other governments, hoping that someone else will recognize Bangla Desh first, to take the sting out of Pakistan's charge that this is an Indian plot.

But such countries as the United States are waiting to see what India does, on the ground that India is the country most directly affected by this crisis. What this means is that India herself will probably have to take the lead eventually on the East Pakistani issue.

[From the New York Times, May 3, 1971]

PAKISTAN ACCUSES INDIAN AIR FORCE—SAYS FIGHTER PLANES TWICE FLEW OVER TERRITORY

(By Malcolm W. Brown)

KARACHI.—Amid signs of a deterioration in the already hostile relations between India and Pakistan, Pakistan charged that Indian fighter planes had violated Pakistani air space today on two occasions.

The Pakistani radio reported that Indian aircraft had flown over the Rangpur district of East Pakistan in the morning and again at noon. The broadcast did not identify the type of aircraft allegedly involved.

It was the first time in the present crisis that Pakistan had charged that Indian planes had violated her air space.

In another development, it appeared that negotiations had been nearly completed for the repatriation of Pakistani diplomats from Calcutta in India and of Indian diplomats from Dacca in East Pakistan.

Pakistan's Deputy High Commission, or consulate, in Calcutta has been the center of a diplomatic war since the predominantly East Pakistani staff took it over on April 18 and transformed it into a mission of the newly-proclaimed provisional government of Bangla Desh—the Bengal Nation.

The Pakistani Government at Islamabad sent another official to take charge of the mission but the East Pakistanis continued to occupy it and Indian authorities declined to dislodge them.

Pakistani authorities in Dacca responded by placing Indian diplomats there under virtual house arrest and loyal Pakistani officials in Calcutta were similarly restrained by India.

During the last few days, the Soviet Union, which is friendly with both Pakistan and India, apparently has mediated certain aspects of the dispute.

The Pakistani Government announced today that India had been asked to allow an Iranian plane to evacuate Pakistani diplomats from Calcutta and that the Soviet Union had been asked to provide air evacuation of Indian diplomats from Dacca.

The proposed exchange was apparently arranged by Moscow.

INDIA ACCUSED

There was speculation here that the Soviet Union was involved in far-reaching mediation efforts to end armed clashes between Indians and Pakistanis. A precedent was established in 1965, when the Soviet Union arranged an armistice in the brief war between Pakistan and India over the disputed Rann of Cutch area.

But since March 25, when Bengali separatists in East Pakistan demanded complete secession from West Pakistan, West Pakistan has charged that India is trying to destroy Pakistan as a nation.

The Pakistani Government says that the population of East Pakistan mostly favors national unity and that only the infiltration of Indian troops and supplies has kept the rebel forces alive.

West Pakistan newspapers today quoted Government sources as denying that large numbers of refugees were fleeing East Pakistan to neighboring India.

Statements attributed to officials in the Pakistani capital of Islamabad, said that the majority of persons who had crossed from East Pakistan into India since March 25 were Indian military infiltrators who had been sent to cause trouble in Pakistan.

According to the Pakistan Government, these and local "miscreant" followers have been crushed by the Pakistani Army and survivors are returning to West Bengal Province in India.

PROBLEM FOR INDIA

The Pakistani statement followed reports from India that roughly one million Pakistani refugees had arrived in India, posing a severe economic problem for the New Delhi Government.

The Karachi morning newspaper Dawn quoted Pakistani Government officials as saying:

"West Bengal [in India] under the best of circumstances has a large floating population and hundreds of thousands sleep on the pavement in Calcutta as a matter of daily routine. To any unsuspecting foreign visitor these could be shown as refugees from across the border."

[From the New York Times, May 6, 1971]

WAR WITH INDIA POSSIBLE, PAKISTAN GENERAL ASSERTS

(By Malcolm W. Browne)

KARACHI, PAKISTAN.—The chief of Pakistan's military intelligence service portrayed his nation today as facing large Indian military forces along the frontiers and said he could not discount the possibility of war.

Maj. Gen. Mohammad Akbar Khan told a group of foreign news correspondents that India had moved two and one-half divisions of men—a division has about 30,000 men—mountain and airborne brigades, fighter, bomber and air transport units and her Navy to supplement Indian forces already close to Pakistan's border.

SEES IT AS A MANEUVER

He said that with the Indian Army strength regularly around East Pakistan's borders, India's total army strength there was more than five divisions with a sixth in readiness nearby.

Yesterday, General Akbar Khan said the Indian Air Force placed six fields near East Pakistan on war alert, to which Pakistan responded by ordering an alert of her own.

"We think this is just a maneuver on their part," the general said, "but at times like this, such things have a way of escalating."

West Pakistan, which is separated from its eastern wing by about 1,000 miles of Indian territory, continues to face Indian obstacles to the transportation of men and equipment to the East Pakistan has been denied the right to fly over Indian territory, and as a result, civilian and military aircraft must fly far out of their way.

A new unit of Soviet-built ground-to-air missiles operating on India's southern tip, the general said, has begun to practice firing to as far as 123 miles from the Indian coast. He said that this forced Pakistan's aircraft to fly even farther south.

More immediately threatening, General Akbar Khan asserted were at least 10 battalions of Indian border security forces that

he said had infiltrated into East Pakistan in cooperation with local separatist forces.

ELECTION OF THE ROOT

The Pakistani crisis is an outgrowth of Pakistan's elections for the National Assembly, held in December. The Awami League, an East Pakistani party led by Sheik Mujibur Rahman, won a commanding majority and it was expected that the party majority would write a constitution—the assembly's task—that would bring about government by the Easterners. However, the President, Gen. Agha Mohammad Yahya Khan, postponed the convening of the assembly, which had been set for March 3. The Awami League began a move for local autonomy, but negotiations between General Yahya and Sheik Mujib broke down. On March 25, the Pakistani Army began its efforts to put down the autonomy move, warfare broke out and the East Pakistanis declared their area the independent country of Bangla Desh—Bengal Nation.

UNDERMINING CHARGED

The Indian Government has expressed support for the Bengali separatists, and the leaders of the secessionists, who have based their government in a border area, are believed to take periodic refuge in India, aside from their hostility as overwhelmingly Moslem and predominantly Hindu countries carved out of what was once British India. Pakistan and India have fought brief but bloody wars over territory.

A strong statement issued today by the Pakistani Government said:

The root cause of the Indo-Pakistan trouble is that India has never really accepted the fact of Pakistan. India has spared no effort to undermine Pakistan.

General Akbar Khan said, "Short of open war, India has taken every possible means available to it against us. We cannot rule out the possibility of war now, although we have no wish for it. In any case, we are ready."

The general said that East Pakistani paramilitary forces, police and officials had largely joined in the secessionist fight and conceded that of the Pakistanis serving within Pakistan's Army, about 10 per cent had defected to the secessionists.

FEARS OF INFILTRATORS

But he said that resistance had virtually disappeared and charged that the main danger now was continued Indian military infiltration.

The general denied that the Pakistani Army had killed large numbers of women and children, as charged by the Bengali separatists.

"We are a proud army with a great fighting tradition in many wars," he said. "Where we met rifle, machine-gun and mortar fire, we answered with fire. But we do not go around killing women and children."

General Akbar Khan denied that large numbers of civilian Pakistani refugees had fled to India.

"According to signals we intercepted two days ago," he said, "about 37,000 refugees, nearly all of whom are miscreants and common criminals, have crossed into India. India, which has a great many hungry people, claims there are one million refugees over there in order to get international help in feeding them."

[From the New York Times, May 7, 1971]

PAKISTANI GENERAL DISPUTES REPORTS OF CASUALTIES

(By Malcolm W. Browne)

DACCA, PAKISTAN.—Gen. Tikka Khan, the military governor of East Pakistan, said today that his staff had estimated that 150 persons were killed in Dacca on the night of March 25, when the army moved to reassert control over this province.

The general, speaking at a reception, said that other estimates of the number of people killed, ranging up to 10,000, were wildly exaggerated.

In addition to this correspondent, General Tikka Khan saw five other correspondents. They represented The Associated Press, Reuters, Time Inc., The Financial Times of London and Hsinhua, the Chinese Communist press agency.

DACCA SEEMS PEACEFUL

The sprawling city of Dacca situated on a flood plain criss-crossed by the countless streams and rivers making up the Ganges River Delta, appeared peaceful.

Vehicular traffic was fairly heavy although most shops remained shuttered. It has been estimated that half the city's population fled to villages and forests when the fighting began. Even Dacca's Intercontinental Hotel was operating with only 20 per cent of its normal staff.

Some Bengali slum dwellers complained to newsmen that the outside world had not been told of the "massacre" here.

General Tikka Khan is known as a particularly tough army commander and has been accused by opponents of having ordered indiscriminate killing in Dacca and elsewhere on the night of March 25.

"We are accused of massacring students," he said, "but we did not attack students or any other single group. When we were fired on, we fired back."

"The university was closed, and anyone in there had no business being there," the general continued. "We ordered those inside to come out, and were met with fire. Naturally, we fired back.

"I have always believed that if you take strong measures immediately, you avoid getting casualties as things go on."

The military governor said that armed resistance to Government forces in East Pakistan had practically disappeared and he was thinking soon of ending the curfew in Dacca. He conceded, however, that the vital railroad from the port of Chittagong on the Bay of Bangal to the interior was still not running because many bridges had been dynamited and because of other obstructions.

"Our main task now is to forget what is past and work to rebuild East Pakistan," the general said. "If the entire population works hard, we hope to accomplish this in one year."

General Tikka Khan said East Pakistani separatists had surrendered in large numbers or were simply leaving their weapons along roads and disappearing. He saw no possibility of the emergency of a guerrilla war here of the type fought in Vietnam, although Indian infiltrators could continue to foment trouble, he said.

The governor said food was in adequate supply although distribution remained a problem.

[From the New York Times, May 8, 1971]

INDIA'S POSITION IS WAIT AND SEE ON RECOGNITION OF BENGLA DESH

(By Sydney H. Schanberg)

NEW DELHI.—Prime Minister Indira Gandhi reportedly told Opposition leaders today that her Government wanted to watch developments for a while before deciding whether to recognize the government proclaimed by the Bengali independence movement in East Pakistan.

Official sources reported that all the Opposition leaders with the exception of two—an independent and the president of the Moslem League—had pressed for immediate recognition of Bangla Desh (Bengal Nation), the name given East Pakistan by the insurgent Bengalis.

Mrs. Gandhi, according to these sources, said at the closed meeting that India was delaying a decision not because of the threat of war with Pakistan or out of fear of a confrontation with Communist China, but for "more weighty reasons."

These sources said that Mrs. Gandhi wanted to see if the Bengali independence fighters could establish effective administrative control over a sizable area.

What other governments do about recognition will also be a factor, but not the deciding one, these sources said.

Overwhelming public sympathy has arisen throughout India for the independence movement, which the Pakistani Army has been trying to crush since March 25, and Mrs. Gandhi has come under increasing pressure to recognize Bangla Desh.

The 53-year-old Prime Minister was said to have told the opposition leaders that India had sounded out several friendly countries on the recognition issue, but that at least for now these countries tended to regard the crisis as a Pakistani internal matter.

Mrs. Gandhi reportedly contended that Indian recognition now might hurt the Bengali's cause by seeming to substantiate the Pakistani charge that the independence struggle was engineered by India and is being kept alive only by Indian arms aid.

India has been providing assistance to the Bengali insurgents, but unofficially. Knowledgeable sources here expect this aid to increase.

[From the Washington Evening Star, May 9, 1971]

INDIA'S CONCERN GROWS OVER BENGAL PROBLEM

(By Kuldip Nayar)

NEW DELHI.—When the Indian parliament unanimously adopted a resolution recording its "sympathy and support" to the people of East Pakistan in their struggle to secede from Pakistan, New Delhi thought it had done enough. But now—six weeks later—it realizes that the mere expression of sympathy is not enough from the secessionists' viewpoint.

The Bangla Desh government which Bengalis of East Pakistan have established needs arms to sustain their struggle.

As the Pakistan army spreads to the country side after establishing firm control over the urban areas, the demand for weapons by the secessionists is becoming desperate.

New Delhi's problem is that direct help may involve it beyond the point of no return. War between India and Pakistan would then become inevitable, with the possibility of the world powers, particularly Russia and China, being sucked in.

The soundings made by Indian envoys abroad make it evident that all countries advise New Delhi to avoid all activity that might lead to a conflagration in the subcontinent.

In the absence of positive response from the world powers, India does not want to complicate matters. But it is worried that the pro-India Awami League could lose its control to radicals.

Already, the government here reportedly possesses information that some "freedom fighters" are in touch with the pro-Peking East Bengali leader, Maulana Bhasani. China is backing West Pakistan but New Delhi believes that if Peking can reap rich dividends by having a satellite next door to India and Burma, it may jettison West Pakistan.

The Bangla Desh problem has assumed urgency on one other count: More than 1 million refugees have crossed into India. The government is spending roughly 75 cents a person a day but finds that it cannot bear the burden which is increasing day by day.

The U.S. has offered to help but only through an international agency; other powers are slow to respond.

[From the New York Times, May 10, 1971]

PAKISTAN WEIGHS DEVALUING RUPEE—TOP ECONOMISTS DUE IN UNITED STATES FOR NEW APPEAL ON AID

(By Benjamin Welles)

WASHINGTON.—Pakistan is sending a senior economist here to persuade the Nixon Ad-

ministration to resume economic aid suspended on March 25 when the civil conflict there erupted.

United States economic aid to Pakistan has totalled more than $4.5-billion over the last 20 years and has been running at $200-million a year. A new loan of at least $70-million for commodity imports is still under Administration review.

The Pakistani government, moreover, is reported ready to carry out recommendations of the United States, the World Bank, the International Monetary Fund and other international donors for a 100 per cent devaluation of its currency, from 4.6 rupees to the dollar to more nearly 9, 10 or 11. While promising to devalue, it has avoided doing so three times in the last year, informants say.

M. M. Ahmed, top economic adviser to Gen. Agha Mohammad Yahya Khan, President of Pakistan, is expected to sound out American reaction to a fresh aid package when he confers at the White House tomorrow with Henry A. Kissinger, Presidential Assistant for National Security Affairs. Mr. Ahmed is also hoping to see Mr. Nixon.

WHITE HOUSE IS SILENT

The White House declined today to confirm or deny that Mr. Ahmed would arrive in the United States from Islamabad today and would confer with Mr. Kissinger tomorrow.

The exact package being sought by Pakistan was not known, but financial sources said that it would probably exceed the $450-million that an 11-nation consortium headed by the World Bank and including the United States provided anually to keep Pakistan solvent. A further $200-million to $400-million has been held up by the consortium for a year pending Pakistan's decision on devaluation, informants said.

The dispatch here of Mr. Ahmed is said to reflect the growing financial strains caused by the government's use of troops March 25 to crush a move for political autonomy in East Pakistan. Widespread loss of life, property damage and economic disruption have been reported.

The Pakistani Army, whose use of American supplied arms has been confirmed here by officials, has apparently arrested Sheikh Mujibur Rahman, head of the Awami League, which sparked the autonomy movement among 73 million East Pakistanis, predominantly of Bengali stock.

The rest of the Awami League leadership, however, is said to be intact, moving surreptitiously from town to town to avoid arrest by the Punjabi-dominated army and seeking to organize resistance to the army's operations.

MUJIB ASSOCIATE HERE

Meanwhile, a leading East Pakistani economist and publicist, closely aligned with Sheikh Mujir, has arrived here to seek public support for an early end to hostilities and for Pakistani negotiations with the Awami League for East Pakistani independence.

His name is Rehman Sobhan and his efforts to see officials in the White House, State Department, aid agencies or other branches of the Administration have been turned down.

Nonetheless he has been in contact with influential legislators including Senator Edward M. Kennedy, Democrat of Massachusetts, and he is scheduled to confer this week with Senator J. W. Fulbright, Democrat of Arkansas, chairman of the Foreign Relations Committee, as well as with staff aides.

"The Punjab seem to be going for the White House and the Bengalis for the Senate," one highly informed source observed.

Other informants disclosed that Mr. Ahmed is not the only top envoy that the Pakistani Government is now sending abroad in its search for emergency assistance. They noted that Arshad Hussein, former Foreign Minister, is touring Moscow, Paris and London conferring with financial officials.

However Mr. Ahmed, who has drafted previous five-year economic plans for Pakistan, is considered the key envoy in the current drive for foreign aid.

DEBTS TOTAL $4 BILLION

Mr. Ahmed is reported, for instance, planning to ask the World Bank, I.M.F., the United States and other foreign creditors for permission to pay $60-million due them May 1 in rupees, with payment in hard currency postponed for at least six months. Pakistan's total foreign indebtedness is said to exceed $4 billion.

Financial sources here point out that while Pakistan has repeatedly averted devaluation over the last year, the government has, during the same period, ordered $100 million in foreign arms, including 30 French Mirage jet fighters. The French suppliers are now being asked to postpone payment, sources add.

[From the Washington Post, May 11, 1971]

PAKISTAN ENVOY, SEEKING AID, MEETS WITH PRESIDENT

(By Ronald Koven)

President Nixon met yesterday with a special emissary from Pakistani President Yahya Khan who is here to convince U.S. and international monetary officials to bail out the nearly bankrupt country that has been wracked by civil war.

The emissary, M. M. Ahmad, is Yahya's top economic adviser. He is understood to have been carrying a letter from Yahya to Mr. Nixon, but the White House declined to give any details of the 30-minute meeting.

The White House only disclosed, in response to reporters inquiries, that the meeting was to take place.

Diplomatic sources said the message to Mr. Nixon contended that stories of large-scale massacres in East Pakistan have been grossly exaggerated, although Yahya reportedly conceded that his army's initial action was tough.

SANCTIONS SOUGHT

Yahya reportedly wrote that this was made necessary because East Pakistan's dominant Awami League party had been taken over by extremists. But, according to this account, of the message, he is ready to implement the party's six-point program for the province's autonomy once moderates are restored to control of the Awami League.

Ahmad's visit comes as congressional pressure is building against any U.S. aid to the Pakistani government that could contribute to repression of the secessionist movement in East Pakistan. The House Foreign Affairs Committee has scheduled hearings on Pakistani for today, with Sen. Edward M. Kennedy (D-Mass.) scheduled to testify.

Supporters of the breakaway Bangla Desh government, the East Pakistani exile government operating in India, advocate international economic sanctions against the Pakistani central government.

ARMS PURCHASES

These pro-Bengalis say they have found resistance to the idea in Washington because recent attempts at sanctions against such other governments as Rhodesia and South Africa have been ineffective. The pro-Bengalis reply that the comparison is faulty because those countries have viable economies.

The last official report on Pakistan's reserve position shows that it was down to $82 million in foreign currencies and $54 million in gold about two months ago.

It is widely assumed that the reserves have since been drawn by two thirds or more.

The central government has been using much of its precious currency to buy arms abroad. Informed sources say they have heard of at least one major purchase on the international arms black market—100,000 reconditioned rifles to arm the two million West Pakistani civilians living in East Pakistan.

Another Pakistani emissary, who was here a month ago, received a cool reception from the U.S. government, the World Bank and the International Monetary Fund.

The latest envoy is said to be proposing a number of measures, including devaluation of the Pakistani rupee by half or more; temporary payment to the international consortium of Pakinstan's creditors in rupees instead of in hard currency, and "association" of civilians, including "rational" elements from East Pakistan, with Yahya's military government.

In addition to Mr. Nixon, Ahmad has asked to see World Bank President Robert S. McNamara, Pierre Schweitzer of the International Monetary Fund, AID director John Hannah, Agriculture Secretary Clifford Hardin and Joseph J. Sisco, Assistant Secretary of State for Near East and South Asia.

The World Bank has been privately advocating the rupee devaluation for some months, according to monetary sources here. But some sources say this would probably be considered insufficient now and that more basic economic reforms would have to accompany the devaluation before the international monetary community would consider increasing its credits to Pakistan beyond the present level of more than $4 billion.

Ahmad is said to be proposing that the $60 million Pakistan is scheduled to pay the consortium over the next few weeks be paid in rupees, which would only become convertible into dollars in six months. But Pakistan is said to be indicating willingness to pay in dollars the $20 million it is scheduled to pay the World Bank.

[From the New York Times, May 14, 1971]

PAKISTANI TELL OF CHINESE OFFER—SAY PEKING WOULD MAKE A LOAN OF $20-MILLION

(By Malcolm W. Browne)

KARACHI, PAKISTAN.—Pakistan Government sources reported today that China had offered an interest-free loan of $20-million not tied to the purchase of Chinese products.

The Islamabad Government said this was the first such loan it had been offered by China. Government sources and newspaper editorials drew critical comparisons between the reported Chinese offer and United States aid, which has been suspended since March 25, when the Pakistan Army moved against Bengalis of East Pakistan who were seeking autonomy.

"If the United States tells us to go to hell," an official said privately, "we have no alternative but to turn to China."

Yesterday, Pakistan served notice on all governments that aid for East Pakistan would be gratefully accepted but only for distribution by the Pakistan Government.

This is a sticking point with a number of relief organizations that wish to be certain aid is used as intended by donors.

FOREIGNERS ARE BARRED

In cyclone-devastated and war-torn East Pakistan, the military government has declined to permit aid distribution by foreigners. "The outside world will simply have to take our word for it that aid will be effectively distributed by us," Lieut. Gen. Tikka Khan, governor of the province, said several days ago.

Objections have been raised by some organizations to the expropriation by the Pakistan troops there of vehicles, boats and other donations from the United States, Japan and other nations.

Pakistan has been the recipient of over $4-billion in aid from the United States since 1957. China signed its first aid agreement with Pakistan in 1965, and since then has offered about $113-million in loans.

Newspapers here, which are closely censored

by the Government, commented sourly on the announcement by Senator Edward M. Kennedy yesterday that the United States would provide $2.5-million in aid to Pakistani refugees in India.

Newspaper accounts here carried such headlines as "Dollars to Feed Miscreants" and "U.S. Aid for East Pakistan Is in India."

More than a million Bengalis have crossed into neighboring India. Observers describe them as refugees fleeing for their lives.

INFILTRATORS, PAKISTAN SAYS

Pakistan charges that most of them are Indian infiltrators who were forced to flee by the Pakistan Army.

United States aid to Pakistan is believed to be crucial for the maintenance of Pakistani currency.

Some Americans here argue that aid should be stopped completely on the grounds that it would never reach the people for whom it is intended.

In fact, aid to East Pakistan must arrive by sea and East Pakistan's only important deep-water port, Chittagong, remains separated from most of the country because its rail link to the north has been cut by a demolished bridge.

These Americans feel that an occupation army of West Pakistani Punjabis could not be relied upon to take care of East Pakistan's hostile population of Bengalis.

Other Americans argue, however, that only through aid can "channels to Pakistan be kept open."

SOVIET AID REPORTED

NEW DELHI, MAY 13—The Soviet Union has promised aid to India to help care for refugees from the civil war in East Pakistan, the Indian press reported today.

The Soviet Ambassador, Nikolai M. Pegov, met with Prime Minister Indira Gandhi last night on the refugee problem and the possibility of India's recognition of the Bengalis.

[From the Boston Globe, May 16, 1971]

"JAI BANGLA"—A BENGALI CRY OF NATIONAL PRIDE NOW MUTED

(By Richard D. Tabors and Patton O. Tabors)

(Dr. Richard D. Tabors is a research Associate at the Harvard University Center for Population Studies. He and his wife, Patton O. Tabors, spent 12 months working in Pakistan in 1969 and 1970. Returning there again late last year, they witnessed the outbreak of the Revolution and only returned last month to Harvard.)

March 25, 1971 marked to the day two years of military government by the Yahya Khan regime in Pakistan.

Promises for a return to civilian rule, at first viewed skeptically by the Bengalis of East Pakistan, were about to be realized. The papers announced that an "interim government" for East Pakistan would be formed soon under Sheikh Mujibur Rahman, leader of the Awami League. The days of strikes and threats and fear would soon be over and East Pakistan would at last have a chance to pursue an autonomous policy, free from the central government control which had made the eastern wing of the country, despite its majority population, a virtual economic colony.

The streets of Dacca were filled with processions of teachers and students, factory workers and office workers shouting "Jai Bangla"—Hail Bengal—a cry of national pride for the Bengali people, a cry not heard during the long years of West Pakistani domination.

WON ELECTION

Due primarily to agitation which had developed in East Pakistan, general elections had been held in December, 1970 for the first time in the 23 year history of the country. These elections had given Sheikh Mujib's party not only a majority of seats for East Pakistan in the upcoming national constitutional assembly, but a majority of the seats for the country as a whole.

The Awami League's symbol, the country boat, and photos of the Sheikh appeared everywhere in the streets of Dacca. Massive rallies were held in support of the policies advocated by the Sheikh. The determination of the people of East Pakistan to achieve autonomy (but not political independence) was clear.

This sense of jubilation was no doubt heightened by the fact that East Pakistan's development had been severely retarded in the past by central government policies. In 1960 the per capita income of West Pakistan was 32 percent higher than that of the East; during the 10 year period to the present this has increased to 61 percent. Never has the Minister of Finance or the Deputy Chairman of the Planning Commission (which allocates development monies) been from East Pakistan and, in 1960, only 13 percent of the senior civil servants of the country as a whole were from East Pakistan.

NEGOTIATE

Combined with this is the fact that a majority of the military and virtually all of the officers are West Pakistani, and the military have been in control of the country since the beginning of the Ayub Khan regime in 1958. At last it now seemed that East Pakistan was to have a chance to negotiate directly with aid giving agencies for development funds, as the Awami League's platform called for the central government control of foreign affairs and defense exclusively leaving all of the residual powers to the federated units.

STALEMATE

As the time for the meeting of the National Assembly in early March approached, however, it became obvious that a political stalemate might develop. Previous to the elections it had been assumed several political parties would emerge in the nation and that the constitution would thus be a compromise document; instead, the Awami League swept East Pakistan and the Pakistan People's Party (PPP), under the leadership of Z. A. Bhutto, won a majorty of the seats in West Pakistan.

In the East there was a feeling that the army and the PPP were not willing to turn over leadership to the Awami League. The leaders of the West, on the other hand, saw the National Assembly and the formation of a constitution under the conditions of an Awami League absolute majority as little more than a railroad job in which they would merely add a rubber stamp of political legitimatization.

Talks were held between Sheikh Mujib and Bhutto but little progress was made. On March 1 the President announced the postponement of the National Assembly. The result was a massive civil disobedience campaign in East Pakistan. In the ensuing riots Bengal demonstrators were killed by the armed forces. At the same time mobs of Bengalis looted and burned the property of West Pakistanis and other non-Bengalis and in the process members of these communities were killed.

MODERATING

The role of the Awami League and more particularly of Sheikh Mujib during this period was that of a moderating force, calling for the return of the army to their barracks and the quieting of civilian unrest. The Awami League formed its own peace keeping forces and with the East Pakistan Rifles and East Pakistan Police maintained calm in the major cities, the location of most of the earlier trouble.

CONTROL

During this period of political activity, from the 1st to the 25th of March, the Awami League extended its control over the operation of the governmental structure of the province. Initially it performed the peace keeping function, then selectively requested that banks open, that workers return to work in non-governmental jobs and in cyclone reconstruction projects, and finally that ports, customs and tax offices again function but that the revenue earned was to be deposited in escrow accounts in East Pakistan based banks.

The Awami League under the leadership of Sheikh Mujib, had therefore, assumed the functions of a government through an evolutionary process. It was legitimate in that it represented virtually all of the people of East Pakistan, had assumed administrative roles in the functioning of the province and had even taken time out to talk to leaders of diplomatic missions in the province. And so, it seemed, the stage was set for the announcement of the "interim government."

DEATH

But on the 26th of March there were no morning papers . . . the building housing the leading Bengali language paper, the Itefaq, had been destroyed by fire and all other papers were closed. There were no processions of students and teachers and workers . . . the university students living in the residential halls had been awakened by firing; those who did not escape were killed on the spot and buried in a massive grave in front of one of the halls . . . leading professors of the university had been taken from their university quarters and executed . . . workers living in "basti" villages made of woven bamboo had been burned in their houses or gunned down trying to escape the flames which had been set by the army.

FIGHT CONTINUES

Sheikh Mujib had been arrested as a traitor and taken to prison in West Pakistan. The cries of "Jai Bangla" had been replaced by the West Pakistanis' "Pakistan Zindabad"—long live Pakistan. The nation had been plunged into a civil war for which no one but the army, with its American and Chinese supplied arms, was prepared.

A cartoon which appeared in the papers during the period of non-cooperation showed an army tank lined up against an endless stream of Bengalis. The implication was obvious—the army has superior firepower, but East Pakistan has a population of 75 million people determined to end the domination of East Pakistan by the West. Now that the legitimate political channels have been closed, the fight for independence probably will be carried on in the cities and the countryside of East Pakistan.

[From the New York Times, Apr. 4, 1971]

MORE REFUGEES FLEEING PAKISTAN—HUNDREDS OF FAMILIES CROSS FROM EAST INTO INDIA

(By James P. Sterba)

NEW DELHI.—For the first time since serious fighting broke out in East Pakistan late last week, substantial numbers of refugees were reported today to be crossing the border into Indian territory.

Indian press agency reporters stationed along the border said hundreds of families, mostly women and children had crossed the Ganges River from Rajshahi, where West Pakistani troops were reported to have moved through the town against East Pakistani adversaries.

At other points along the border, people who had first fled from towns to neighboring villages crossed over, saying they had feared that West Pakistani planes would bomb their rural sanctuaries next.

As usual, there were conflicting reports of the situation in East Pakistan. While the West Pakistani radio asserted that the situation in cities and towns remained "calm," East Pakistanis at the border reported heavy fighting in several towns.

In general, however, it appears that West Pakistani troops are beginning to have difficulty maintaining their resupply system and that the East Pakistanis, while disorganized, are beginning to mount stiffer guerrilla resistance as West Pakistani troops attempt to spread their control from cities to district towns.

Except for the first-hand accounts of a few Western newsmen who have ventured into East Pakistan on short trips with the help of the "liberation forces" of East Pakistan, most reports reaching here are considered highly questionable. Most come from Indian reporters in West Bengal strongly sympathetic to the East Pakistani bid for independence. They have repeatedly reported great victories for the resistance forces.

PAKISTAN AGAIN PROTESTS TO INDIA

KARACHI, PAKISTAN, April 3.—Pakistan charges that Indian warships shadowed and harassed a Pakistani merchant vessel in the Indian Ocean last night were accompanied by a strong new protest today to New Delhi.

The protest was the second made during the day to the Indian Government by the Pakistani administration at Islamabad, the capital. The first voiced a vigorous objection to the passing of a resolution by the Indian Parliament Wednesday expressing Indian solidarity with the secessionist movement in East Pakistan.

It warned that "serious consequences" could result from the Indian action, which was described as grave interference in Pakistan's internal affairs.

The first protest was delivered by a Pakistani Foreign Ministry official for relay to New Delhi through the Indian High Commissioner in Islamabad. The second was in the form of a public statement.

The protest concerning the ship in the Indian Ocean charged that four Indian warships had harassed and tried to halt a Pakistani merchant ship, the Ocean Endurance, sailing on a recognized international sea lane 70 miles west of the Indian naval base at Dwarka.

Pakistan demanded assurances that such incidents would not be repeated. The statement said that the Pakistani Government was taking all necessary measures to insure the safety of its merchant ships on the high seas.

BRITONS TELL OF KILLING

SINGAPORE, April 3.—Some of the 102 Britons who were evacuated here by air yesterda from East Pakistan told today of the fighting and carnage they had seen.

"Each day I could see fresh groups of bodies piled up on the pavements," said one man who had been an employe of the East Pakistani provincial government. "There were men, women, even babies, with bayonet and gunshot wounds. Some appeared to have been crushed."

"The deaths were all at the hands of troops from West Pakistan," he said. "There was fear the bodies would pollute the water supply."

There was shooting "every night, up to the time I left," the Briton declared. "The smell of death is still everywhere, and every night there are fires on the skyline."

[From CBS Evening News, Station WTOP–TV, Washington, D.C., Apr. 15, 1971]

EAST PAKISTANI REFUGEES FLEEING TO INDIA

WALTER CRONKITE. India and Pakistan today exchanged charges of aggression as their dispute intensified over East Pakistan's fight for independence. India said that federal Pakistani troops have fired into Indian territory, wounding Indian civilians. India said Pakistan would be responsible for consequences of these provocative acts.

Pakistan claimed its federal troops inflicted heavy casualties on Indian infiltrators in East Pakistan who were trying to blow up a railroad bridge. Some observers considered today's exchange of protests the most serious since India and Pakistan fought a three week war back in 1965.

As always with war the innocent are the victims. And John Sheahan reports from the East Pakistan border.

JOHN SHEAHAN. The most heavily traveled roads in East Pakistan are the ones leading toward India. Refugees from the cities of Jessore, Chortia and Khulna meet on this stretch of road near the Indian border. They say they ran away because the advancing West Pakistan Army is looting and burning their homes after capturing the cities against little rebel resistance.

Some have been on the road two days.

They talk about injustice on top of injustice: the Pakistan election that showed East Pakistan Bengalis are the majority over West Pakistanis; their hopes that West Pakistan could be stopped politically from keeping the lion's share of profits from East Pakistan's exports; the government negotiations that failed, and the West Pakistan invasion that has now cost them their homes and possessions.

On the Indian side of the border there's safety, but few facilities to house, cloth or feed the thousands of refugees. Many can do no more than camp by the side of the road.

What started out as a brave and ill-prepared attempt to create a home for all Bengalis has resulted in destruction and homelessness.

John Sheahan, CBS News, Bhomra (?), on the Indian-Pakistani border.

[From the Today Show, Station WRC–TV, Washington, D.C., Apr. 13, 1971]

EAST PAKISTANI REVOLT NEAR END, SAYS AP REPORTER

Frank Blair: An Associated Press correspondent in East Pakistan reported this morning that the region's armed resistance is crumbling fast before the swiftly advancing columns of the West Pakistani Army.

Correspondent Dennis Neale said there were few visible signs of any lengthy guerrilla campaign. He reported the people were fearful of informers and reprisals.

The thrust of his dispatch was that the East Pakistani revolt may be near an end.

[From the Washington Post, Apr. 26, 1971]

BENGALI REFUGEES FILL INDIAN CAMPS

(By Lee Leseaze)

BOYRA, INDIA.—Dalal Khan escaped from East Pakistan with a worn white cloth which he wraps around his head for shelter from the sun when he is not using it to carry his ration of rice from the kitchen of this refugee camp. He was unable to bring anything else.

A short, pockmarked man who is not sure of his age, Khan ran out the back door of his little grocery store in Jessorce minutes before Pakistan army soldiers came in the front.

Those who didn't run fast enough, including Khan's 17-year-old son-in-law, were shot down, Khan said, and he saw 500 dead bodies as he fled into the countryside.

About 40,000 refugees reportedly have come to the tent camps set up around this border town. They are perhaps a tenth of the East Pakistanis who have fled to India to escape army brutality, but no one is certain of the total.

No international aid is reaching the refugees. No one knows how long they will stay or how many more will come. The refugee influx poses a massive problem for this impoverished area of India. But initial largely private efforts to help have kept most refugees fed and sheltered in long canvas tents.

Almost all the refugees here come from around Jessore where there was some of the heaviest fighting in the western sector. But all those interviewed today made clear that their families had been massacred even though they had not taken an active part in the Bengali resistance.

One young man broke into sobs as he described the death of all his family. They were sleeping, he said, when the soldiers kicked in the door and opened fire. One brother had been close to graduating from the university, the man said, leaning against a car and wailing. They had all pinned hopes of advancement on this youth who would have been the first college graduate in the family.

Four tiny old women pushed their way through a crowd of onlookers to throw themselves at a reporter's feet, holding onto his legs and pleading for help.

Babar Ali Khan escaped with a small pony cart carrying his wounded sister. She was shot in the ankle last Wednesday at 3 p.m., Ali Khan said.

Fifty or 60 soldiers came to their village, Haibadpur, seven miles from Jessore. "Come out all you Bengalis," the soldiers shouted. Then they killed those who came out and searched for the others, Ali Khan said.

He and his family were hiding in holes along the riverbank. His young son and his sister darted out of their holes and ran for the trees. They made it, but 10 other members of his family were killed.

Ali Khan owns about 20 acres of land that has belonged to his family for generations, but he doubts that he will ever go back. He said he will return only if East Pakistan's Bengalis win their independence but he is pessimistic about their chances. If the refugees' traditional ties to land prove stronger than the fear and hatred of the Pakistan army, however, thousands will drift back to their farms and shops even if the army remains in control.

At present, none of the refugees here admits this possibility and many believe that the Pakistan army is murdering any people who return to their homes. However, if the army stops its savagery, the people's plight in Indian refugee camps is likely to force them to consider returning to Pakistan.

The refugees' second alternative is gradually to leave the camps for other places in India. However, West Bengal is already overcrowded and its 44 million people are greatly underemployed. Thousands of additional people, mostly unskilled farmers, will only add to the misery on this side of the border.

Refugees could also choose to become active in the struggle against Pakistan's army. Some East Pakistanis are attempting to organize guerrilla resistance and the refugees provide an enormous manpower pool.

However, many of the refugees have already passed up opportunities to help the resistance in favor of coming to India. They are untrained and undisciplined.

A truck driver said he drove resistance fighters around for 10 days, but decided to leave after his brother was shot. A primary school teacher participated in his village's resistance committee, but the committee had no military adviser and took no defensive measures before the army attacked.

There is little resentment among the refugees that the East Pakistan Rifles and other resistance fighters did not stand up to the Pakistan army but chose to retreat from every town and village. However, the refugees generally realize how outgunned and outmanned the resistance forces were.

The refugees are uniformly eager to tell the stories of murder in the belief that more aid will come to them if their suffering is widely known.

As one refugee describes what happened to his family, others crowd around, waiting for their turns. Each seems fascinated with tales of how others escaped and the stories reinforce the despair of these survivors who have only begun the bleak existence of jobless, penniless refugees.

PAKISTAN TROOPS SEAL BORDER WITH INDIA

Radio Pakistan reported yesterday that Pakistan troops sealed the border with India at Petrapole after beating back a band of "infiltrators" and their collaborators.

Officials on the Indian side confirmed that the border has been sealed, but denied that Indians entered East Pakistan to fight or open fire on the Pakistanis from the Indian side.

They charged that a Pakistani soldier with

a machine gun crossed into Indian territory and fired at civilians and border security men on Saturday. It was not known if there were any casualties.

[From the Wall Street Journal, Apr. 28, 1971]

GRIEVING MULTITUDES FLEE EAST PAKISTAN, ADD TO AREA'S TURMOIL—SOME AFRAID TO RETURN HOME, OTHERS EAGER FOR FIGHTING; WHOLE FAMILIES MASSACRED

(By Peter R. Kann)

BOYRA, INDIA—Babar Ali Khan, a bearded, barefoot farmer who doesn't know how old he is, has just fled from East Pakistan into this Indian border village. He came leading a rickety little pony cart. In it lies his sister with an untreated bullet wound in her leg.

Babar Ali Khan has been traveling for five days, ever since West Pakistani Army troops arrived at his village of Haibadpur last week. At that time the farmer's family had 10 members, and they all took refuge in a hole by the river. The soldiers ordered all the villagers to come out of their hiding places. The Khan family obeyed orders. A machine gun immediately mowed down seven of the 10. Only Babar Ali Khan, his wife and wounded sister escaped.

"The people who came out of their holes were shot. The people who did not come out were also shot," Mr. Khan says simply.

Confused, bitter, impoverished and pitiable, Mr. Khan is typical of the Bengali refugees flowing across the Indian border from rebellion-torn East Pakistan. They are fleeing in the wake of the West Pakistani Army's crushing blows to Bangla Desh (Bengal Nation) in East Pakistan. Each arrives with his own tale of West Pakistani Army brutality, his own story of suffering and his own fears about the future.

INDIA'S FUTURE ROLE

The swelling number of refugees poses yet another threat to stability and peace in the area. Nobody really knows how many refugees there are, but estimates range as high as one million. Moreover, a combination of harsh West Pakistani military occupation, economic chaos and future famine in East Pakistan will drive five million to 10 million more Bengali refugees into India during the next 18 months, one Indian general predicts. Some observers think this estimate may be far too high, but the fact that some senior Indian generals believe India will have this many refugees on its hands increases India's sense of involvement in the Pakistani crisis. This, in turn, is further encouragement to Indian intervention in East Pakistan.

It is increasingly likely that India will help to organize, train and arm Bangla Desh guerrilla units and provide them with border sanctuaries from which to operate, sources say. One Indian general estimates it will take about a year to get an effective guerrilla war under way with Indian support. Indian military men fear that if they don't take the initiative, the Bangla Desh movement will succumb to Bengali Communist control, perhaps with furtive Communist Chinese support. (At this point though, the Chinese are backing the West Pakistanis.)

Some analysts think the refugee pool will provide the manpower for a protracted guerrilla war against the West Pakistani occupation forces. Many refugees say they would like to "fight for Bangla Desh" but frequently concede they don't know how. At present, anyway, the refugees clearly lack the leadership, organization, training and weapons that a guerrilla war would require.

THE TRAGIC STORIES

The refugees feel they have ample reason to bear fighting grudges against the West Pakistanis. Take Minu Bibi, a pretty young woman of 26 with a large brass ring in her left ear. She came to India alone. The Pakistani Army arrived in her town and shouted, "All Bengalis out." Most of her family followed the order, and her parents and brother were shot. Her sister was raped and then shot. Minu ran into the woods and watched all this. Then she walked for 15 days before reaching the Indian border.

A gaunt middle-aged man blurts out another story: "My whole family killed. . . . We were asleep in the room. . . . My family . . . My brother, my brother was a student. . . . He, too, was killed." The man breaks down. Several generations of a poor Bengali family may sacrifice everything to permit one male family member to achieve the status of student. All of the family's dreams of higher social status, as well as its hopes of future financial support, are pinned to that young man.

Most refugees are desperately poor. Dalal Khan, 53, tells a typical tale. The soldiers came into his town, kicked open his door and shot his son-in-law, who was asleep. Dalal Khan escaped with his wife and daughter through the back door. He had to leave without even a full set of clothes. He now wears a large rag wrapped around his midsection and a smaller rag draped over his head. He must also eat off a rag. "I have no dish," he explains.

So far, no international relief supplies are reaching the refugees. The only assistance—primitive tent shelters, rice and some basic medical supplies—is coming from official and private Indian sources.

Nobody knows what future these refugees face. Some observers believe that when the immediate chaos in East Pakistan subsides and the West Pakistani Army cools off, many refugees—particularly villagers—will trickle back across the border. In this view, ties to land will prove more powerful than fear or hate.

Other observers believe the refugees are far too bitter and too scared ever to return to an army-occupied East Pakistan. Moreover, the West Pakistani authorities may not let them back. These authorities may decide that vastly overpopulated East Pakistan can do well without the uprooted peasant refugees. The refugees would thus languish here in India, to be gradually absorbed into the masses of poverty-plagued India.

West Pakistan may also consider the more educated refugees as dangerous subversives. Indeed, there have been many stories of Pakistant soldiers systematically wiping out educated middle-class Bengalis, the class that led the Bangla Desh movement. One 33-year-old court clerk says that the Army called all the civil servants in his town together to get their pay. "They were called together and then shot," he says. If the middle-class moderates are killed off, or refused re-entry into Pakistan, leftist militants may end up leading any future stages of the East Pakistan struggle, some observers think.

At the moment, the refugees themselves have differing plans. A 20-year-old farmer whose mother and grandmother were shot by the Army is afraid to return. He says he will stay in India "until I see the Bangla Desh flag flying across the border." But Bonoy Kumar Mondol, a young schoolteacher whose father was killed by the Army, says he will go back and fight if he is given a gun and taught how to shoot it. "I want Bangla Desh. Let the war continue until independence!" he exclaims.

But many can think only of present grief. Shrouded in rags, wailing and sobbing, four wizened old women crawl out of a crowd of refugees and clutch the feet of two reporters. Their story is a simple one. Their children are dead.

[From the New York Times, Apr. 29, 1971]

PAKISTAN REVIEW SET BY AID GROUP—11-NATION CONSORTIUM MEETS ON FOOD CRISIS TOMORROW

(By Benjamin Welles)

WASHINGTON.—A consortium of 11 nations, including the United States, plans to meet in Paris Friday to weigh the mounting fiscal and food crisis in Pakistan.

Studies in the hands of officials of the United States Agency for International Development and of the World Bank indicate that by June or July, because of disruption of transportation in East Pakistan and the flight of civilians there, 10 million to 30 million persons may face starvation. East Pakistan's total population is 72-million.

"By early summer there will be no food in the countryside—unless it's imported and distributed right now," said one source who recently left East Pakistan. "Food stocks are rapidly being consumed and nothing's coming in. Even if the fighting ended today there would be a 60-day lag in restoring food imports and distribution."

NEWSMEN'S OUSTER DEPLORED

This source said that the Pakistani Government's expulsion of foreign newsmen and its refusal to admit observers from humanitarian organizations meant that little international attention had focused on the situation from the strife in East Pakistan. The West Pakistan-based Government has been putting down a move for autonomy, and later independence, in the East. The fighting which began late in March, has compounded the difficulties of the East, which was swept by a cyclone in November.

The meeting of the 11 donor nations that make up the Pakistan aid consortium is expected to be held privately under the chairmanship of the World Bank. The meeting has not been announced and in fact bank officials are officially denying knowledge of a meeting.

It has been learned that Pakistan's request to send M.M. Ahmen, economic adviser to President Agha Mohammad Yahya Khan, to the meeting has been rejected. Thus, no Pakistani will be present when Pakistan's situation is under review.

[From the Washington Post. May 1, 1971]

BENGALIS REPORTED FACING STARVATION

NEW DELHI.—About 4 million persons in the area of East Pakistan ravaged by a cyclone and tidal wave last November face starvation because the civil war has halted emergency food distribution officials from the area said today.

In Paris, where representatives of 11 nations involved in the relief operations were meeting, it was estimated that as many as 30 million to 60 million of East Pakistan's 74 million inhabitants could starve.

In Washington, officials also said the food distribution had been disrupted and urged the Pakistani government of President Agha Mohammed Yahya Khan to resume shipments immediately.

Officials from the 10,000-square-mile disaster area said the relief work has stopped completely since the Bengalis declared their independence of the central government and civil war broke out March 25.

The officials, who said they maintain contact with leaders of the Bangla Desh (Bengal Nation) liberation movement, said the area hit by the cyclone has gone mostly untouched by the fighting. The area consists of the Ganges River Delta districts of Patuakhali and Barisal and some 3,500 remote offshore islands in the Bay of Bengal.

The Bengali officials said 50,000 tons of food had been sent into the area before March 25, but another 150,000 tons never was sent because the war shut down the ports in East Pakistan and the access roads to the area. The 200,000 tons of rice had been donated by the United States.

They said no food had been shipped to the victims for the past month also because there was almost no civilian administration in East Pakistan and the army, which handled much of the operation, stopped to concentrate on the fighting.

[India today said Pakistan has ended restrictions on the movements of the Indian deputy high commissioner in Dacca, and informed sources said a compromise solution of the two governments' differences could be expected shortly, Reuther reported.

[A spokesman for the Indian foreign office said the restrictions on Sen Gupta were lifted Friday. India had alleged that Gupta had been virtually interned in his house since the Dacca mission was shut down on Monday.]

[From the New York Times, May 2, 1971]

BENGAL: A THREAT OF FAMINE

To the Editor:

The exclusion of the foreign press and observers from East Pakistan has meant the loss of vital information on the course of events there and will deprive us of the dramatic facts that rouse individuals and governments to action. But there is enough conclusive evidence from past and recent history to predict the result of the present conflict on the food position of the province.

The food grains that sustain a large part of the Bengali population come from abroad. Their distribution depends on the effective functioning of the port of Chittagong and on internal transportation and administrative services.

East Pakistan, with a population of more than seventy million, expected 2.5 million tons of imported food grains this year. That is about one-sixth of the total food requirements for the province, enough to feed twelve million people. However, a far greater number is actually affected by an interruption in the steady flow of food. For the 50 per cent of the population living barely at subsistence level, these supplies maintain the balance between life and death.

Bengal has always been extremely susceptible to famine. The last such disaster occurred in 1943 when food expected from Burma did not arrive because of the Japanese occupation of that country. At that time military demands on the Indian transportation system prevented the timely distribution of the food that was available. The food deficit that year was 6 per cent; this year it is 16 per cent. Deaths in 1943 numbered 1.5 million, and the famine left social problems from which Bengal has yet to recover fully.

A crisis was imminent in 1965 when the Indo-Pakistani war stopped imports. It was avoided when the great powers used their influence to bring that conflict to a speedy close. Recovery was aided by normal internal supply activities, which had been unaffected by the war.

Today, in contrast, not only has the import of food been cut off, but the internal administrative and transport services have ceased to function normally. In addition, military action at planting time will reduce the coming harvest.

The regular import of food has been interrupted since February. Even if the conflict were to end today, the months required to return the system to normal would probably exceed the time during which the food reserves could sustain the population. The factors that determine mass famine are irreversible after a certain point.

When the first stories and photographs of starving families are published, it will be too late to protect thousands of others. International action, immediate and strong, is perhaps the only defense the people of East Bengal now have.

DANIEL C. DUNHAM.

NEW YORK, *April 20, 1971.*

[From the Washington Post, May 17, 1971]

INDIA ASKS HELP FOR REFUGEES

NEW DELHI.—Indian Prime Minister Indira Gandhi called for international assistance today in caring for 2.6 million refugees who have fled to India from East Pakistan since civil war broke out there nearly two months ago, the Press Trust of India (PTI) reported.

At the same time, the official Radio Pakistan reported a Communist Chinese plane arrived in Dacca from Peking carrying a cargo of powdered milk for relief of East Pakistan.

Fighting erupted March 25 when the federal government sent troops to put down the secessionist revolt in the East, separated from the western half by 1,000 miles of Indian territory.

PTI said Mrs. Gandhi concluded a two-day tour of several of the 328 government refugee camps near the East Pakistani border. In an open air address to refugees in Haldibari, West Bengal, she said events in East Pakistan "have become a problem for India" and have assumed the proportions of an international affair because of the influx of refugees.

About half the refugees have been living in the camps while others have pushed into the Indian interior in search of food and jobs.

She told the refugees India could tackle the problem to a limited extent but "called for international assistance to care for the evacuees" from East Pakistan, PTI said.

Mrs. Gandhi later told a press conference in Haldibari the question of recognizing the rebel Bangla Desh, or Bengal land, "is under the government's examination," PTI said.

Asked if the government was awaiting a response from other nations before extending diplomatic recognition to the rebel government, Mrs. Gandhi replied, "No, India will take its decision independently," PTI said.

[From the New York Times, May 17, 1971]

PAKISTANI REFUGEES' COMPETITION ANGERS INDIAN POOR

(By Sydney H. Schanberg)

PETRAPOLE, INDIA.—The continuing heavy influx of Bengali refugees fleeing from the Pakistani Army in East Pakistan is placing a severe strain not only on India's economy but on her social fabric as well, as the presence of the refugees force prices up and wage rates down.

The Indian Government, sympathetic to the Bengali independence movement which Pakistan is trying to crush, says the number of refugees has reached 2.6 million—two million in over-crowded, politically explosive West Bengal State alone. The daily influx, officials say, is in the tens of thousands.

Resentment among poor Indians, feared for weeks by the Government, has come to the surface and promises to worsen as the refugees compete for their jobs, driving the wages down. Simultaneously, prices have risen as scarcities of food and other items have developed.

Here in this West Bengal town less than two miles from the east Pakistani border, a camp of tarpaulin tents intended to shelter 5,000 refugees is bursting with 10,000.

The Bongaon district, in which Petrapole is situated, generally has a population of about 300,000. Officials say the district has already absorbed more than 250,000 refugees.

The daily wage for farm labor used to be three rupees—about 40 cents. Now, with the extra labor supply, it has fallen to two rupees and, in some cases one. Other kinds of labor have been similarly affected.

"These people will accept anything for wages because they're being fed in the camp and don't need money for food," said S. R. Das, a retired army major who is commandant of the Petrapole camp. "Instead of allowing them to sit idle, we have to let them go out and seek work."

The Government has been trying to encourage the refugees to stay in the camps and off the job market, but it feels it cannot force them to do so. "The problem has overwhelmed us," said a high Indian official who asked not to be named.

HOW CAN IT BE HELPED?

Mr. Das, said local people had been getting angry about the refugees, "but how can it be helped?" Other officials also reported rising tensions, citing "inroads on others' privacy" and the closing of many schools to accommodate the refugees, with the students and their parents becoming restive. Some Indians are complaining that the refugees are better fed than they are.

Though this is a model camp compared with many of the more than 300 that have been set up all along India's 1,350-mile border with East Pakistan, it is unable to provide proper facilities.

The refugees, mostly women and children, touch as they squat or lie down in the tents. Because latrines are inadequate and lack privacy, the refugees are causing a pollution problem in the fields. Bleaching powder has been spread everywhere as a disinfectant.

SOME CHOLERA DEATHS

Refugees are receiving cholera injections. Some cholera cases and deaths have been reported in other camps, though not at Petrapole. But most of the patients in the Petrapole camp's hospital have dysentery. The camp loudspeakers continually blare instructions about proper hygiene, which seem to confuse the refugees.

Since the Pakistani Army began to attempt to crush the East Pakistani secessionist movement on March 25, India has acknowledged her inability to cope with the refugees by herself and has asked for foreign help; so far, the foreign assistance has been small.

India, arguing that the refugees should be an international responsibility, points out that they already outnumber the 1.4 million Palestinian refugees cared for by the United Nations.

Indian officials estimate that the number of refugees could reach 10 million or more and that the annual cost could reach hundreds of millions of dollars.

Yesterday, India, in a diplomatic note to Pakistan—accused Pakistan of a "deliberate campaign of terror" against the refugees by the armed forces, and asserted that "Pakistan is under questionable obligation to facilitate the return of these refugees to their homes." The note also held Pakistan responsible for the cost of sheltering the refugees.

Prime Minister Indira Gandhi, on a two-day tour of refugee camps, visited the Petrapole camp this afternoon. Speaking in Hindi, a language that only a handful of the Bengali-speaking refugees can understand, she told them:

"You have come here poor and hungry, seeking help. Our country is very poor, too, but we will help you as much as we can and we will try our best to get your home."

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum; and, if time allows, I ask unanimous consent that it be taken out of the time of the distinguished Senator from Arizona (Mr. GOLDWATER) who will be recognized next.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Pursuant to the previous order, the Senator from Arizona is recognized for not to exceed 15 minutes.

DISASTER COURSE

Mr. GOLDWATER. Mr. President, with all due respect to the distinguished majority leader, Senator MANSFIELD, I wish to express here today my firm belief that his attempt to cut our NATO forces in half would place this Nation on a disaster course for world war III.

Indeed, I find it difficult to believe that a leader of this body would propose that we completely alter the balance of power against the forces of freedom in Europe without even consulting our Atlantic allies. I find it even more difficult to believe that any appreciable number of Members of the U.S. Senate would look with favor upon the proposal which Senator MANSFIELD has offered.

Mr. President, at the present time hearings are being held before the Senate Foreign Relations Committee on legislation which would dilute the President's war powers and expand those held by Congress. I testified before that committee recently to express my firm belief that any effort to alter the President's war-making powers would be a mistake of historic importance and that any attempt to do this without amending the Constitution would be completely illegal.

Now, Mr. President, I wish to say that the soundest argument against taking any war powers away from the President and placing them in the hands of Congress is found in the Mansfield resolution. If we needed any proof that the Senate may be unfit to play a larger role in foreign affairs and military decisions bearing on those foreign affairs, the Mansfield resolution certainly would fill the bill. Here is a proposal to cut in half our military forces in Europe, offered hastily as an amendment to another bill and without ample opportunity to debate the ramifications of such a move. It is perhaps one of the most extreme examples of senatorial irresponsibility that we have ever seen.

NATO is not just Europe's shield against Communist aggression—it is also our own shield against aggression from behind the Iron Curtain. Not since the beginning of the cold war has there been greater need for the NATO shield than at the present time. I do not care how the Senate doves want to interpret it; the fact remains that the Soviet Union is at this very minute embarked on the greatest military and strategic power buildup in its history. We have only to consult the findings of the President's blue ribbon commission on Soviet military strength to understand what a staggering endeavor the Soviet leaders have undertaken. They are building bigger and better offensive and defensive nuclear strategic systems. They are committing more manpower resources to military research and development. They are deploying a fleet capable of challenging us on every waterway in the world and they are building a preemptive first strike capability. They outnumber us even now in manpower committed to NATO's counterpart—the Warsaw Pact. And against this backdrop, the majority leader of the Senate wants the United States to unilaterally cut in half the number of troops it is maintaining in Europe.

Mr. President, if by some disastrous mistake this proposal should be placed in effect we would move closer to a nuclear confrontation with the Soviet Union in Europe than ever before. It stands to reason that if we cut our conventional forces to the bone our only protection against a possible first strike by the Soviet Union would have to be nuclear. In other words, we would in one short move go back to the awesome strategy of massive retaliation and we would return to that concept at a time when our nuclear superiority is going down the drain at a faster rate every week.

Mr. President, I want Senators to know that my friends in other parts of the world are asking with increasing insistence just what it is the United States is attempting to do. A psychiatrist would probably put it this way: "Senator, is it true that your country, the once-powerful arsenal of Democracy, has developed a death wish?"

Our friends in Europe and other parts of the world now seriously ask whether this Nation believes that national weakness is a true measure of international morality and a means of obtaining some kind of absolution and accommodation from the collectivist nations of the world.

How do we answer them, Mr. President? I am being serious. I want to know what to tell my friends overseas. They want to know if the United States truly and honestly wants to isolate itself, shed its responsibilities and, in effect, tell the rest of the world "we are not interested."

It is one thing to work for an end to a frustrating, disappointing, and unhappy war in Southeast Asia. There is some rationale to support efforts of those people who honestly believe that our participation in the Indochina war was ill-advised and that we should move as quickly as possible to disengage ourselves. It is quite another thing to move arbitrarily and unilaterally to dissolve the greatest peacekeeping arrangements ever devised—the NATO Alliance.

The Washington Post has called the Mansfield amendment a disaster. Of this, there certainly can be no doubt. In fact, I believe great damage has been done by the mere fact that it was offered and is given serious chance of adoption in the Senate of the United States. I agree with Secretary of State Rogers that the Mansfield amendment will never become law. But, I repeat, great damage has once again been done to our image in the world—to the respect with which we are held by other nations.

Maybe the isolationists know what they are doing. If so, I wish they would give us more than soft-headed arguments about something called "the arrogance of power" and about cutting our defense expenditures so that we can increase our domestic expenditures. I wish the isolationists in this Chamber and in the liberal community would do more than scoff at the reality of a Soviet military buildup and issue press releases saying that the details of this buildup are recounted merely to frighten the American people and pressure Congress into approving the administration's recommendations for defense expenditures. I should like to see, Mr. President, the men who support a 50-percent reduction in our NATO forces come up with a blueprint for insuring the security of the free peoples of Europe and, more important, for 204 million Americans. Future security and adequate defense are subjects which the isolationists in this country never deal with in anything but general terms. We are told over and over again that the United States is the most powerful nation on earth, that any additions to our strategic powers would be an extravagant and useless exercise in the concept of "over-kill." We are never given an answer to the growing belief in international circles that the Kremlin has adopted for its future slogan "There must never be another Cuba."

I am indebted to the Senator from Washington (Mr. JACKSON) for publicizing this slogan which says in a few, short words that the Soviet Union is making sure that it will never again have to be the first one to blink when it comes eyeball to eyeball with the United States in a nuclear confrontation.

In conclusion, Mr. President, I want to say that the advocates of the Mansfield amendment had better lay out a whole new plan for American strategy in an unfriendly world before they ask the members of this body to vote seriously on a proposal to default on our obligations to our European allies and to our own people. It takes more than an argument about easing the balance-of-payments deficit and of strengthening the dollar. What we need from the majority leader and his supporters is a sound reason for placing this Nation and its strategic interests in immense jeopardy. For if I had to point to one piece of legislation in this Congress which I believe has the greatest potential for bringing us into world war III, I would point to this ill-conceived NATO amendment.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. HARRIS). Under the previous order, the Chair now recognizes the distinguished Senator from Alaska (Mr. GRAVEL), for not to exceed 15 minutes.

MILITARY SELECTIVE SERVICE ACT OF 1967—MANSFIELD AMENDMENT NO. 86

Mr. GRAVEL. Mr. President, I should like to address myself briefly to the remarks just made by the Senator from Arizona (Mr. GOLDWATER).

First, when he speaks of defense, there is something that should be kept in mind: throwing out the epithet isolationism, which is done by those opposed to the Mansfield amendment, really does not address itself to the logical points raised by the Mansfield proposal. It does not add to the area of wisdom or logic. I would hope that those who consider themselves military-minded, and with some amount of expertise on military affairs, would realize the tactical disadvantage at which our Nation places itself under the present policy.

I say a tactical disadvantage because, as is recognized, the Soviet Union has committed 800,000 troops beyond its borders into Eastern Europe. Of course, right next to its borders, it has many other thousands of troops available. So anyone

who thinks that the American contingent of 300,000 troops—with a lot of fat there, a lot of headquarters sites, and staff personnel—would be an effective military arm to stop the juggernaut of the Soviet Union in the case of an actual attack, is really indulging in wishful thinking.

So, from a military point of view, obviously, no one can say that that commitment of 300,000 troops is really going to stop or, for that matter, delay appreciably a land war in Europe.

What it does do is guarantee that we will go to the aid of Europe.

Just in military terms alone, I would hope that the Senator from Arizona and others with their extensive military experience would realize that it would be to our tactical advantage to lower the number of troops in Europe so that in the eventuality of an attack, those troops would not be wiped out but would be located elsewhere and be prepared to assist the area of conflict if needed.

So, from a logical, political, and tactical consideration, it would seem that the best course of action would be to decrease the number of troops in Germany and Europe so that we could move them from the continental limits of the United States to a war zone and be much more effective.

The other facet is that with a large number of troops, if a land conflict did take place, the fact that we had so many Americans who would be lost in the first stages of a land war would almost guarantee a nuclear exchange, because our Government could not sit back idly and watch 300,000 Americans being obliterated. So it would, of necessity, require an escalation to the nuclear level.

This logic is, I think, 180 degrees opposite to the logic put forth by those who cry out in shrill terms that NATO will be dismembered with the withdrawal of these troops, and state that this leaves only one course of action, and that is nuclear action.

I think it equally reasonable that maintaining a large contingent of troops guarantees a nuclear exchange.

If I have heard it once, I have heard it dozens of times, how we are falling behind the Soviet Union in our capability to defend ourselves.

It seems that repetition adds credibility in some of these areas. How unfortunate that is. I would like to refer to a chart that was published last year in the New York Times, a chart which has been used numerous times on the floor of the Senate, a chart that has really never been disputed by the administration or by those who talk in shrill voices concerning our falling behind the Soviet Union.

This chart lays out the number of submarines, aircraft, and missiles that both the United States and the Soviet Union have, and what would be the balance that would take place with the deployment of MIRV.

I have reduced the figures on the chart to an interesting comparison, as the situation existed prior to the deployment of MIRV which, of course, will now take place this month. Prior to the deployment of MIRV, we had the ability to destroy the Soviet Union—and my definition of destruction is: five missiles, five nuclear warheads, or hydrogen warheads per city for 50 cities, which would mean that we would need to be able to target 250 nuclear warheads on the Soviet Union; and, likewise, the Soviet Union on the United States.

Under this proposal, before the deployment of MIRV, we had the ability to destroy the Soviet Union 15 times.

The Soviet Union, in their efforts to acquire parity, had the ability to destroy the United States—same thing—attacking with five missiles each on 50 different cities. They had the ability to destroy the United States eight times.

So we had almost double their capacity for destruction.

Now, with the deployment of MIRV, which will give us an advantage until the end of this decade, we have the ability to destroy the Soviet Union 41 times when MIRV is completely deployed; and the Soviet Union, in return, would have the ability to destroy us 25 times.

Mr. President, I take no great comfort in saying that we are ahead in this arms race; but I do wish to underscore the fact that those who call for these weapons, in an effort to puff up the budget and in an effort to sustain a number of foolish expenditures with respect to our defense arsenal today, try to build fear in the American public—a fear that is not there.

Unfortunately, the upshot of all this is that we take American dollars—the money of the taxpayers—and buy what we think is good defense, when in actuality it is bad defense.

If we spend our wealth on bad defense, then we truly do jeopardize our standing and our relationship with those whose views, we feel, are not in accord with ours.

I think that is a serious situation, because if there is anything that this Nation must and should undertake, it is a proper and effective defense because we have a system of government—in my book, at least—that is far more successful—at least for us—than any other system has been for any other people in the history of man.

So our goal is the same—the defense of this Nation. Those who decry us as being isolationists add nothing to the dialog, but merely try to fan the flames of misunderstanding, the flames of fear.

We have nations today which are no different than nations in the 16th and 17th centuries, armed to the teeth, just as princely kingdoms in that era were armed to the teeth. Such a situation, of course, led to the religious wars that took place at that time.

It is interesting to note that in this century we have similar type wars. They are not religious, but economic. They are both based on ideology, however. I would hope that mankind could mature to a higher level of action. To do so, I think, will depend upon the leadership of this Nation. That this situation should come about as a byproduct of the efforts within this body only underscores the lack of imagination, the lack of a program in our total international policy.

I would hope that any effort to water down the Mansfield amendment will take cognizance of the fact—and I want to state it again—that we do not have to wait until September, we do not have to wait a long period of time. The Secretary of Defense will be meeting in Brussels with the Secretaries of Defense of NATO countries. That is certainly the time to bring into focus our economic problems and to bring about a solution of the economic problems either by greater monetary participation by European countries or by a reduction in the commitment of the troops that we do have.

Mr. President, if that meeting is not successful, then we have a meeting that Secretary Rogers will be attending in Lisbon in the first 2 weeks of June.

If these two meetings are not successful, I would hope that the Senate could then act, because it would be obvious that the will and the mettle of this administration is to do no more than to maintain the status quo, a status quo that has perpetuated the national problems that existed a decade or two decades ago, a policy that has not been relevant to our economic situation and, of course, the changing complexions of the governments that we deal with in foreign affairs.

It is unfortunate that we should be so hidebound, so unimaginative, as to become involved in this situation. I want to go on record as saying that NATO has been successful. That has never been challenged by the majority leader or by anyone else. It has been a successful vehicle, as, at one time, the Roman Empire was a successful vehicle. However, it devolves itself into a new pattern, and those who do not partake of that new pattern fall into irrelevance.

That is the state in which we find ourselves today, when the American taxpayer pays for the defense of Europe and thereby feeds the economic machinery of Europe which, in turn, competes with our economic machinery which, in turn, has very deleterious effects on our economy.

We have in our country 6.1 percent unemployed. Western Germany has 2.7 million people imported to fuel its economic institutions. That this could come about is full testimony of the ridiculousness of hanging onto policies, hanging onto past policies which are no longer relevant.

Proof that this is the case is the simple fact that this policy was truly challenged by the Mansfield amendment. Those who came forward to oppose it were not of the relevant future era, but were those who were trotted out from the past, coming forward with incantations of danger and fear concerning situations that were relevant 10 or 20 years ago, but which are not any longer relevant.

Mr. President, how much time do I have remaining?

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

PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business for a period of not to exceed 30 minutes, with statements therein limited to 3 minutes.

Is there morning business?

THE REVOLT AGAINST THE DOLLAR

Mr. MANSFIELD. Mr. President, an excellent editorial appeared in the latest issue of Life magazine. The editorial is entitled, "The Revolt Against the Dollar." The article reads in part:

The source of the trouble is the cumulative deficits in the U.S. balance of payments. For most of the past decade, we have spent more dollars abroad—in tourism, in keeping U.S. troops in Europe, in investing in business opportunities abroad—than we have earned in the currencies of others. In 1970 our deficit was a whopping $10 billion, and this year it is moving even higher. Since the dollar is the major reserve currency of central banks—and they are committed to support its value by the rules of the International Monetary Fund—the result of this cumulative deficit is to flood foreign central banks and money markets with more dollars than they want or can use. The German central bank, with $20 billion already in its reserves, has been forced to swallow fresh dollars at a rate which on May 5 reached $1 billion in the first hour. On that day it stopped accepting dollars altogether, and the four lesser countries followed suit.

Mr. President, those countries are Holland, Belgium, Switzerland, and Austria.

I continue reading:

For four bewildering and shameful days, thousands of American tourists were hard put to change their dollars into anything. Unable to buy guilders, an elderly American in an Amsterdam hotel shouted in the lobby, "Hey, what's wrong with our dollar?"

Mr. President, I ask unanimous consent that the editorial entitled, "The Revolt Against the Dollar," 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 REVOLT AGAINST THE DOLLAR

Swiss bankers called it "the worst monetary crisis since World War II." But you would never have guessed it from the mood around the world's monetary headquarters, which is—or was—Washington. The Europeans, led by West Germany, were conducting a disorderly revolt against the U.S. dollar's dominance of their currencies. Unlike the Mayday protests, this one took Washington by surprise. If this was an example of America's new "low-profile" diplomacy, it was a sorry show indeed. Most Americans will feel few direct economic effects of the crisis now but should understand the serious implications for the future of their dollar.

Yet even after five countries (Germany, Switzerland, Belgium, Holland and Austria) had managed to devalue the dollar in terms of their own currencies, Washington remained passive. "We are not dictators of the international monetary system" was the reaction of Treasury Secretary John Connally. That remark came a day after May 5, 1971, the day it became obvious that the U.S. had abdicated (one hopes not permanently) its claim to leadership in the vital task of keeping order in the world of international money.

Although the crisis was precipitated by Germany, its root cause was Washington's long-standing indifference to the impact abroad of its own monetary policy. The Europeans themselves, after a quarrelsome 20-hour meeting in Brussels, restored some order to the disrupted exchange values of their currencies, but a similar crisis will return to threaten the world trading system unless the U.S., as chief banker to the whole free world, ends its profligate ways.

The source of the trouble is the cumulative deficits in the U.S. balance of payments. For most of the past decade, we have spent more dollars abroad—in tourism, in keeping U.S. troops in Europe, in investing in business opportunities abroad—than we have earned in the currencies of others. In 1970 our deficit was a whopping $10 billion, and this year it is moving even higher. Since the dollar is the major reserve currency of central banks—and they are committed to support its value by the rules of the International Monetary Fund—the result of this cumulative deficit is to flood foreign central banks and money markets with more dollars than they want or can use.

The German central bank, with $20 billion already in its reserves, has been forced to swallow fresh dollars at a rate which on May 5 reached $1 billion in the first hour. On that day it stopped accepting dollars altogether, and the four lesser countries followed suit. For four bewildering and shameful days, thousands of American tourists were hard put to change their dollars into anything. Unable to buy guilders, an elderly American in an Amsterdam hotel shouted in the lobby, "Hey, what's wrong with our dollar?"

The simple answer is that there are just too many dollars in the world. Some $50 billion are at large as exiled "Eurodollars," sloshing around foreign money markets and growing at a rate governed by the size of our deficits and by nothing and nobody else. Eurodollars were what financed the bear raid on the dollar. "Speculators," said John Connally with pious contempt.

Actually, the speculators were mostly corporate treasurers (many of them from American-dominated international corporations) whose job is to find the highest interest rate for their surplus funds, and Germany's interest rates are high because it is combatting what all Germans deeply fear: a palpable inflation. So long as he had to absorb any surplus dollars offered him, Otmar Emminger of the Bundesbank has had to watch the German money supply grow more than twice as fast as he thinks safe. "Our monetary policy in effect is being dictated in Washington," said he before the crisis. The arrogance or indifference of Washington's reply—roughly: Who, me?—has been irritating beyond words to all European money men. Even more irritating is the phrase which an American academic economist, Harvard's Gottfried Haberler, urged as a policy on Washington for its balance-of-payments problem: "Benign neglect."

Europe's mounting disgust with this nonpolicy explains why Karl Schiller, Germany's bright and bold minister of economics, dared precipitate the crisis. By hinting that the mark might be revalued upward against the dollar, he invited both the flood of dollars and the consequent freeze. Now the mark is "floating"—*i.e.*, traded at free market prices—toward the higher dollar value Schiller wanted. But no doubt he also wanted to shock Washington into an admission of its responsibility for Europe's currency troubles. Words of advice and reproof, delivered repeatedly from Europe to Washington for the past five years, both directly and via the International Monetary Fund, have had no practical effect whatever.

Ever since the Bretton Woods agreement of 1944, the dollar has been *the* ultimate international currency, partly because central banks could always exchange it for gold until 1968, and since then because they had little choice. But the bankers' disgust with the profligate dollar has mounted as they have lost sympathy with the major reasons for our mounting deficits: the Vietnam war, the export (to them) of our inflation, the expansion (via Eurodollars) of U.S. corporate investment in Common Market subsidiaries. In fact, they do have in mind an alternative to their dependence on the dollar, one that they, not Washington would control.

Last winter members of the Common Market agreed on plans for full economic and monetary union over the next ten years, which should in time lead to a single European currency and central bank. Their mutual interest in getting control of the ungoverned Eurodollar market will hasten their progress toward this goal of a money independent of the dollar. European disgust with American nonmanagement of world money will increase the mistrust of America in other respects. They don't think we are coping responsibly enough with inflation and they don't want to be made to suffer for it. They think we should get out of our recession without too much increase in our money supply—and they believe that the Nixon administration, in its rush to achieve full employment before the '72 election, is not doing that. "Every day is amateur night at the Treasury," says one European banker. The resurgence of protectionism here and abroad, the end of the liberal policies which have done such wonders for world trade these last 20 years, could be another result of our inability to agree with Europe on the sound monetary arrangements essential to freer trade.

Washington's passivity in the face of these threats and possibilities is deplorable. The revolt against the dollar is a signal that the Bretton Woods area of international money, if not over, is gravely threatened. If the U.S. does not assume a stronger role in the building of a better system than the lopsided dollar system, the dollar and the people who still depend on it will continue to be in trouble.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an editorial published in the Billings Gazette, Billings, Mont., under date of May 12, 1971, entitled "Dollar Difficulties" also be printed in the RECORD, because it covers the same situation to a considerable degree.

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

DOLLAR DIFFICULTIES

The didos of the dollar and the mark the past few days probably have left most of you as confused as the rest of us.

Reading through various analyses by the experts can leave one almost as confused as before the start.

We wish we could say "it becomes crystal that . . ." but so far it doesn't.

Writer John M. Lee of the New York Times analyzes "If there has to be a villain in the current monetary crisis it could well be the vast, free-wheeling and somewhat mysterious entity known as the Eurodollar market.

"The market, comprising ordinary American dollars on deposit with banks outside the U.S., has grown from a $1 billion infant at the end of the 1950's to what some see as $50 billion dragon today.

"While usefully financing trade and investment all over the world, the rush of Eurodollars toward high-interest rate countries has disrupted the tight money policies of inflation conscious governments."

The result has been that Eurodollars actual value were not as high as the German mark exchange rate for them. Whoosh, the speculative Eurodollars moved into the West German market—and West Germany took steps to halt the flow into that country.

Switzerland, Belgium, The Netherlands and Austria followed the line over the objections of France. All four joined West Germany in attempting to get rid of the excess dollars that were aggravating their problems of fighting inflation.

All of which is another way of saying that European bankers and governments are questioning the value of the U.S. dollar.

An unanswered question at this time is whether the European governments are doing what the U.S. wants them to do. The immediate effect will be to open European markets to U.S. goods by making them relatively cheaper in European money.

Meanwhile, the European countries that raised the value of their currency will have

to get higher prices for what they sell to the U.S.

It will cost more for U.S. citizens to travel in Europe and the little foreign cars and Swiss cheese will cost more here, maybe.

This could give the U.S. a more favorable balance of payments. It might help our inflation problems.

It might bring penalties against U.S. business abroad for what Europe sees as "irresponsible" Washington policies.

President Nixon, with the election next year, saw a need to stimulate U.S. business and employment. He called for lower interest rates and easier money policies.

The reaction in West Germany was against the U.S. export of inflation.

Or was it?

THE DRUG PROBLEM IN VIETNAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an exceptional article by Mr. Stewart Alsop which appeared in Newsweek of May 12, 1971, entitled "Worse Than Mylai" having to do with the drug problem as it affects our men in Vietnam, be printed in the RECORD. I do this with the hope that all Members of the Senate will have a chance to read the article and become more aware of the most difficult and dangerous situation which has developed in Vietnam covering 10 to 20 percent of our troops, conservatively speaking, a situation which has brought into being a great number of addicts, probably somewhere between 30 and 40,000 men, again conservatively speaking, who will return to this country and who will find this country a different area from Vietnam and will create a problem which this Congress, this Government, and our people cannot avoid but must face up to.

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

WORSE THAN MY LAI

(By Stewart Alsop)

WASHINGTON.—In addition to the 55,000 Americans who have died in Vietnam, there are now many thousands more who might almost as well be dead. For according to a new and authoritative estimate—vividly supported by NEWSWEEK reporters (page 26)—there are between 30,000 and 40,000 servicemen in Vietnam who are heroin users. Most of these men, on return to civilian life, are condemned to a life of crime and an early death.

The horrifying new estimate was provided by the Provost Marshal's office in Saigon to an emissary of the House Foreign Affairs Committee, Rep. Robert Steele of Connecticut. If you think about its real meaning, it is the worst horror to emerge from the war—worse even than My Lai.

According to the estimate, between 10 per cent and 15 per cent of the American troops in Vietnam are on hard drugs—meaning heroin in almost every case. This can only be an estimate, since where heroin is easily available, as it is in Vietnam, it is not hard to conceal an addiction. But the Provost Marshal's estimate is borne out by other evidence, including a study, based on anonymous polling techniques, of addiction in the Americal Division.

SKYROCKETING USE

In this study, 6.4 per cent of those polled admitted taking "heroin or opium," and 5.5 per cent said they took "cocaine." There is virtually no cocaine in Vietnam, and the word is undoubtedly a misnomer for heroin, which the GI's call "skag." This indicates a total of almost 12 per cent on heroin. The figure is very probably low, for two reasons. First, the poll was taken last September, and since then the use of heroin in Vietnam has skyrocketed. Second, even when promised anonymity, a good many GI drug takers undoubtedly play safe and deny that they take drugs.

Moreover, a considerable proportion of the GI addicts are unaware that they are addicts, and some do not even know that they are taking heroin. Among the young draftees in Vietnam, who are the chief victims of the heroin epidemic, there is a widespread belief that the Vietnamese skag is not addictive if it is smoked or "snorted."

In a study of servicemen addicts undergoing voluntary treatment it was found that 51 per cent of those who used heroin smoked it, mixed with tobacco in ordinary cigarettes, 43 per cent snorted (sniffed the powder out of the cupped hand), and only 6 per cent "mainlined," injecting the stuff directly into the veins. The notion that smoking or snorting is not addictive is tragically untrue.

It is especially untrue of "Number Four White," the brand of heroin produced for "the American market" in Burma, Laos and Northern Thailand. ("Number Three Smoking Heroin," produced for the Asian market, is purplish in color.) Number Four White is 94 per cent to 97 per cent pure heroin compared with 4 per cent to 6 per cent in heroin sold in the U.S.

EASY TO GET

The price in Vietnam varies widely, but it is very much lower than the New York price. Getting the stuff is no trouble at all. Representative Steele let it be known that he might be interested in buying a bag of skag, and in a twenty-minute walk in Saigon he was approached nine times.

Because the stuff is strong, cheap and easy to get, and also because of the myth that smoking or snorting does not cause addiction, there have been cases of young GI's taking leaves where heroin is not easily available—and suddenly suffering, to their own amazement, the horrors of withdrawal. According to the study of servicemen addicts, their average age is a pathetic 20.5, and their average "length of habit" is only five months.

Secretary of the Army Stanley Resor and Narcotics Bureau director John Ingersoll both flew to Saigon recently to press the Thieu government to curb the heroin traffic. There is no doubt that highly placed Laotians and Vietnamese profit from the traffic, and some disciplinary gestures will doubtless be made. But the gestures can only be palliative—President Thieu can no more effectively control the drug traffic in Saigon than Mayor Lindsay can in New York.

More than gestures are needed. The first thing that has to be done is to deal with the problem of the servicemen who are already addicted, or are in danger of becoming so. Consider the situation of these men. With plenty of strong, cheap heroin available, they have no trouble supporting their habit in Vietnam. When they return to the United States, to support their addiction they will have to mainline, and they will have to find at least $40 a day. For most of them, the only way to get that kind of money is to steal.

Heroin addiction can be detected by urinalysis. It is the clear responsibility of the services to give urine tests to all Vietnam servicemen before returning them to civilian life, and to establish compulsory hospitalization centers to cure those who are still curable. But the cure rate is very low, and thousands of young men who have served in Vietnam are already, in effect, sentenced to a life of crime in the urban jungles.

Something else must also be done. Those young draftees who are the chief victims of the Vietnam heroin traffic must be gotten out of Vietnam as fast as possible. The heroin epidemic, which is a new phenomenon, reflects the erosion of discipline and morale in our forces in Vietnam.

NOTHING TO DO

The American forces in Vietnam no longer have a genuine combat mission, and an army without a combat mission is an army with out a real purpose. Of the more than 260,000 American troops now in Vietnam, only about a fifth are combat troops, and their principal mission now is to avoid combat. If you ask at the Pentagon what in heaven's name the other 200,000 are doing, you hear generalities about an "orderly withdrawal," or you are told the answer is secret.

In fact, what most of the 200,000 are doing is virtually nothing, other than going mad with boredom. Under the President's withdrawal program, there will still be around 150,000 noncombat troops in Vietnam next November, still going mad with boredom. Soldiers will choose almost any escape from an army that has lost discipline, morale and purpose, and this has a lot to do with the heroin epidemic.

This country has a profound moral obligation to provide logistic support for the million-man South Vietnamese forces, which have been made pathetically dependent on American support for the defense of their country. But the United States has no obligation to continue to field a big non-fighting army in which tens of thousands of young men are becoming heroin addicts. The bulk of that non-fighting army must be withdrawn from Vietnam quickly and urgently, for the same reason that people in a burning house have to be gotten out quickly and urgently.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

ONEIDA TRIBE OF INDIANS OF WISCONSIN, ET AL. V. THE UNITED STATES OF AMERICA

A letter from the Chairman of the Indian Claims Commission transmitting, pursuant to law, its report on the final determination with respect to the case of the Oneida Tribe of Indians of Wisconsin for itself and on behalf of the First Christian and Orchard Parties of Oneida Indians, plaintiffs, versus the United States of America (with an accompanying paper); to the Committee on Appropriations.

INTERSTATE COMPACT ON MENTAL HEALTH

A letter from the Assistant to the Commissioner of the District of Columbia transmitting proposed legislation to authorize the District of Columbia to enter into the Interstate Compact on Mental Health (with accompanying papers); to the Committee on the District of Columbia.

DISTRICT OF COLUMBIA EDUCATIONAL PERSONNEL ACT

A letter from the Assistant to the Commissioner of the District of Columbia submitting proposed legislation entitled "The District of Columbia Educational Personnel Act (with accompanying papers); to the Committee on the District of Columbia.

CURTAILMENT OF MAILING CERTAIN ARTICLES

A letter from the Postmaster General transmitting proposed legislation to curtail the mailing of certain articles which present a hazard to postal employees or mail processing machines by imposing restrictions on certain advertising and promotional matter in the mails, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

ACCIDENT INVESTIGATION AND REPORTING

A letter from the Acting Administrator of the Department of Transportation submitting, pursuant to law, a proposed highway safety program standard on accident investigation and reporting (with accompanying papers); to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EAGLETON, from the Committee on the District of Columbia, without amendment:

H.R. 5765. An act to extend for six months the time for filing the comprehensive report of the Commission on the Organization of the Government of the District of Columbia (Rept. No. 92–109).

By Mr. WILLIAMS, from the Committee on Labor and Public Welfare:

S.J. Res. 100. An original joint resolution to provide for an extension of section 10 of the Railway Labor Act with respect to the current railway labor-management dispute; and for other purposes. (Rept. No. 92–110).

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. CHURCH:

S. 1887. A bill to amend the National Security Act of 1947 to specify certain activities in which the Central Intelligence Agency may not engage. Referred to the Committee on Armed Services.

By Mr. BYRD of West Virginia:

S. 1888. A bill to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain the Allegheny Parkway in the States of West Virginia, Virginia, and Kentucky, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. BAKER:

S. 1889. A bill to amend the Interstate Commerce Act so as to exclude from Federal regulation the driver qualifications of operators of certain classes of agricultural vehicles. Referred to the Committee on Commerce.

By Mr. TAFT:

S. 1890. A bill to amend the Internal Revenue Code of 1954 to relieve employers of 50 or less employees from the requirement of paying or depositing certain employment taxes more often than once each quarter. Referred to the Committee on Finance.

By Mr. SPARKMAN (for himself, Mr. TOWER, Mr. BENNETT, Mr. GAMBRELL, Mr. BROCK, Mr. TALMADGE, and Mr. TUNNEY):

S. 1891. A bill to authorize emergency loan guarantees to major business enterprises. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. TAFT:

S. 1892. A bill to provide Federally guaranteed loans to corporations vital to the national defense which are in involuntary bankruptcy or are being reorganized under Chapter 10 of the Bankruptcy Act, and to maintain and expand employment in the United States. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. BIBLE:

S. 1893. A bill to restore the golden eagle program to the Land and Water Conservation Fund Act, provide for an annual camping permit, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS:

S. J. Res. 100. An original joint resolution to provide for an extension of section 10 of the Railway Labor Act with respect to the current railway labor-management dispute; and for other purposes. (Considered and passed today)

By Mr. GRIFFIN (for Mr. GURNEY):

S. J. Res. 101. A joint resolution to authorize and request the President to issue a proclamation designating July 20, 1971, as "National Moon Walk Day." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CHURCH:

S. 1887. A bill to amend the National Security Act of 1947 to specify certain activities in which the Central Intelligence Agency may not engage. Referred to the Committee on Armed Services.

PROHIBITION OF CERTAIN ACTIVITIES BY THE CENTRAL INTELLIGENCE AGENCY

Mr. CHURCH. Mr. President, I introduce a bill today to amend the National Security Act of 1947, which would bar the Central Intelligence Agency from organizing, supervising, or conducting any military or paramilitary operation abroad.

This bill is identical to one introduced in the House of Representatives by Mr. BADILLO.

In introducing his measure on May 31, 1971, the Congressman explained that the bill would close a loophole in the National Security Act which now permits the CIA to undertake such other functions and duties related to intelligence affecting the national security as may be directed by the National Security Council.

It is this provision which apparently is the justification for the presence of the CIA in Laos—not to gather intelligence, but to train, finance, and lead tribal guerrillas and even the Royal Laotian Army as a covert adjunct to U.S. combat operations.

It is reliably reported that the CIA has more than 300 men in Laos, supplying and training government guerrillas and leading commando and reconnaissance teams. In addition, the CIA is mainly responsible for planning of the massive air bombardment of Laos, which has made a wasteland of this tiny nation and turned its people into refugees in their own land.

By its use of the CIA in this manner, our Government has developed a new and cynical formula for running a war, out of sight of the Congress and the American people. I fear that unless legislation such as the bill I offer today is enacted, we will find the CIA running military operations in Indochina long after other American combat forces have been brought home.

If enacted, this bill would restore the CIA to the role Congress originally intended it to play, which was to gather data pertinent to the Nation's security, not to conduct secret wars in distant lands.

I commend the Congressman for his initiative. I wish to join with him in the introduction of an identical measure here in the Senate, and for that purpose I send the bill to the desk and ask unanimous consent that its text appear in the RECORD following these introductory remarks.

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

S. 1887

A bill to amend the National Security Act of 1947 to specify certain activities in which the Central Intelligence Agency may not engage

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102(d) of the National Security Act of 1947 (50 U.S.C. 403(d)) is amended by adding at the end thereof the following new sentence:

"Nothing in this subsection shall be deemed to authorize the Agency to engage, in any manner or to any extent, in the organization, supervision, or conduct of any military or paramilitary operation of any kind (including any operation of the kind commonly known as a 'guerrilla warfare' operation) which will be executed by forces primarily composed of (i) mercenaries, (ii) regular or irregular personnel of any armed force of any foreign nation or area, or (iii) personnel other than those listed in (i) and (ii) who are under arms and are indigenous to any foreign country or area."

By Mr. BAKER:

S. 1889. A bill to amend the Interstate Commerce Act so as to exclude from Federal regulation the driver qualifications of operators of certain classes of agricultural vehicles. Referred to the Committee on Commerce.

Mr. BAKER. Mr. President, on April 22, 1970, the Motor Carrier Safety Bureau of the Federal Highway Administration promulgated comprehensive regulations governing the qualifications of drivers of various classes of motor vehicles operating in interstate commerce. The authority for the imposition of these regulations is derived from section 204 of the Interstate Commerce Act, as amended.

The regulations were to become effective on January 1, 1971. However, it was not until late in 1970 that the farm community of our country became aware of the fact that all farm vehicles were subject to compliance with the regulations. Because comments from the farm community were so late in coming, the effective date for such vehicles was extended to July 1, 1971.

Mr. President, it is my strong belief that if these proposed regulations are applied to the drivers of farm vehicles it will impose an intolerable burden on virtually all farm operations in this country, and particularly on the small farming operation. Anyone having the slight-

est familiarity with farming knows of the central importance of the small and medium size vehicle for hauling equipment and produce.

Such vehicles, like the pickup and the panel truck, are not those vehicles contemplated by the provisions of the Interstate Commerce Act. Many small farm vehicles are operated by young men and women who are not yet 21 years of age; such young people would be excluded from driving farm vehicles under the terms of the proposed regulations.

Mr. President, I have urged Secretary Volpe on several occasions to revise the regulations in such a way as to acknowledge the special needs of our farm community. There is evidence that there will be a revision of the general regulations in the near future, and I will certainly welcome such a change.

However, in order to make as clear as I can my determination to see that these vehicles are not covered by the regulations, I am today proposing a simple amendment to the Interstate Commerce Act. This legislation would exempt from the proposed regulations the operators of any truck with a gross weight of 10,000 pounds or less, regardless of the purpose for which it is used, and the bill would further exempt operators of any truck, regardless of its size or weight, if the truck is to be used to carry agricultural supplies or products within a 150 mile radius of the point of original loading.

Mr. President, no rational person is opposed to the imposition of adequate highway safety regulations. The April 22, 1970, regulations issued by the Bureau of Motor Carrier Safety are, in my view, excellent when applied to the interstate commercial operations contemplated by the Interstate Commerce Act. Persons and firms engaged in such interstate commerce should be required to comply with meaningful driver qualification standards.

But the farmer, and particularly the smaller farmer, should not be required to submit to complex, strict driver qualification tests and standards which are in no way relevant to the kinds of operations he carries out. I hope that this exception will be made by the Secretary through administrative action. If it is not, the enactment of legislation such as I propose today will be urgently necessary.

I send to the desk and ask that it be appropriately referred a bill to amend the Interstate Commerce Act so as to exclude from Federal regulation the driver qualifications of operators of certain classes of agricultural vehicles. I ask unanimous consent that the text of the bill be printed in the CONGRESSIONAL RECORD.

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

S. 1889

A bill to amend the Interstate Commerce Act so as to exclude from federal regulation the driver qualifications of operators of certain classes of agricultural vehicles

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 204 (a) of the Interstate Commerce Act (49 U.S.C. 303(b)) is hereby amended by adding the following new subsection "(g)":

"(g) Nothing in this section shall be construed to authorize any federal agency to regulate qualifications for persons who drive trucks with a gross weight of 10,000 pounds or less for whatever purpose or to regulate qualifications for persons who drive trucks, regardless of size or weight, for the purpose of hauling farm products or farm supplies within a radius of 150 miles from the origin of loading."

By Mr. SPARKMAN (for himself, Mr. TOWER, Mr. BENNETT, Mr. GAMBRELL, Mr. BROCK, Mr. TALMADGE, and Mr. TUNNEY):

S. 1891. A bill to authorize emergency loan guarantees to major business enterprises. Referred to the Committee on Banking, Housing and Urban Affairs.

EMERGENCY LOAN GUARANTEE ACT OF 1971

Mr. SPARKMAN. Mr. President, the administration has sent up a bill which I introduce today for myself, and Senators TOWER, BENNETT, GAMBRELL, BROCK, TALMADGE and TUNNEY. This legislation which would authorize a Federal guarantee of emergency loans made to major business enterprises to insure their continued operation.

The proposed legislation would authorize the Secretary of the Treasury to guarantee such loans—under carefully prescribed conditions—in an amount of not more than $250 million.

As every Senator knows, the guarantee authority would be used by the Secretary to assist the Lockheed Aircraft Corp., in obtaining urgently needed private credit.

There is no question about the need of the company for loans to finance the production of the commercial airliner called the Tristar airbus, technically known as the L–1011 airbus. Without additional financing, work on the Tristar will come to an end and Lockheed will be forced into bankruptcy. The failure of one of our major companies just now could be a tragic development.

Every Senator of this body knows of the serious unemployment problems of the aircraft industry. We know, too, of the multiple effects unemployment in that industry cause on our national economy. It seems to me that in the national interest, at least, the plight of Lockheed must be focused upon by the Congress.

Under the proposed legislation, any loan guarantees made by the Secretary of the Treasury would carry these major conditions:

First the Government-guaranteed loans would have to be repaid by the borrower before it repaid any other loans.

Second, the Secretary of the Treasury would be authorized to impose conditions on the use of a Government-guaranteed loan, to require collateral for a loan, and to set interest on a loan at a rate that takes into account the prevailing rates in the private market for similar loans and the risk assumed by the Government.

Third, in the event of bankruptcy of the company, the Government would have first priority as a creditor.

Fourth, the Secretary of the Treasury would have broad access to the records of the company, and would be authorized to disapprove the disposition of any assets which might affect repayment of a Government-guaranteed loan.

Fifth, unless authorized by the Treasury Secretary, the assisted company could not pay dividends while the Government-guaranteed loan or loans remained unpaid.

Sixth, loans made under the guarantee program would be repayable in 5 years, but could be renewed for another 5 years.

Seventh, the administrative costs of the program would be offset by a charge for the Government's guarantee.

These and other contemplated requirements for Government guarantees assure that the guarantee program would accomplish the desired objective, and, in addition, would protect the Government's interest.

I recognize that Senators may differ on the philosophy of this legislation. They may feel that any assistance that is extended should take a different approach or include other requirements, or they may feel we should not concern ourselves with this proposal at all. They may well be and I do not hold that the proposed legislation is necessarily the final, perfect answer to the problem. In fact, my main purpose in introducing this legislation is to provide a forum here in Congress so that we may come to grips with the issue.

I feel that Members of the Congress have the responsibility, in our national interest, to review carefully the plight of the Lockheed Aircraft Corp., and to help shape, if possible, a solution to the problems now facing that corporation.

What is at stake is far more than the future of one major company, or the probable loss of the $1.4 billion which Lockheed, commercial banks, Lockheed suppliers, and the airlines have already invested in the Tristar project. Also deeply involved are the economic well-being of the 17,000 Lockheed employees who have been working on the Tristar; the jobs of 14,000 workers employed by Lockheed subcontractors in 25 States; possible delays in the completion of defense contracts and resulting higher costs to the taxpayers; the damaging effect on our overseas trade earnings; and last, but certainly not least, the maintenance of competition and productive capacity in our vital aircraft industry.

We should also bear in mind that Government guarantees have already proved a highly effective means of protecting and building our economic strength. The programs of the Reconstruction Finance Corporation, the present-day loan guarantees of the Small Business Administration, the protection afforded our citizens on their savings deposits and their securities investments, Government guarantees of loans to the railroads, the V-loans made pursuant to the Defense Production Act—indeed, our Nation now has a long history of using Government guarantees for the common good.

Once again, we have an opportunity to use the guarantee method—not to assist a single company, albeit an important one—but to further the national interest.

The question is not merely whether to help Lockheed. The question is whether

to give needed support to our economy, to our national defense, to our continued leadership in the world aircraft industry, and to the effort we must make to improve our balance of payments.

Mr. President, as I have said, I am introducing this bill so that it may have a congressional forum. In this connection, hearings on the bill will commence on June 7.

Mr. President, I ask unanimous consent that a copy of the Secretary of the Treasury's letter requesting the introduction of this legislation, the text of the bill, and a section-by-section analysis of the proposal be inserted in the RECORD at this point in my remarks.

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

S. 1891

A bill to authorize emergency loan guarantees to major business enterprises

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 "Emergency Loan Guarantee Act of 1971".

SEC. 2. The Congress finds—

(1) that severe national or regional economic distress and unemployment can occur if major business enterprises are permitted to fail;

(2) that the employees of such enterprises, and the employees of their suppliers and customers, may be severely injured in the case of failure of such enterprises;

(3) that when such enterprises are involved in the performance of essential Government contracts such failure may require the renegotiation of the contracts and may result in significantly increased costs to the U.S. Government;

(4) that continued operation of such enterprises is essential to maintaining competition and productive capacity of an industry or industries;

(5) that the inability of such enterprises to secure adequate credit on reasonable terms may contribute to the cause of their financial distress; and

(6) that in such instances the existence of authority to permit the Government guarantee of loans is in the national interest.

SEC. 3. (a) The Secretary of the Treasury (hereinafter referred to as the "Secretary") is authorized on such terms and conditions as he may determine to guarantee lenders against loss of principal and interest on loans made to major business enterprises in order to provide emergency credit. The terms and conditions may include, but are not limited to, terms and conditions with respect to the furnishing of collateral and the use of the proceeds of the loan.

(b) No guarantee agreement shall be entered into unless (i) the Secretary finds that the continued operation of an enterprise is essential to assure competition and productive capacity in an industry and that assistance is necessary to prevent adverse and serious effects on the economy of the Nation or a region thereof, (ii) the applicant demonstrates a need for such credit and that credit is not otherwise available on reasonable terms, and (iii) the Secretary finds that the prospective earning power of the enterprise, together with the character and value of the security pledged, if any, furnish reasonable assurance that the enterprise will be able to repay the loan within the time fixed and afford reasonable protection to the United States.

(c) Loans guaranteed by the Secretary shall be payable in not more than five years, but may be renewed for not more than an additional five years.

(d) Loans guaranteed by the Secretary shall bear interest (exclusive of guarantee fees, and service charges, if any) at rates not to exceed a rate determined by the Secretary to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Secretary.

(e) A guarantee agreement shall include a condition that the enterprise will not declare any dividend on its preferred or common stock while there is any principal or interest remaining unpaid on a guaranteed loan. The Secretary may waive this condition if he determines that such waiver would not be inconsistent with the reasonable protection of the interests of the United States under the guarantee.

(f) A guarantee shall include a condition that the enterprise will make no payment on its other indebtedness to a lender whose loan has been guaranteed pursuant to the provisions of this Act while there is any principal or interest remaining unpaid on any guaranteed loan. The Secretary may waive this prohibition if he determines that such waiver would not be inconsistent with the reasonable protection of the interests of the United States under a guarantee.

SEC. 4. The aggregate principal amount of loans guaranteed under this Act shall not exceed $250,000,000.

SEC. 5. The Secretary is authorized to inspect and copy all accounts, books, records, memoranda, correspondence, and other documents of any enterprise which has received financial assistance under this Act concerning any matter which may bear upon (1) the ability of such enterprise to repay the loan within the time fixed therefor; (2) the interests of the United States in the property of such enterprise; and (3) the assurance that there is reasonable protection to the United States. The Secretary is authorized to disapprove any transaction of such enterprise involving the disposition of its assets which may affect the repayment of a loan that has been guaranteed pursuant to the provisions of this Act.

SEC. 6. The payment of the principal of and interest on any loan guaranteed pursuant to the provisions of this Act shall be secured by a first and prior lien on the property of the enterprise and shall be entitled to a priority superior to all other priorities in proceedings under the Bankruptcy Act.

SEC. 7. The Secretary shall prescribe and collect a guarantee fee in connection with each loan guaranteed under this Act. Sums realized from such fees shall be deposited in the Treasury as miscellaneous receipts.

SEC. 8. (a) In carrying out the provisions of this Act, the Secretary may use available services and facilities of other departments, agencies, and instrumentalities of the Federal Government with their consent and on a reimbursable basis.

(b) Departments, agencies, and instrumentalities of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the provisions of this Act.

SEC. 9. (a) The Attorney General shall take such action as may be appropriate to enforce any right accruing to the United States by reason of its having paid money or incurred expenses as a result of making guarantees under this Act.

(b) The United States shall be entitled to recover from the applicant the amount of any payments made pursuant to any guarantee agreement entered into under the provisions of this Act, and, upon making such payment, the United States shall be subrogated to all the rights of the recipient of the payments with respect to which the guarantee was made.

SEC. 10. To enable the Secretary to carry out his functions and to discharge his responsibilities under the provisions of this Act, he is authorized to use proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include such use.

THE SECRETARY OF THE TREASURY,
Washington, D.C.

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

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a proposed bill "To authorize emergency loan guarantees to major business enterprises," together with a section-by-section analysis of its provisions.

The purpose of the proposed legislation is to authorize the Secretary of the Treasury to guarantee lenders against loss of principal and interest on loans made to major business enterprises in order to provide emergency credit.

The failure of major business enterprises can have serious national or regional consequences, including the causing of substantial unemployment, as well as other business failures. To provide for credit to avoid such consequences, government guarantees may be warranted.

The proposed legislation would authorize guarantees of loans in such circumstances in a principal amount not to exceed $250 million and would contain provisions to assure that the interests of the United States are adequately safeguarded. It is anticipated that substantially all of the guarantee authority would be used to insure the granting of emergency credit to the Lockheed Corporation.

I urge prompt and favorable consideration of this legislation.

It would be appreciated if you would lay the proposed bill before the Senate. An identical bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Office of Management and Budget that there is no objection to the submission of this legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

JOHN B. CONNALLY.

SECTION-BY-SECTION ANALYSIS: EMERGENCY LOAN GUARANTEE ACT OF 1971

The first section would give the legislation the popular title of "Emergency Loan Guarantee Act of 1971".

Section 2 sets forth Congressional findings with respect to the proposed legislation. It states that Congress finds that (1) severe economic distress and unemployment can occur if major business enterprises are permitted to fail; (2) employees of such enterprises, and the employees of their suppliers and customers, may be severely injured in the event of the failure of such enterprises; (3) when enterprises are involved in Government contracts, such failure may result in significantly increased costs to the U.S. Government; (4) continued operation of such enterprises is essential to maintain competition and productive capacity of industries; (5) the inability of such enterprises to secure adequate credit on reasonable terms may contribute to the financial distress; and (6) Government guarantee authority is in the national interest in such instances.

Section 3 would authorize the Secretary of the Treasury to guarantee loans to major business enterprises on such terms and conditions as he may determine. The terms and conditions could include provisions with respect to furnishing collateral and the use of the proceeds of the loan. No loan could be guaranteed unless (1) the Secretary finds that the continued operation of an enterprise is essential to assure competition and productive capacity in an industry and that assistance is necessary to prevent adverse and serious effects on the economy; (2) there is a need for credit and it is not otherwise available on reasonable terms; and (3) the Secretary finds that there is a reasonable as-

surance that the loan will be repaid and reasonable protection to the United States. The loans would be repayable in not more than five years, but could be renewed for an additional five years, and would bear interest at a rate determined by the Secretary to be reasonable taking into account the range of interest rates prevailing for similar loans and the risks assumed by the Secretary. A condition would be required in the guarantee agreements to prohibit the declaration of dividends on stock while a guaranteed loan is outstanding. A condition would also be required to prohibit payment on other indebtedness of the enterprise to a lender whose loan has been guaranteed while any principal and interest remains unpaid on any guaranteed loan. The Secretary, however, could waive these two conditions if such waiver would not be inconsistent with the protection of the interests of the United States under the guarantee.

Section 4 would limit the amount of loans guaranteed to $250,000,000.

Section 5 would authorize the Secretary to inspect books and records of business enterprises concerning matters bearing upon the repayment of guaranteed loans. The Secretary would also be authorized to disapprove the disposition of assets which may affect the repayment of guaranteed loans.

Section 6 would provide that the payment of principal and interest on a guaranteed loan shall be secured by a first and prior lien on the property of the business enterprise and shall be secured by a first and prior lien on other priorities in proceedings under the Bankruptcy Act.

Section 7 would provide for the collection of a guarantee fee not to exceed an amount necessary to cover administrative costs. Such fees would be deposited into miscellaneous receipts.

Section 8 would authorize the Secretary to use the facilities of other departments and agencies and they would be required to exercise their duties in a manner to assist in carrying out the provisions of the proposed legislation.

Section 9 would require the Attorney General to take appropriate action to enforce any rights accruing to the United States under the guarantees. The United States would be entitled to recover from the borrower any payments made under a guarantee agreement and, upon such payment, would be subrogated to the rights of the lender.

Section 10 would authorize the Secretary to use proceeds from the sale of securities under the Second Liberty Bond Act to enable him to carry out his functions and discharge his responsibilities under the Act.

Mr. TOWER. Mr. President, I would like to express my assurance, which I know is shared by the distinguished Senator from Alabama and other members of the Committee on Banking, Housing and Urban Affairs, that the emergency guarantee loan bill which is being introduced today will be thoroughly and adequately studied in the committee before we make a decision on whether and in what form to report this measure. Certainly every Member of Congress and every citizen have the right to know what the impact of such a measure is on our economy and on our philosophy of government before any decision is reached on it.

The economic effects of the failure of a major corporation such as Lockheed would be injurious to a certain extent to all Americans, and the question of how far to extend the rules of pure competition to this situation, when they are meant for the economic situation of many small producers and consumers interacting in an individually-effectless manner in the market, will not be an easy one, in view of the necessarily mammoth size of heavy-industry producers and consumers.

By Mr. TAFT:

S. 1892. A bill to provide federally guaranteed loans to corporations vital to the national defense which are in involuntary bankruptcy or are being reorganized under chapter 10 of the Bankruptcy Act, and to maintain and expand employment in the United States. Referred to the Committee on Banking, Housing, and Urban Affairs.

DEFENSE GUARANTEE ACT OF 1971

Mr. TAFT. Mr. President, the financial crisis at Lockheed has generated various proposals for the Federal Government to assist this corporation in meeting its financial problems.

In my judgment the Federal Government should not adopt a policy of simply bailing out large corporations which have been the victims of bad management or economic reverses. When we are having to cut back budgetary outlays for vocational rehabilitation training, library assistance, and medical school construction, I do not believe that the Federal Government should automatically come to the aid of large corporations which are in financial trouble.

The free enterprise system means that shareholders not only have the potential of great profit, but they must also stand the possible burden of losses as well.

While I believe that it is an unsound policy for the Government to use taxpayers' money to save shareholders from bad management and hard times, I nevertheless recognize that it is appropriate for the Federal Government to guarantee loans to corporations which are in involuntary bankruptcy or are undergoing reorganization under the Bankruptcy Act, if such guarantees are essential to our national defense and the employment of American workers.

As a consequence, I am introducing legislation today which would authorize up to $500 million in loan guarantees to corporations which are essential to our national defense. These guarantees will be available only to those corporations which are actually in involuntary bankruptcy and are being reorganized under the Bankruptcy Act.

My legislation also provides that the extension of such credit must be directly related to the maintenance or expansion of employment in the United States. I do not believe that we should use the credit of the U.S. Government to preserve or expand job opportunities directly or indirectly in foreign nations.

Federal guarantees under this bill would be available only if it is demonstrated that sufficient credit is otherwise unavailable on reasonable terms.

The taxpayers would be protected by the provision that the Federal Government shall receive the highest lien on the property of the corporation under the Bankruptcy Act.

This is not a bill designed to bail out shareholders. This is a bill directed solely at protecting this Nation's defense capability and the jobs of American employees.

Mr. President, I ask unanimous consent that the text of this proposal be printed in the RECORD.

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

S. 1892

A bill to provide federally guaranteed loans to corporations vital to the national defense which are in involuntary bankruptcy or are being reorganized under Chapter 10 of the Bankruptcy Act, and to maintain and expand employment in the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act may be cited as the "Defense Guarantee Act of 1971."

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds—

(1) That the involuntary bankruptcy or reorganization under chapter 10 of the Bankruptcy Act of corporations vital to the national defense could result in inadequate credit for such corporations and thereby jeopardize America's industrial defense capability and affect employment in the United States;

(2) That the involuntary bankruptcy of such corporations or their reorganization under Chapter 10 of the Bankruptcy Act could require the renegotiation of their contracts with the United States Government with significantly increased costs to the United States Government;

(3) That the existence of a loan guarantee authority in the Government is necessary in the national interest to maintain a sound American industrial defense capacity and to protect and encourage employment in the United States;

(b) It is the purpose of this Act to provide authority for emergency loan guarantees to corporations which are deemed vital to the national defense when such corporations are in involuntary bankruptcy or undergoing reorganization under Chapter 10 of the Bankruptcy Act, where such guarantees are essential to the maintenance of industrial defense capacity in the United States and are directly related to maintenance of employment in the United States.

DEFENSE GUARANTEE AUTHORITY

SEC. 3. (a) The Secretary of the Treasury (hereinafter referred to as the "Secretary") is authorized on such terms and conditions as he may determine to guarantee lenders against loss of principal and interest on loans made to business enterprises in order to provide emergency credit. The terms and conditions may include, but are not limited to, terms and conditions with respect to the furnishing of collateral and the use of the proceeds of the loan.

(b) No guaranty agreement shall be entered into unless the Secretary finds that (i) the continued operation of an enterprise is essential to the maintenance of the Nation's industrial defense capacity, (ii) the applicant demonstrates a need for such credit and that credit is not otherwise available on reasonable terms, (iii) the prospective earning power of the enterprise, together with the character and value of the security pledged, if any, furnish reasonable assurance that the enterprise will be able to repay the loan within the time fixed and afford reasonable protection to the United States, (iv) such credit is directly related to the maintenance or expansion of employment in the United States and (v) the applicant is a corporation in involuntary bankruptcy or being reorganized under Chapter 10 of the Bankruptcy Act.

(c) Loans guaranteed by the Secretary shall bear interest (exclusive of guaranty fees, and service charges, if any) at rates not to exceed a rate determined by the Secretary to be reasonable, taking into account the range of interest rates prevailing in the pri-

vate market for similar loans and the risks assumed by the Secretary.

(d) Loans guaranteed by the Secretary shall be payable in not more than five years, but may be renewed for not more than an additional five years.

(e) A guarantee agreement shall include a condition that the enterprise will not declare any dividend on its preferred or common stock while there is any principal or interest remaining unpaid on a guaranteed loan.

(f) A guarantee shall include a condition that the enterprise will make no payment on its other indebtedness to a lender whose loan has been guaranteed pursuant to the provisions of this Act while there is any principal or interest remaining unpaid on any guaranteed loan hereunder.

SEC. 4. The aggregate principal amount of loans guaranteed under this Act shall not exceed $500,000,000.

SEC. 5. The Secretary is authorized to inspect and copy all accounts, books, records, memoranda, correspondence, and other documents of any enterprise which has received financial assistance under this Act concerning any matter which may bear upon (1) the ability of such enterprise to repay the loan within the time fixed therefor; (2) the interests of the United States in the property of such enterprise; and (3) the assurance that there is reasonable protection to the United States. The Secretary is authorized to disapprove any transaction of such enterprise involving the disposition of its assets which may affect the repayment of a loan that has been guaranteed pursuant to the provisions of this Act.

SEC. 6. Any loan guaranteed pursuant to the provisions of this Act shall receive the highest lien on the property of the enterprise and priority in payment under the Bankruptcy Act.

SEC. 7. The Secretary shall prescribe and collect a guaranty fee in connection with each loan guaranteed under this Act. Sums realized from such fees shall be deposited in the Treasury as miscellaneous receipts.

SEC. 8. (a) In carrying out the provisions of this Act, the Secretary may use available services and facilities of other departments, agencies, and instrumentalities of the Federal government with their consent and on a reimbursable basis.

(b) Departments, agencies, and instrumentalities of the Federal government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the provisions of this Act.

SEC. 9. (a) The Attorney General shall take such action as may be appropriate to enforce any right accruing to the United States by reason of its having paid money or incurred expenses as a result of making guarantees under this Act.

(b) The United States shall be entitled to recover from the applicant the amount of any payments made pursuant to any guaranty agreement entered into under the provisions of this Act, and, upon making such payment, the United States shall be subrogated to all the rights of the recipient of the payments with respect to which the guarantee was made.

SEC. 10. To enable the Secretary to carry out his functions and to discharge his responsibilities under the provisions of this Act, he is authorized to use proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include such use.

By Mr. BIBLE:

S. 1893. A bill to restore the golden eagle program to the Land and Water Conservation Fund Act, provide for an annual camping permit, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

RESTORATION OF THE GOLDEN EAGLE PROGRAM

Mr. BIBLE. Mr. President, I introduce for appropriate reference a bill to establish under the Land and Water Conservation Fund Act a fair and uniform system of Federal recreation fees. I offer the bill, quite frankly, as an alternative to legislation proposed by the administration.

The whole premise of recreation fees has undergone considerable change and controversy since enactment of the Land and Water Conservation Act in 1964. Added to this is the impact of recommendations by the Public Land Law Review Commission last year, followed most recently by the Interior Department's report on Federal recreation fees.

Some of these developments have been encouraging and, in the case of the Golden Eagle passport, have won widespread public support. Other developments, however, have raised serious questions about the scope and direction of Federal recreation fees. As chairman of the Senate Interior Subcommittee on Parks and Recreation, I believe strongly that a fair and uniform system—as fair and uniform as is possible within a widely varying network of Federal recreation areas—must be established. I also strongly believe that careful limitations are needed on this fee system; limitations that keep fees from rising too high; limitations that prevent the extension of fees to areas beyond those intended by Congress; and limitations to keep the fee system from becoming too complex and unweildy.

I introduce this legislation now so that it may also be considered when my subcommittee holds hearings May 20 on the variety of bills that have been introduced this session on recreation fees. In addition to my bill and the administration proposal, there are proposals to restore the expiring Golden Eagle program as it now operates, to grant fee exemptions to senior citizens and to revise land and water conservation fund allocations. They should not be considered piecemeal.

In summary, my bill would continue the Golden Eagle passport as it now exists as an annual $10 automobile entrance permit. It would also establish as a supplement to the Golden Eagle an annual camping permit costing $25, also sold on a per-car basis, which would entitle the purchaser and those riding with him to camp at any Federal campground, subject to the limitations that apply to all campers. Further, it would modify the current policy imposed by the administration by stating that user fees—camping and other facility fees—need not mandatorily be at the same level as State, local, and commercial user fees. Otherwise, the measure is in general agreement with the administration bill on the question of enforcement provisions and protection of the Golden Eagle symbol.

The annual campaign permit is the major innovative proposal in my bill. It is designed to increase revenues while making it feasible for persons to enjoy extended camping in our Federal parks and recreation areas regardless of their income. For example, it would help overcome the excessive fees now confronting retired persons who live on fixed incomes without raising the problem of special exemptions.

This camping permit would be used in conjunction with the Golden Eagle entrance permit where an entrance fee is charged, as in our national parks and many national recreation areas. Since campground user fees now range from $1 to $4 in most Federal recreation areas, these annual camping permits would be attractive only to those who intend to camp for more than 2 weeks or so each year; and since studies indicate that nearly three-fourths of all visits to Federal recreation areas are for less than 10 days, this annual permit should not tend to reduce daily revenues. Instead, it might boost revenues by offering camping opportunities to those who cannot now afford extended daily fees and by utilizing campgrounds off-season that are now largely empty.

More basic to the entire issue of recreation fees, however, is the question of maintaining the Golden Eagle as a car permit, as my bill proposes. The administration bill would convert the Golden Eagle to an individual permit. The price would be $4 for each person 16 or over. I find I cannot support the individual permit for several reasons.

First, the Golden Eagle as a car permit—essentially a "family permit"—has proven to be immensely popular with the American public. Why change it when it has finally caught hold and promises to serve successfully as both an outdoor recreation bargain and a growing revenue source?

Second, both the National Park Service and the U.S. Forest Service, the two major recreation agencies, have expressed their disapproval of the individual permit concept. These agencies feel that it would become an administrative nightmare and that the cost of enforcement might well offset any revenue gains that might accrue.

Third, the individual permit is a step in what I believe is the wrong direction. As the Secretary of Interior's report to Congress on recreation fees states:

> The revenue advantage of the annual individual recreation permit is in its long-range potential for being extended toward the goal of application to *all public lands* (Emphasis supplied)

Although this goal was included among the recommendations of the Public Land Law Review Commission, and I served on that Commission, I do not agree with it. In fact, I feel strongly that Congress should erect safeguards against it.

I have always accepted the concept that the American citizen who uses developed recreation facilities should be willing, through a reasonable fee, to help pay for the cost of constructing and operating those facilities. I find unacceptable the argument that the American public should pay a fee and be required to carry an individual permit to enjoy the natural attractions of our undeveloped public lands. We have fee systems for consumptive uses of public lands—oil and gas leases, grazing fees, and the like—when

a consumptive use for profit is involved. That does not mean, as I see it, that we should put a price on the simple enjoyment of these lands.

There is another point at issue: the recent policy decision of the administration that Federal recreation fees must be compatible with fees charged by State, local and commercial facilities. This policy has been implemented as of this year with respect to National Park Service campgrounds, and the administration bill would write it into law.

The effect of this policy will be to hand over the control of Federal recreation fees to non-Federal and commercial operators. As a matter of fact, I am told this has already occurred at one national seashore recreation area. Federal campground fees were increased because of complaints from a privately-operated campground. As soon as the Federal fee was boosted to equal the private charge, the commercial operator promptly hiked his own fee.

Even without that problem, I submit that there is a big difference between a tax-supported Federal recreation facility and one operated for private profit.

However, there unquestionably should be a reasonable effort to keep Federal fees compatible with others—so long as this goal is not mandatory under law regardless of circumstances. The value of compatible fees is the encouragement of private recreation development, particularly campgrounds. Camping has become so popular that it is impossible for the Federal Government to keep pace. But we should not lose sight of the basic purpose of Federal recreation areas in the process. Federal fees should be maintained at a level that extends recreation opportunities to all persons, rich or poor.

It is my own personal opinion that the Federal Government should stay out of the highly developed campground business. Federal campgrounds should provide basic water, sanitation and campsite improvements. Fancy water, sewer and electric hookups and other costly facilities should be left to the commercial operator and to those willing and able to pay for these added luxuries.

All these various issues can and will be explored at greater length in my subcommittee's hearings May 20. Meanwhile, I recommend this bill to those interested in the problem of providing outdoor recreation opportunities as an alternative to some of the proposals with which many Senators may not agree.

Mr. President, so that my bill can be available for study in advance of Thursday's hearings, I ask unanimous consent that it be printed in the RECORD following my remarks.

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

S. 1893

A bill to restore the golden eagle program to the Land and Water Conservation Fund Act, provide for an annual camping permit, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, except subsection (c), of the Act of July 15, 1968 (82 Stat. 354), as amended, and section 210 of the Flood Control Act of 1968 (82 Stat. 746), as amended, are repealed.

(b) Subsection (c) of section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460L–5), as added by section 2 of the Act of July 15, 1968 (82 Stat. 354), is redesignated as subsection (d).

SEC. 2. The Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended is further amended as follows:

(a) (1) Section 2(a) is amended by inserting, immediately after clause (i) in section 2(a) a new clause (ii) as follows:

"(ii) An annual fee of not more than $25 which shall entitle the person paying same to an annual camping permit and shall excuse the person obtaining such permit and anyone who accompanies him in his automobile from payment of any other fee for camping in areas administered by or under the authority of such agencies, except areas which are designated by the President as not being within the coverage of the permit, during the year for which the fee has been paid."

(2) Clause (ii) of section 2(a), redesignated as clause (iii) by this section, is amended by inserting immediately after "annual fee under clause (i)" the following: "or clause (ii)".

(3) Clauses (ii), (iii), and (iv) of section 2(a) are redesignated as clauses (iii), (iv), and (v), respectively.

(b) Section 2(a), restored by this Act, is amended by inserting immediately after the words "for use of any waters" in the second paragraph of such section the following: "; except that user fees at recreation areas administered by the United States at federal lakes and reservoirs shall be collected by officers and employees only from users of highly developed facilities constructed for reasons of public health, safety, and convenience, and which require a regular schedule of maintenance and supervision, and shall not be collected for admission to or use of water areas, undeveloped or lightly developed shoreland, picnic grounds, overlook sites, scenic drives, or boat launching ramps where no mechanical or hydraulic equipment is provided".

(c) The second paragraph of section 2(a) is amended by inserting, immediately after the words "and other pertinent factors" the following: ": Provided that nothing herein shall require that any fee be established at the same level charged by non-Federal public recreation agencies and by private enterprises for comparable facilities and services."

(d) Section 2(a) is amended by inserting, immediately after the second sentence in the last paragraph thereof, the following: "The collection of fees for the annual admission permit and the annual camping permit established pursuant to clauses (i) and (ii) of this subsection, may be made by the head of such agency directly or by contract with any private or public agency. Any such contract may provide that the contractor will receive not more than 10 percent of the total fees he collects for any calendar year, and may be subject to such other terms and conditions as the agency head deems proper. Any person authorized by the head of a department or agency referred to in this subsection to enforce any rules or regulations issued under this subsection, within areas under the administration or authority of such agency head, may arrest, with a warrant, any person who violates such rules or regulations, and if the offense is committed in his presence, may arrest without a warrant any such person for such violation."

SEC. 3. Section 7 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 903) is amended by inserting immediately before the period at the end thereof the following: ", except to the extent that the head of a Federal agency referred to in said section determines to be necessary to advertise and promote any recreation fees established pursuant to section 2(a) of this Act."

SEC. 4. (a) The Secretary of the Interior may establish and collect use or royalty fees for the manufacture, reproduction, or use of "The Golden Eagle Insignia", originated by the Department of the Interior and announced in the December 3, 1970, issue of the Federal Register (35 Federal Register 18376) as the official symbol for Federal recreation areas designated for recreation fee collection.

(b) Chapter 33 of title 18 of the United States Code is amended by adding the following new section thereto:

"§ 715. 'The Golden Eagle Insignia'"

"As used in this section, 'The Golden Eagle Insignia' means the words 'The Golden Eagle' and the representation of an American Golden Eagle (colored gold) and a family group (colored midnight blue) enclosed within a circle (colored white with a midnight blue border) framed by a rounded triangle (colored gold with a midnight blue border) which was originated by the Department of the Interior as the official symbol for Federal recreation fee areas.

"Whoever, except as authorized under rules and regulations issued by the Secretary of the Interior, knowingly manufactures, reproduces, or uses 'The Golden Eagle Insignia', or any facsimile thereof, in such a manner as is likely to cause confusion, or to cause mistake, or to deceive, shall be fined not more than $250 or imprisoned not more than six months, or both.

"The use of any such emblem, sign, insignia, or words which was lawful on the date of enactment of the Land and Water Conservation Fund Amendments Act of 1971, shall not be a violation of this section.

"A violation of this section may be enjoined at the suit of the Attorney General, upon complaint by the Secretary of the Interior."

(c) The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereof: "715. 'The Golden Eagle Insignia'."

(d) The rights in "The Golden Eagle Insignia" under this Act, shall terminate if the use by the Secretary of the Interior of "The Golden Eagle Insignia" is abandoned. Nonuse for a continuous period of two years shall constitute abandonment.

SEC. 5. This Act may be cited as the "Land and Water Conservation Fund Amendments Act of 1971".

By Mr. GRIFFIN (for Mr. GURNEY):

Senate Joint Resolution 101. A joint resolution to authorize and request the President to issue a proclamation designating July 20, 1971, as "National Moon Walk Day." Referred to the Committee on the Judiciary.

Mr. GRIFFIN. Mr. President, on behalf of the Senator from Florida (Mr. GURNEY), I ask unanimous consent that a statement prepared by him be printed in the RECORD, along with the text of the joint resolution.

There being no objection, the statement and joint resolution were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GURNEY

Mr. President, today I am introducing a joint resolution to declare Tuesday, July 20, 1971, as National Moon Walk Day, in commemoration of that historic event which took place on the same date in 1969.

On July 20, 1969, Neil A. Armstrong became the first man to walk on the moon. This amazing feat will go down in history as a landmark in scientific and technological achievement, and certainly all Americans feel a special pride that we did it first.

This achievement is particularly notable when we realize that the American space program began in 1958, after the Russians launched their first sputnik. In a little over

a decade, through the concentrated efforts of our Nation's scientific and technical community, this country sent the first man to the moon.

Mr. President, the people of Florida have always taken a special interest and pride in the space effort. By the spring of 1971, some 24 manned launches involving 50 astronauts had taken place at the Kennedy Space Center. Floridians in Brevard County will be holding an International Moon Walk Festival this year from July 16 through July 26 to commemorate the events of 1969. By setting aside a day of national observance for the first moon walk, all Americans would be encouraged to share this spirit.

There have been, and will continue to be, other such landmarks in the history of man's exploration of the universe. But there will surely never be any more dramatic testament to the greatness of the human race.

History has borne out the fact that great national events have served to unify our people in a spirit of pride and accomplishment. At a time when some would seek to find fault with this country, and to encourage disruption and protest, I think it would be pertinent and timely to celebrate this reminder of American greatness.

S.J. RES. 101

Joint resolution to authorize and request the President to issue a proclamation designating July 20, 1971, as "National Moon Walk Day"

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the many achievements of the national space program and in commemoration of the anniversary of the first moon walk on July 20, 1969, the President is authorized and requested to issue a proclamation designating July 20, 1971, as "National Moon Walk Day", and calling upon the people of the United States and interested groups and organizations to observe that day with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 726 AND S. 727

At the request of Mr. MONDALE, the Senator from Maine (Mr. MUSKIE) was added as a cosponsor of S. 726 and S. 727, bills dealing with national agricultural bargaining and marketing.

S. 1116

At the request of Mr. JACKSON, the Senator from New Jersey (Mr. CASE) was added as a cosponsor of S. 1116, a bill to require the protection, management, and control of wild free-roaming horses and burros on public lands.

S. 1483

At the request of Mr. TALMADGE, the Senator from Florida (Mr. CHILES), the Senator from Indiana (Mr. HARTKE), the Senator from Arkansas (Mr. MCCLELLAN), the Senator from Washington (Mr. MAGNUSON), the Senator from New Mexico (Mr. MONTOYA), and the Senator from Ohio (Mr. TAFT) were added as cosponsors of S. 1483, a bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes.

S.J. RES. 97

At the request of Mr. HATFIELD, and by unanimous consent, the Senator from Idaho (Mr. CHURCH) was added as a cosponsor of S.J. Res. 97, proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President.

THE MILITARY SELECTIVE SERVICE ACT

AMENDMENT NO. 98

(Ordered to be printed and to lie on the table.)

Mr. PACKWOOD. Mr. President, today I am submitting an amendment to H.R. 6531, the bill to extend the draft. In short, this proposal would forbid the induction of any individual whose family has suffered the loss of one of its members while on active service with the Armed Forces of the United States.

At a time when our draft calls are being reduced, the adoption of this measure seems highly appropriate. Our present law assumes a heartless position and one which cannot be justified by our present military manpower needs.

Last month a similar measure introduced by Congressman JAMES T. BROYHILL of North Carolina was included as an amendment to H.R. 6531. Although passed by the House of Representatives on April 5, 1971, the Senate Armed Services Committee later deleted this amendment in reporting the draft bill to the Senate floor.

This amendment would expand the present draft exemption for sole-surviving sons, who are defined by law as the only remaining sons in families which have lost members in the military service. Under this proposal, a young man would not have to be the only remaining son in the family to be exempt from involuntary induction.

As compared to the measure which recently passed the House, this amendment is somewhat broader in that it would not only affect those about to be inducted, but also would include persons currently serving in the military. In this respect it also includes a provision for those against whom court martial charges are pending, or in the case of a sentence or any punishment imposed by a court martial, until final action has been completed.

This amendment also covers those whose immediate family members are listed as captured or missing in action.

I would like to make it clear that the proposed exemption would not apply in time of war or national emergency as declared by the Congress.

Several months ago, I introduced a bill in the Senate, S. 908, which contains many of the same concepts as the amendment I am introducing today. That bill, which was cosponsored by 23 fellow Senators, was aimed directly at helping a family in my home State of Oregon, Mr. and Mrs. Louis Johnson of 8629 North Hartman in Portland. Regrettably, the bill appears to be stalled in committee.

The Johnsons have had not one—but two sons killed while serving in the Armed Forces. Both, unfortunately, have died either in or as the result of injuries sustained in Vietnam. The latest son died December 26, 1970. Another son, the oldest of four sons, was honorably discharged after having served 4 years in the Marine Corps.

Now I believe we can all agree that the Johnsons have given much more than any American family should be asked to give. And yet, the Johnsons have a 17-year-old son, Gordon, who will have to register next October as part of the existing selective service process.

The Johnson family does not shirk its responsibility. That has been clearly demonstrated. Three sons have served in the Armed Forces. Two have been killed and another has been honorably discharged after having served. Certainly this is far beyond what any family should be asked to give and the fact that Mr. and Mrs. Johnson do not feel they can allow their remaining son to enter the service should be easily understood by all of us.

I do not believe Mr. and Mrs. Johnson are asking too much. In fact, I earnestly feel their request should be honored and the 17-year-old son should be exempted from having to serve in the military.

This can be accomplished by passing the amendment I offer today.

Certainly we are all aware of other families all across the United States who like the Johnsons have suffered the loss of loved ones as a result of injuries or illnesses incurred in the military service. The war in Southeast Asia has taken a terrible toll in human life. There is no way the Government can adequately repay any family for such a painful sacrifice.

Surely it is a lot to ask of any family that they accept the loss of a father, a husband, a son or a brother. But it is cruel and intolerable that they be asked to suffer more.

Mr. President, I realize that this amendment cannot relieve the sorrow and the terrible loneliness that has come to the Johnsons and so many other fine families throughout this land. But it can provide them with hope that tragedy will not be repeated.

We now have in our hands the opportunity to challenge fate. We can see to it that families who have lost one member shall no longer be called upon to face greater agony.

In the interest of compassion and fairness for those families who have lost members in the military service, I ask for the support of my colleagues in accepting this amendment.

Mr. President, I am most pleased and honored to announce that this amendment is cosponsored by the Senator from Pennsylvania (Mr. SCHWEIKER) and the Senator from Kansas (Mr. DOLE).

Mr. President, I ask unanimous consent that the full text of this amendment be printed in the RECORD.

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

AMENDMENT NO. 98

On page 29, between lines 3 and 4, insert the following:

(22) Section 6(o) is amended to read as follows:

"(o) Except during the period of a war or a national emergency declared by Congress, no person may be inducted for training and service under this title unless he volunteers for such induction—

"(1) if the father or a brother or a sister of such person was killed in action or died in line of duty while serving in the Armed Forces or subsequently died as a result of injuries received or disease incurred in line of duty during such service, or

"(2) during any period of time in which the father or a brother or a sister of such person is in a captured or missing status as a result of such service."

Renumber paragraphs (22) through (32) of section 10(a) of the bill as paragraphs (23) through (33), respectively.

On page 34, between lines 2 and 3, insert the following:

(c)(1) Subject to the provisions of paragraph (2) of this subsection, any surviving son or sons of a family who (A) were inducted into the Armed Forces under the Military Selective Service Act, and (B) are serving on active duty with the Armed Forces on or after the date of enactment of this subsection and such son or sons could not, if they were not in the Armed Forces, be involuntarily inducted into military service under the Military Selective Service Act as a result of the amendment made by paragraph (22) of section 101(a) of this Act, such surviving son or sons shall, upon application, be promptly discharged from the Armed Forces.

(2) The provisions of paragraph (1) of this subsection shall not apply in the case of any member of the Armed Forces against whom court-martial charges are pending, or in the case of any member who has been tried and convicted by a court-martial for an offense and whose case is being reviewed or appealed, or in the case of any member who has been tried and convicted by a court-martial for an offense and who is serving a sentence (or otherwise satisfying punishment) imposed by such court-martial, until final action (including completion of any punishment imposed pursuant to such court-martial) has been completed with respect to such charges, review, or appeal, or until the sentence has been served (or until any other punishment imposed has been satisfied), as the case may be. The President shall have authority to implement the provisions of this subsection by regulations.

AMENDMENT NO. 100

Mr. BAYH (for himself, Mr. RIBICOFF, and Mr. SAXBE) submitted an amendment (No. 100) intended to be proposed by him to Amendment No. 86, intended to be proposed by Mr. MANSFIELD to the same bill, H.R. 6531, which was ordered to be printed and to lie on the table.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1971—AMENDMENT—NOTICE OF MOTION TO SUSPEND THE RULE

AMENDMENT NO. 101

Mr. ERVIN (for himself, Mr. JACKSON, and Mr. KENNEDY) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is our intention to move to suspend paragraph 1 and paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 8190) an act making supplemental appropriations for the fiscal year ending June 30, 1971, and for other purposes, the following amendment, namely:

On page 48, between lines 8 and 9, insert the following:

FAMILY MEDICINE

To carry out the provisions of part D of title VII of the Public Health Service Act (as amended by the Act entitled "An Act to amend the Public Health Service Act to provide for the making of grants to medical schools and hospitals to assist them in establishing special departments and programs in the field of family practice, and otherwise to encourage and promote the training of medical and paramedical personnel in the field of family medicine and to provide for a study relating to causes and treatment of malnutrition," enacted in the 91st Congress, 2nd Session) $25,000,000; of which such amount (but not in excess of $8,000,000) as can be utilized for the purpose of making planning and developmental grants, as authorized by section 766 of the Public Health Service Act (as amended by the Act, above referred to, which was enacted in the 91st Congress, 2nd Session), shall be available and utilized for such purpose during the fiscal year ending June 30, 1971 and the succeeding fiscal year: *Provided*, That such planning and developmental grants in amounts not less than $25,000 each shall, not later than 30 days after submission by the institution of an application therefor, be made to the Harvard Medical School, the Childrens Hospital Medical Center in Massachusetts, the University of North Carolina Medical School at Chapel Hill, North Carolina, and the University of Washington Medical School in Seattle, Washington, and any other eligible institution which submits an application therefor prior to May 31, 1972.

Mr. ERVIN also submitted the amendment (No. 101) intended to be proposed by him to the bill (H.R. 8190), which was ordered to be printed and to lie on the table.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 76

At the request of Mr. SCHWEIKER, the Senator from Utah (Mr. Moss) was added as a cosponsor of Amendment No. 76, intended to be proposed by him to the bill (H.R. 6531) to amend the Military Selective Service Act of 1967, and for other purposes.

NOTICE REGARDING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an announcement by the distinguished Senator from Mississippi.

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

STATEMENT BY SENATOR EASTLAND

Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Joel D. Sacks, of the Virgin Islands, to be U.S. Attorney for the Virgin Islands for the term of 4 years, vice Robert McShane Carney, resigning

Julio Morales Sanchez, of Puerto Rico, to be U.S. Attorney for the District of Puerto Rico for the term of 4 years, vice Blas C. Herrero, Jr., resigned

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, May 25, 1971, any representations of objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARINGS BY THE SUBCOMMITTEE ON CHILDREN AND YOUTH AND THE SUBCOMMITTEE ON EMPLOYMENT, MANPOWER, AND POVERTY

Mr. MONDALE. Mr. President, the Subcommittee on Children and Youth and the Subcommittee on Employment, Manpower, and Poverty will hold hearings on May 25, 26, and 27.

These hearings will be a continuation of our investigation of day care and child development which began with hearings before the Subcommittee on Children and Youth on April 26 and 27, concerning the developmental day care recommendations of the White House Conference on Children. The five hearings we are announcing today will examine the need for child development programs generally as well as the developmental day care proposals included in S. 1512, which is proposed as an amendment to the Economic Opportunity Act now before the Subcommittee on Employment, Manpower and Poverty.

NOTICE OF HEARINGS BY THE SUBCOMMITTEE ON AGING REGARDING THE PROPOSED NATIONAL INSTITUTE OF GERONTOLOGY

Mr. EAGLETON. Mr. President, the Subcommittee on Aging of the Labor and Public Welfare Committee has scheduled public hearings on June 1 and 2, 1971, to consider S. 887, to amend the Public Health Service Act to provide for the establishment of a National Institute of Gerontology, and S. 1163, to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operations, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes. The major focus of the hearing on June 1 will be on S. 887, and on June 2, S. 1163. Hearings will begin at 9:30 a.m., each morning in room 4230, New Senate Office Building.

Persons interested in appearing at the hearings should notify James Murphy, staff counsel, at 225–7653.

ADDITIONAL STATEMENTS

THE HIRSHHORN MUSEUM

Mr. ALLEN. Mr. President, the distinguished columnist Richard Wilson has added his voice to an ever increasing number of national columnists who express reservations concerning the proposed Joseph H. Hirshhorn Museum and Sculpture Garden. His commentary on this subject was published in the Washington Star on Monday, May 17, 1971. The observations and conclusions expressed in the column are indicative of an increased public awareness of and interest in some of the issues involved in what has been referred to as "The Hirshhorn Hassle." This public interest and

concern is further reflected in an increased volume of mail which I have received on this subject by reason of an amendment—Senate Joint Resolution 45—which I introduced to modify legislation relating to the establishment of the museum and sculpture garden and upon which hearings will be held.

Mr. President, the Richard Wilson column together with a copy of a letter I received from a concerned citizen on this subject illustrate some of the reasons for public concern about continued expenditure of public funds to construct the Joseph H. Hirshhorn Museum and Sculputre Garden under terms and conditions upon which the proposed gifts of works of art to be housed therein are made contingent. As a matter of public interest, I ask unanimous consent that the Richard Wilson column and letter to which I have referred be printed in the RECORD.

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

[From the Washington Evening Star, May 17, 1971]

JOSEPH THE MAGNIFICENT ELBOWS MIGHTY ASIDE

(By Richard Wilson)

The many millions who make their pilgrimages to the national shrines in Washington should be more aware of the abomination about to be visited upon the federal city.

A memorial on the grand scale of the Johnson Library in Texas is projected to honor Joseph the Magnificent on the great Mall where now only George Washington and Abraham Lincoln—not even Thomas Jefferson—reign in marble splendor.

The memorial to Joseph the Magnificent would strike envy in Lorenzo il Magnifico, the Medici merchant prince of Florence, himself a poet and patron of the arts.

Joseph the Magnificent is not Medici, though he is bracketed in print with this rapacious family of 15th century Italy, but a Latvian-born former Canadian entrepreneur named Joseph H. Hirshhorn.

If all goes as now planned his name will be handed down to the ages as the only 20th century American worthy of joining Washington and Lincoln on the great greensward between the U.S. Capitol and the Lincoln Memorial which is ranked by many as the only truly magnificent architectural vista in the nation.

The seated, brooding and massive Lincoln can then gaze across the reflecting pool and past the shaft of the Washington Monument into Joe Hirshhorn's sunken sculpture garden, the length of two football fields transepting the Mall.

Joseph the Magnificent was wholly unknown to the average lawmaker and public official until celebrated by Abe Fortas and Lady Bird and Lyndon Johnson a few years ago in their eagerness to promote the arts. He agreed to convey to the government his art collection, of very considerable value and merit but not to be compared with that of the late Herbert Lehman given to the Metropolitan Museum, provided suitable housing which would memorialize his name were provided in Washington.

One needs to cast his mind back to 1966 when Lyndon and Lady Bird were trying to ingratiate themselves with the artistic and literary community to show that he was not a crude and tasteless cornball from Texas unfit to walk in the wake of the elegant John F. Kennedy. Hirshhorn with his willingness to contribute his art collection under certain self-satisfying conditions was, with Abe Fortas' help, their artistic hostage and prize.

The patrons produced a dazzling result which must have exceeded Hirshhorn's wildest dreams. Washington is monument-happy but Congress outdid itself in Public Law 89–788 signed by President Johnson in 1966.

This act provided a national monument for the art collection at public expense on the Mall of the U.S. Capitol rivaling those of Washington and Lincoln and in a much better location than the vast marble carbarn on the Potomac known as the John F. Kennedy Center of the Performing Arts. Jefferson, meanwhile, remains relegated in a modest rotunda at the south end of the far-away Tidal Basin.

Other journalistic colleagues have dealt with the benefactor's background, his conviction in Canada for illegal money transactions, his arrest for wartime smuggling of U.S. currency across the Canadian border, his identification as promoter of questionable stock schemes.

An editorialist in Washington snubs such disclosures as "imbecilic" in view of the generosity of his gift, admitting that Joseph the Magnificent may be no perfect angel, but neither were the Medicis. Neither are the Medicis to be memorialized on the Mall with Lincoln and Washington.

Hirshhorn's prospective request (he is still hanging onto the art until everything is buttoned down about the memorial) is certainly a desirable one and there are plenty of places it could be suitably housed other than the Mall dedicated to our most famous men and highest ideals.

There are plenty of other ways to handle the collection and make it the nucleus of a great museum of American art other than sanctifying a donor who wishes his name to ring down through history with America's greatest.

If there are those at home who do not relish the idea of bringing their children to Washington to visit the memorials to Washington, Lincoln and Hirshhorn, and thus absorb the flavor of American history, they might ask their congressmen to get interested in the matter.

It is not too late although some work has been started. The sculpture garden, at least, could be moved to a less noxious location. And the whole shebang could be moved to other locations accessible to the art-loving public. The least that could be done is a redesign of the museum so that it would not impinge on the splendor of the Mall and the dignity of American history. Hirshhorn has an opportunity for self-effacement more lasting than his name in bronze. He could just give the art to a country which gave him his opportunity and collect his reward in heaven.

BRONX, N.Y., *May 14, 1971.*

Hon. JAMES B. ALLEN,
U.S. Senate,
Committee on Rules and Administration,
Washington, D.C.

DEAR SENATOR ALLEN: Perhaps my "voice" is one more small cry from the wilderness anent the proposed destruction of the Mall by placing the Hirshhorn Museum and Sculpture Garden in that area.

When I was a child, it was always my dream to go to Washington and live the pages of history which I learned in school. This dream did not come true until many years ago when I took my two young sons to Washington on an Easter vacation. It seemed to be such a hallowed city, where so much had taken place in years gone by. No matter where you went . . . it was historical . . . the plan of Washington itself, devised by L'Enfant, had more or less been carried out.

We were so impressed by the sweeping grandeur of the open space of the Mall—and by seeing the monuments of Washington, Jefferson and Lincoln. Now, from reading the Washington papers, I see that Mr. Hirshhorn may not "give" his art collection to the Smithsonian Institutiton if his ugly museum and sculpture garden are not placed where his architect, Mr. Bunshaft, has made plans for it. Who is Hirshhorn to think for one moment that he is in the same class with our illustrious Presidents? Is he entitled to a "monument"—for that is what it amounts to.

Let us put it this way . . . if Mr. Hirshhorn, out of civic pride and the desire to share his art collection with his fellow Americans, really wants to "donate" his collection—why does he make the taxpayers "donate" his museum and sculpture garden to HIM . . . and maintain them in perpetuity to HIM? If he is anxious to let us share the beauty (?) of his art collection, and is really sincere about it, he would not care if the collection were put on display in the basement of the Smithsonian Institution—or an outdoor display in Lafayette Square—as long as the public has an opportunity to view it.

It seems that we, in American, do not care about preserving the past. Beautiful landmarks are destroyed for parking lots . . . and other landmarks are desecrated. What will our children have to mark the past?

Sincerely,

Mrs. ESTHER TILTTI.

MARINE COMMENTARY ON VIETNAM COVERAGE: FIRST WITH THE WORST

Mr. HANSEN. Mr. President, this month's Marine Corps Gazette contains a brief article by Col. Tom D'Andrea concerning his observations of some of the news coverage of the war in Indochina.

Colonel D'Andrea commented specifically upon the lamentations of some of the media over the Laos incursion, which has been the subject of considerable discussion in the Senate. The article noted:

> The press furor about the news embargo at the start of the Laotian operations has become as ridiculous as it is bitter and distorted.

A key point the article makes is that reporters are not automatically entitled to have access to classified information on pending operations when the consequences possibly could be measured in terms of American or allied lives. It further shows that the squawk over Laos was a result of the unusual circumstances of this unusual war that has set a pattern where "American and other newsmen operating in Vietnam, have enjoyed an unprecedented freedom to report news that would have seemed paradisical to their older colleagues of World War II."

Another pertinent statement is this one in the article:

> To the American forces involved in the war, there seemed to be a journalistic contest to be first with the worst.

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

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

TV NEWS REPORTS DAMAGING

(By Lt. Col. Tom D'Andrea)

The press furor about the news embargo at the start of Laotian operations has become as ridiculous as it is bitter and distorted. What is wholly ignored is the fact that

American and other newsmen operating in Vietnam, have enjoyed an unprecedented freedom to report news that would have seemed paradisical to their older colleagues of World War II.

Successive United States commanders in Vietnam have gotten into tighter and tighter binds by never daring to impose true military censorship on their area for the accepted reasons of security and the savings of lives. Obviously, we drifted gradually into the war, never declared formal hostilities, and presumably didn't recognize any individual event, such as the first sizable arrival of American forces, as justifying this customary precaution. On the contrary, the arrival of the Marine Expeditionary Unit on the beach near Danang was covered by a major American television network and the unit CG was presented a traditional lei of flowers by the local ladies to garnish his 782 gear.

Consequently the effort to simultaneously control and not to control the news media in Vietnam has been self-defeating. Newsmen and camera crews have wandered all over the place with ingenuity and audacity gathering information sometimes remarkably exact, sometime partial and consequently distorted, and sometimes inexpertly deduced from inaccurate rumor. To the American forces involved in the war, there seemed to be a journalistic contest to be first with the worst. At home, prize committees, Pulitzer included, made it a policy to reward the most captious of reports.

The latest fuss about an information-gap in Vietnam is essentially unjustified. It would have been idiotic to have movements of troops and supplies disclosed in too much detail ahead of time or at all, and to have precise intentions pinpointed to an enemy who might otherwise be thrown off balance. As it was, the Saigan press corps was asked to "hold" information of Dewey Canyon II, but the mass movement of South Vietnamese troops to Northern I Corps leaked prematurely and the world was aware of the Laos operation days before the troops crossed the border.

By normal standards, it would appear immoral to risk American or South Vietnamese lives simply to allow a commercially sponsored television show a play-by-play description of impending actions, news or not. But that's exactly what the rage and clamor was all about, and it was pegged on the old chestnut of "freedom of information."

The task of fighting history's greatest "non-war" is grim for everyone concerned and especially for the troops. In my opinion, we should have had the nerve to establish reasonable, effective military censorship in the Vietnam Theater. As a result, this non-war became the first in which American media, measured by weight of viewership, readership and influence have been kinder to the nation's enemies than to its friends. This has been partly inadvertent, partly not. In any case, Ho Chi Minh has come off as this war's greatest folk hero, the Viet Cong as its most admired fighters. American leaders as its most mistrusted participants and American GIs as its least appreciated warriors.

The gray issue of press freedom continues to be confused in discussions of the Indochina non-war. Of late, the accepted news policy is to charge the government with a cunning scheme to inject Americans into an expanded war rather than what it is—a bold attempt to prepare for continued removal of American forces, as directed by the President.

In whatever way history deems fit to judge our role in this non-war, it will certainly be recorded that the most crushing and severe damage to the American soldier was inflicted by commercial television news reporting and the media in general.

We are asked to accept this as a fact of life and a direct result of a free press operating in a free society. Personally, I accept the premise and seriously question the terminology. I submit it should be amended to read: "A responsible press in a free society."

THE 38TH ANNIVERSARY OF TVA

Mr. SPARKMAN. May 18, 1933 was the 75th day of Franklin Roosevelt's first administration. During these 75 days that administration had offered to Congress new programs and ideas to combat the deep economic depression that this country was enduring.

On that particular day, one of these proposals finished its journey through the legislative process when the President signed the Tennessee Valley Authority Act. Now, 38 years later, is a time to assess the service rendered by TVA.

TVA was conceived as a regional agency; therefore, the first assessment should be of its service to the region. In 1933, north Alabama, the part of the TVA region with which I am most familiar, was an agricultural area, without substantial industry, which was mired in depression. Barrett Shelton, the editor and publisher of the Decatur Daily, in a speech several years ago described the situation this way:

> The one major industry we had, which had kept 2,000 men at work, closed. This railroad shop gave way to the truck and the bus and economic conditions. Decatur lost this industry completely. Another industry which in earlier years we had brought from New England with considerable subsidy in money, went bankrupt. A third industry, manufacturer of full-fashioned hosiery, went to the wall from poor management and bad times. Seven of eight banks in our County closed.
>
> Our farm situation. We had only one crop in the Decatur area—cotton—and cotton was five cents a pound. Lands were selling for taxes, the people were ill-housed, ill-clothed and out of hope.

Today that same area around Decatur has aluminum and copper rolling mills, plants producing tire cord, plastics, chemicals, bricks, and refrigeration machinery, as well as such agriculturally related industries as flour and feed mills and fertilizer producers.

This same shift from agriculture to industry is evident throughout the Tennessee Valley region. In fact, since TVA was formed almost $2 billion has been invested by private industry along the Tennessee River waterway.

The industrial expansion continues even today. For example, during the past 2 years investment of over $170 million was announced by private industry facilities which will provide over 10,000 new jobs for the area.

The two economic statistics that flow from this expansion are impressive. Using 1929, a more normal year than 1933, as a base, we find that through 1969 per capita income in the Tennessee Valley region had increased 770 percent—as opposed to a national increase of 424 percent; that there was a 246 percent increase in the number of employees in manufacturing—as against a national increase of 88 percent. I could go on and cite further statistics in other areas, but this would be repetitive.

The real meaning of these statistics is that a region which was once economically far behind the Nation is now competitive with the rest of the country. These statistics mean that the people of the region are earning enough to provide decent homes for their families, an adequate education for their children, and can contribute to the economic growth and well being of the Nation.

It is true that TVA is not responsible for all of this progress. But it is likewise true that this progress could not have occurred without the navigable waterway built by TVA. And without the dependable supply of power furnished by TVA, industrialization would not have been possible.

TVA's service to its region is often recognized, but often overlooked is its service to the Nation. We can start with the proposition that a depressed region draws on the resources of a country while a healthy one contributes to them. Thus by promoting the economic progress of the Tennessee Valley area, TVA has helped promote the progress of the Nation.

An even more direct benefit to the Nation has come through TVA's work in the research and development of fertilizers.

The fertilizer research and development aspect of the TVA program arose at the very beginning. Part of the assets turned over to TVA in 1933 were facilities to produce nitrate built during World War I. Congress directed TVA to utilize these facilities for fertilizer research development and introduction, and to maintain the capability to produce munitions for national defense in time of war.

Utilizing the facilities entrusted to it TVA has built the most advanced fertilizer research center in the Nation. From this center has flowed a steady stream of new fertilizers and new fertilizer processes for the benefit of the Nation's farmers and consumers.

It is the TVA belief that the development of new fertilizer technology is only one part of its job. Unless these developments are utilized they will be of no benefit to the Nation. Therefore TVA works with the farmers, land grant colleges, and small and large businesses in 46 States to test, introduce, and assure the adoption of new fertilizer technology. Spread of TVA developed fertilizer technology is indicated by the fact that it has issued more than 540 licenses to over 300 companies for use in over 470 plants in 39 States.

This program, by improving fertilizer technology, has helped the American farmer to meet the Nation's increasing demand for food from a shrinking land base and with a reduced labor force.

TVA has also served the Nation in a multitude of other ways. When it first began operating large coal fired steam plants, TVA felt a responsibility to assure that they were operated as cleanly as possible. Therefore, it conducted pioneering research into various aspects of air pollution. Today it is working, in cooperation with the Environmental Protection Agency, on research into removal of sulfur from powerplant stack gases. Moreover, utilizing funds generated by the sale of electric power, it is in the process of installing a full-scale sulfur removal facility on a 55,000-kilowatt generating unit. If this facility is successful it will be the first such unit in commercial operation. The knowledge and experience gained by this effort will be

shared with the Nation, thereby helping in the national effort to clean up the environment.

What I have given here are only a few examples of the ways TVA has served its region and its country. Many others could be cited.

Based upon the record of 38 years TVA has, with dedication and efficiency, carried out the tasks given to it. I am convinced by the record that TVA in the years to come will be a significant factor in obtaining solutions for problems that face us today as well as new ones that arise in the future.

RELIEF OF SOVIET JEWS

Mr. TOWER. Mr. President, I am pleased to join in cosponsoring S. 1872, a bill for the relief of Soviet Jews, which would authorize the acceptance into the United States of an additional 30,000 Russian Jewish refugees each year. Though it is extremely unlikely that the rulers in the Kremlin will agree to let these people emigrate from the Soviet Union, it will be a beacon of hope to and an expression of sympathy with these people if we in the Congress agree to allow them to come to the United States.

The idea behind this bill is very simple, those who are persecuted in the Soviet Union, those who are denied even the most basic right to livelihood simply because of their religious belief will be welcomed in the United States. Mr. President, it is in the highest American tradition to make these people welcome in our country. America has always been a haven for those who were religiously oppressed; more importantly, America must continue to be such a haven.

The American generosity is well known throughout the world in its dealing with religious and political refugees from other lands. Most all of our ancestors came here because they felt stifled in their activities and beliefs under sometimes autocratic regimes. Now to support this bill will reaffirm our support for the most basic principle of freedom of religion, upon which the leaders in the Kremlin have so ruthlessly trampled during the entire existence of what has been called the "greatest brutalization ever of the human spirit": communism.

Mr. President, I urge quick consideration and adoption of this measure so that the ray of freedom may be heard even in the Soviet Union, and just as importantly, that this principle of religious freedom be reaffirmed here at home in America.

THE MISSING SST INGREDIENT: ECONOMIC COMMONSENSE

Mr. PROXMIRE. Mr. President, yesterday's Wall Street Journal carried an editorial which puts in proper perspective the attempt by the House of Representatives to revive SST funding.

The Journal editorial observes that an SST will probably fly someday. And this Senator would agree completely. But what is missing now—and what makes the House action of last week as ill-considered—is any economic justification for proceeding.

Here are just a few of the economic deficiencies noted by the Journal:

First—

The airlines hardly seem ready to take on an entirely new generation of aircraft right now.

Second—

Jobs are to be desired, too, but there must be more useful ways to provide them.

Third—

Understandably enough, the major SST contractors, Boeing and General Electric, are less than enthusiastic.

In summary, the Journal observes that we would be much better off waiting until the commercial prospects for the SST brightened. And at that time, I am convinced that private capital will need no prodding to back this venture. And the Government can stay clear of this commercial venture, as it should have all along.

Mr. President, I ask unanimous consent that the editorial entitled "The Missing SST Ingredient" from Monday's Wall Street Journal be printed in the RECORD.

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

THE MISSING SST INGREDIENT

Before the House voted to revive the supersonic transport plane, the lawmakers engaged in fairly lengthy debate. So far as we've noticed, though, no one was arguing that the SST is a solid commercial venture, badly needed by the airlines and the traveling public.

Instead there was a great deal of flag-waving. According to Rep. Harley Staggers (D., W.Va.), "We ought to vote for the SST for the good of the land and to carry our flags high." Other lawmakers appeared to see the plane as a sort of airborne public works project, since there was a lot of talk about the jobs it would provide.

Well, national prestige is nice, but there are better ways to enhance it. The government, for example, could do more to strengthen the dollar, whose troubles have been causing so much foreign concern in recent days.

Jobs are to be desired, too, but there must be more useful ways to provide them than through revival of a project whose economic viability—at the moment, at least—still appears highly questionable.

The airlines hardly seem ready to take on an entirely new generation of aircraft right now. After financing development of an SST, would the government then feel obligated to finance purchases of the planes by the troubled airlines?

It's true that Britain and France are well along on the supersonic Concorde, and that Russia has its own SST, but it's much too early to tell just how much of a factor either plane will be internationally. Strong sentiment exists in many states of the U.S.—those that have major airports—to bar landings by any SST, domestic or foreign.

Understandably enough, the major SST contractors, Boeing and General Electric, are less than enthusiastic about the House action. GE may have indicated growing doubt about the project's viability when it insisted that, in any new contract, the government would have to pay all development costs, not just the 90% provided by the first contract.

Perhaps the weakness of the economic argument helped to explain why the plane's backers relied so heavily on legislative logrolling. Lawmakers who opposed the SST but favored federal aid to troubled Lockheed Aircraft Corp. were told that they had better vote for the supersonic transport if they wanted help for Lockheed.

No doubt an American SST will eventually fly. We're convinced that the nation will be better off, though, if the project waits until its commercial prospects brighten. In the House debate this week, the missing ingredient was economic common sense.

REORDERING OUR PRIORITIES

Mr. SAXBE. Mr. President, we read and hear a lot about reordering our priorities, about making the hard decisions between the necessary and the unnecessary, the desirable and the undesirable. What we frequently seem to forget in all of this, however, is that a true reordering of priorities involves not only what the Nation intends to achieve but also what it is willing to give up.

Mr. President, the Wall Street Journal of last Friday, May 14, carried a thoughtful and incisive article by George Melloan on the subject of priorities and the realities involved with refocusing our national attention on unmet needs.

I ask unanimous consent that Mr. Melloan's article be published at this point in the RECORD.

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

NEW PRIORITIES: WHAT TO GIVE UP?

(By George Melloan)

With the winding down of the way in Vietnam, American public discussion has focused heavily on a "reordering of national priorities," in the classic style of beating swords into plowshares and spears into pruning hooks.

In the popular concept, the nation is turning its wealth and power away from international concerns and toward domestic "people" problems, involving health, welfare, environment—all things that might provide a better life.

The concept is attractive, and anyone who doubts that the United States can fulfill it to a degree is probably understanding the national strength of purpose. But there are some realities to be faced if the new expectations are to avoid disappointment.

Essentially, there are two realities. First, despite the Vietnam wind-down, the nation's possibilities for new fiscal undertakings will be very limited for the next five years, unless Americans care willing to pay higher taxes. Second, what the private sector can contribute toward new national goals will also be limited unless it can increase productivity more rapidly, something it shows little sign of doing.

What the two realities mean is that some of the new wants will have to be paid for by giving up things. A reordering of priorities involves not only what the nation intends to achieve but also what it is willing to give up.

THE BROOKINGS' ANALYSIS

One of the best estimates of the nation's federal budget prospects for the next five years is to be found in a just-published Brookings Institution analysis of the President's 1972 budget ("Setting National Priorities, the 1972 Budget"). One of the four Brookings economists who participated in the study was Charles L. Shultze, who was director of the Bureau of the Budget under President Johnson.

Mr. Schultze concludes that between now and 1976, already programed growth in existing federal programs will use up nearly all of the extra federal revenue generated by growth of the national economy, the so-called "fiscal dividend." His revenue projections are "full employment" estimates, which assume

an unemployment rate of 4% or under. In other words, they are the maximum amounts government could spend, in theory, without creating inflationary pressures. In still other words, they are optimistic. Mr. Schultze also assumes that the Indochina war will be largely liquidated in the next few years.

Specifically, Mr. Schultze projects that present federal programs will use up fiscal dividends through fiscal 1974. By fiscal 1976 there will be a surplus of $17 billion, but that is not a very big chunk of the $312 billion budget he projects. He notes also that $15 billion of the surplus will be in Social Security trust funds, not the general budget.

The message is clear. Any expensive new federal programs will have to be financed with either new taxation or cuts in existing programs. Otherwise, there will be deficits that would exceed hypothetical full-employment revenues, and those would be very serious deficits for the economy.

Paying for new programs with new taxes is one clear choice, but one that is not likely to be popular, given the expectations of fiscal benefits from ending the war. The alternative is a question: What can be easily dispensed with that the government now does? Getting agreement on this involves complex political issues.

Mr. Schultze, for example, sees only about $5 billion to $7 billion that could be pared from the budget by eliminating programs that have only marginal or counter-productive results. Even then, he would lop off some spending that still has strong political support, such as farm and maritime subsidies and some types of veterans' benefits. The political problems of getting rid of such spending are immense.

There are other programs where the basic importance is seldom questioned but where the desired spending level can be argued. One of the most tempting targets, particularly among those Americans who are disturbed over the nation's role in Indochina, is the Defense Department budget, which accounts for one-third of the total national budget.

The Brookings specialist on this subject is Edward R. Fried, who also participated in the budget study. He is a former Deputy Assistant Secretary of State for Economic Affairs. Mr. Fried notes that the failure of the Vietnam pullout to substantially reduce the defense budget suggests some weaknesses in Pentagon cost controls, a subject that Brookings will give further study.

But Mr. Fried feels that the real choice is not between an inefficient or super-efficient Pentagon. It is a far harder one. It revolves around that crucial and difficult question, "How much is enough?"—how much is enough to spend on defense to insure the nation and its people of survival?

The fears that question stirs have given the defense budget a high priority since World War II. But part of today's examination of values and priorities, by both the public and the government, turns on whether the nation has had an excessive concern over security that has led it into costly, uncharacteristic and unwise adventures—most notably Vietnam.

Through cutbacks in the standing army and other moves, the U.S. has already been demonstrating that it is "moving toward an era in which it is prepared to take somewhat more risks," Mr. Fried observes. But despite this trend, he doesn't foresee much chance of cutting or even holding the line on the defense budget without some fairly serious risks. The more likely prospect is that it will rise some 11% in constant dollars through 1976, which is a fairly modest increase but an increase nonetheless.

For some time, the Brookings' study shows, the most rapid growth in federal spending has not been in defense, space travel and international affairs but in what Brookings calls "income maintenance" programs, in which, in effect, the government distributes money to its citizens. Under this heading would come Social Security, public assistance programs (including the very fast growing Aid to Families with Dependent Children), veterans' benefits, farm subsidies, Medicare, Medicaid and the like. In 1960, such programs accounted for $25 billion of the budget. They will account for $85 billion in the fiscal 1972 budget. That will almost equal the combined outlay for defense, space and international affairs, whereas in 1960 it was only half that outlay.

It is significant that two of the most important programs President Nixon has put before Congress this year, welfare reform and health insurance, both fall in that area. The prospects are that welfare reform will raise, rather than lower, the national cost of welfare, although it perhaps will reverse the apparent tendency of welfare aid to encourage dependency. If a new law does raise welfare costs there will be serious questions about how they can be paid.

The federal budget, of course, is not the only way the nation alters its priorities. Another is through local and state budgets, which have been growing rapidly and which also are slanted toward "people" problems. Still another is through the market place, in the purchase of privately produced goods and services.

A PRICING TREND

One significant recent trend has been an increased effort to meet national priorities through government regulation of the private sector. It is possible that a major share of the nation's environmental problems will be tackled in this way and quite possibly a larger share of its health problems. What this does, in effect, is transfer the cost of reaching such public interest goals from taxation to prices.

Some business executives voice only light objections to this practice. Providing the law requires all their competitors to do the same thing, many say they are willing to control pollution or pay health insurance benefits and pass along the costs to their customers.

Their big objection is that regulators often set standards so high that they force the consumer to pay a high price for marginal extra benefits. "Where do you stop adding to a product's cost when you're trying to build in more safety?" asked Harry C. McCreary, president of McCreary Tire & Rubber Co., in a recent speech. It's the "how much is enough?" question again, except regulators aren't subject to tax revenue limitations that Pentagon budgeteers are.

There is another problem connected with transferring the cost of meeting national priorities to the private sector, and it is ably illustrated by Roy L. Ash, president of Litton Industries Inc. Mr. Ash notes that many of the new demands on the private economy take little account of whether the private economy has the capacity to meet them.

"We've learned to write erudite books about international balance of payments and full employment budgets," Mr. Ash said recently, "but too few people understand that consumption of goods or services can be fulfilled only from production. . . . To make these points may seem pedantic, yet the swelling and unstated assumption of too many Americans is that somehow we can consume what we don't produce; that there is such a thing as a free lunch.

". . . New claims for consumption—and a cleaner environment, compensated unemployment or 'free' medical services are consumption—can be met only by substituting them for existing ones or by increasing the total production of goods and services available. Under the first of these two premises, substitution, the reality simply becomes, What are we willing to give up in order to shift our values to new ones? To have every stream a cool, clear and bubbling one? To provide welfare support to one person in 10 in many cities? To enjoy transportation services at less than cost?

"Are we prepared to roll back the use of electric power we employ in so many ways, the intensive use of our automobiles, to give up what we spend that last 10%, 25% or 50% of our income for?

"Or how about putting back into the production stream some part of the 128 hours a week we don't work?" Mr. Ash asks.

CHOICES DEMANDED

What Mr. Ash is saying and what the Brookings study says, in effect, is that the nation's demands and wants in the years ahead cannot be bought with mere greenbacks. They loom so large in their total costs that they demand choices. Will it be less military security and more welfare? Will it be less pollution and more costly electrical power?

All of which leads to one of the most difficult problems of all. The nation's economy has become so complex that citizens and even Congressmen aren't always aware of the full cost of a "desirable." Choosing a national priority is not quite like choosing whether to buy hot dogs or steak, and even that isn't so simple nowadays.

The thing to keep in mind is that the mortgage on the future is already heavy. So much so that increasingly choices will not be between two desirables we don't have but between a desirable we don't have and giving up one we do have. That, of course, is a considerably harder choice.

FEDERAL EDITORS ASSOCIATION'S PUBLICATIONS CONTEST

Mr. SPONG. Mr. President, on Tuesday, May 11, I had the pleasure of addressing the eighth annual awards banquet of the Federal Editors Association. Present on this occasion were 274 editors, writers, press secretaries, public information and news specialists, and public affairs personnel from throughout the executive and legislative branches of the United States.

The banquet was being held in honor of the winners of the Federal Editors Association's annual publications contest. As I presented awards to these winners, I was interested to note that they came from agencies throughout the Government and from many parts of the country.

Prior to the banquet, I had the opportunity to observe some of the winning entries and I was impressed with the quality of work performed and particularly pleased to observe that these fine communicators are making concerted efforts to create publications which are more personal and more readable for the average American citizen.

Federal communicators have an extremely important responsibility in our system of government, for they are charged with the job of getting the facts for the press, the Congress, and the public. Therefore, I am encouraged to find that FEA is working to improve our system of Government communications and to raise the professional status of the men and women who write and edit publications, press releases, training programs, and other materials. And I am particularly glad to note that these people are dedicated to placing the truth and the people's right to know above all else in the pursuit of their duties.

In that the Federal Editors Association contest is the only one of its kind,

serving the entire U.S. Government throughout the Nation, I ask unanimous consent that the list of contest winners be included in the RECORD at the close of my remarks. I know that all Members of the Senate join me in congratulating these fine men and women in their efforts to improve Government communications.

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

WINNERS: FEA'S EIGHTH ANNUAL AWARDS CONTEST

(The following information on FEA contest winners is based on information supplied by entrants. This was the largest and most successful contest in FEA's history.)

BEST IN SHOW

". . . shall not perish from the earth." Editor: John W. Forsen, Eastern Region Headquarters, Forest Service, U.S. Department of Agriculture.

SPECIAL CITATIONS

Census '70 Press Campaign. Editor: Public Information Office Staff, Bureau of the Census.

The National Atlas of the United States of America. Editors: Arch Gerlach and William B. Overstreet, U.S. Geological Survey, Department of the Interior.

CATEGERY 1, POPULAR PUBLICATION, FULL-COLOR

First Place: ". . . shall not perish from the earth." Editor: John W. Forsen, Eastern Region Headquarters, Forest Service, U.S. Department of Agriculture.

Second Place: Bounty from the Land. Editor: Wesley Pedersen, U.S. Information Agency.

Third Place: Apollo 13 "Houston, We've Got a Problem." Editors: James D. Dean and George Gardner, National Aeronautics and Space Administration.

CATEGORY 2, POPULAR PUBLICATION 2- OR 3-COLOR

First Place: Deep Sea Drilling Project. Editors: Nathan Kassack and John Holmes, National Science Foundation.

Second Place: Master Plan—Kenai National Moose Range. Editor: John B. Van den Akker, Bureau of Sport Fisheries and Wildlife, Department of the Interior.

Third Place: Bacteria, the Littlest Cells. Editor: Margaret McElwain. Author: Elaine Wilson, National Institute of Allergy and Infectious Diseases, National Institutes of Health.

CATEGORY 3, POPULAR PUBLICATION, ONE-COLOR

First Place: General Services Administration Annual Report 1970. Editor: A. Douglas Brown, General Services Administration.

Second Place: Population Research. Editor: Patricia Gabbett, National Institute of Child Health and Human Development, National Institutes of Health.

Third Place: Annapolis: The United States Naval Academy Catalog 1971–72. Editor: Edward P. Wilson, Jr., United States Naval Academy.

CATEGORY 4, TECHNICAL PUBLICATION, 2 OR MORE COLORS

First Place: How Medical Students Finance Their Education. Editors: Alexander Adler and Margaret Inman. Authors: Louis C. Remund Smith and Anna R. Crocker. Department of Health, Education, and Welfare.

Second Place: The 1959–60 Eruption of Kilauea Volcano, Hawaii. Editor: Elmer F. Smith, III. Authors: D. H. Richter et al., U.S. Geological Survey, Department of the Interior.

Third Place: The Air Cavalry Division. Executive editor: Major J. D. Coleman. Associate editor: Sp4 Dennis Keenon, U.S. Army Combat Developments Command.

CATEGORY 5, TECHNICAL PUBLICATION ONE-COLOR, LESS THAN 50 PAGES

First Place: Fleshy Fungi Commonly Eaten by Southern Wildlife. Editors: Louis Punch and Clark Jones. Forest Service, U.S. Department of Agriculture.

Second Place: Recreational Impact of Reclamation Reservoirs. Editor: Samuel Wasserman, Bureau of Reclamation, Department of the Interior.

Third Place: Ocean Dumping—A National Policy. Editor: Sheila Mulvihill, Council on Environmental Quality.

CATEGORY 6. TECHNICAL PUBLICATION, ONE-COLOR, OVER 50 PAGES

First Place: The Alaska Earthquake, March 27, 1964. Editors: Elna Bishop and Herbert Wolford, U.S. Geological Survey, Department of the Interior.

Second Place: Monthly Weather Review. Editors: Harold A. Corzine, John O. Ellis, and Gabriel J. Bren, National Oceanic and Atmospheric Administration, Department of Commerce.

Third Place: 1970 Manpower Report of the President. Editor: Helen Wood, Manpower Administration, Department of Labor.

CATEGORY 7, POPULAR MAGAZINE, 2 OR MORE COLORS

First Place: American Education. Editor: Patricia Cahn, U.S. Office of Education, Department of Health, Education, and Welfare.

Second Place: Occupational Outlook Quarterly. Editor: Melvin C. Fountain and Richard Mathews, Bureau of Labor Statistics, Department of Labor.

Third Place: Highway Transportation. Editor: Franklin Pugh, Federal Highway Administration, Department of Transportation.

CATEGORY 8, POPULAR MAGAZINE, ONE-COLOR

First Place: War on Hunger. Editor: Carol H. Steele, Agency for International Development.

Second Place: Quarterly Journal of the Library of Congress. Editor: Publications Office Editorial Staff, Library of Congress.

Third Place: Agricultural Marketing. Editor: Bonnie W. Polk, U.S. Department of Agriculture.

CATEGORY 9, TECHNICAL MAGAZINE, 2 OR MORE COLORS

First Place: Earthquake Information Bulletin. Editor: Jerry Coffman, National Oceanic and Atmospheric Administration, Department of Commerce.

Second Place: Air Force Civil Engineer. Editor: George K. Dimitroff, Civil Engineering School, Air Force Institute of Technology.

Third Place: The Air Force Comptroller Magazine. Editor: Steve Canton, Headquarters, U.S. Air Force.

CATEGORY 10, TECHNICAL MAGAZINE, ONE-COLOR

First Place: Agriculture Science Review. Editor: Ward Konkle, U.S. Department of Agriculture.

Second Place: Monthly Labor Review. Editor-in-Chief: Herbert C. Morton. Executive Editor: Henry Lowenstern, Bureau of Labor Statistics, Department of Labor.

Third Place: Navy Supply Corps Newsletter. Editor: Nancy Dimond, Naval Supply Systems Command.

CATEGORY 11, NEWSPAPER, NEWSLETTER OR HOUSE ORGAN

First Place: The First Team. Executive Editor: Major J. D. Coleman. Production Editor: Sp5 Dave Wolfe, U.S. Army Combat Developments Command.

Second Place: The Hallmark. Editor: Lawrence E. Wheeler, U.S. Army Security Agency.

Third Place: ESSA. Editor: Stanley B. Eames, National Oceanic and Atmospheric Administration, Department of Commerce.

CATEGORY 12, LEAFLET

First Place: P-A-R-A-M-O-U-N-T Speaking for Conference/Convention Audiences. Editor: Harry F. Weber, Department of Defense.

Second Place: Thunderstorms. Editor: Carl Posey, National Oceanic and Atmospheric Administration, Department of Commerce.

Third Place: Watch for New Small Grain Insects. Editor: Elizabeth Adams, Agricultural Research Service, Department of Agriculture.

CATEGORY 13, NEWS PRESS RELEASE

First Place: News Story—Eros. Editor: Walt Conahan, Office of Senator Karl E. Mundt.

Second Place: News Release—Wreck of Ship Discovered. Editor: Raymond Wilcove, National Oceanic and Atmospheric Administration, Department of Commerce.

Third Place: U.S. Department of Labor Files First Suit Seeking Equal Pay for Men. Editor: Robert A. Cuccia, Wage and Hour Division, Department of Labor.

CATEGORY 14, FEATURE PRESS RELEASE

First Place: Search for a Deterrent to Woodpecker Attacks on Utility Poles. Editor: Isabel T. Duffy, Southern Forest Experiment Station, Department of Agriculture.

Second Place: Duck—A Royal Treat for the Holidays. Editor: Sheila Anne LoCastro, Consumer and Marketing Service, Department of Agriculture.

Third Place: Feature on Follow Through Program. Editor: Story Moorefield, Office of Education, Department of Health, Education, and Welfare.

CATEGORY 15, SLIDE/VISUAL

First Place: From Rescue To Recovery. Editor: Anne Russell, Public Health Service, Department of Health, Education, and Welfare.

Second Place: Handle Yourself With Care. Editor: Dorothea J. Lewis, Administration on Aging, Department of Health, Education, and Welfare.

Third Place: Air Force Writing Course. Editor: John J. Weppner, U.S. Air Force Training Command.

NEW PRIORITIES—WE MUST CUT OLD PROGRAMS TO PROVIDE FOR NEW ONES

Mr. PROXMIRE. Mr. President, most thoughtful Americans know that there are great unmet needs in this country. We rank relatively low in the standards of our health care among industrialized nations, largely due to the maldistribution of that care. We desperately need an abundance of housing to meet the needs of some 11 million families who now live in dilapidated or overcrowded housing.

The question of pollution and saving the environment are in the forefront of our needs. States and localities are in desperate financial straits. And the costs of welfare, medicare, and related programs are going up at astronomical rates.

All of this costs money, and lots of it. The basic question is where is it going to come from?

Charles Schultze, the distinguished former Budget Director and now a fellow at Brookings and a professor of economics at the University of Maryland, has thrown some light on the subject. The fact is that between now and 1976, according to Mr. Schultze, the growth in existing Federal programs will eat up almost all of the new revenues which will be generated through the normal rate of growth.

In his analysis, published by Brookings, entitled "Setting National Priorities, the 1972 Budget," he states that new programs—health, housing, pollution, income maintenance, aid to States

and localities—will have to come either from new taxes or cuts in existing programs.

I think that the time has come when we must face that issue. We cannot have everything at once. There is no way, economically, for us to arrive at a state which we could title, "All This and Heaven, Too." We must make hard choices.

Present tax levels are high, onerous, and regressive. There is a limit to any further increase in these levels. In fact, they should come down.

That means that we must cut existing programs if we are to do those things we find necessary. I favor that course of action. And we should begin with a number of them which have grown fat and sloppy over the years. In fact, no program should escape what is called "zero based budgeting." That means that every year we should look at every program anew. We should start from the bottom and examine it.

We could cut big amounts from the military budget. One highly responsible estimate is that at least $16 billion could be cut without jeopardizing our security.

The space program is still a candidate for additional cuts. We spend far too much on highways and too little on mass transportation. Many public works projects are inefficient. We subsidize shipbuilders, big farmers, sugar growers, and the aerospace industry directly, and thousands of others through tax loopholes.

If we are going to do those things which are needed we must cut back on a great many things which are unneeded, or which are not needed as much.

That is the message of the Schultze analysis. And that is the message of an article in the Wall Street Journal for Friday, May 14, 1971, entitled "New Priorities: What To Give Up?" by George Melloan.

For an intelligent discussion of this whole question of priorities, I commend Mr. Melloan's article to the Senate and the public. I ask unanimous consent that it be printed at this point in the RECORD.

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

NEW PRIORITIES: WHAT TO GIVE UP?

(By George Melloan)

With the winding down of the war in Vietnam, American public discussion has focused heavily on a "reordering of national priorities," in the classic style of beating swords into plowshares and spears into pruning hooks.

In the popular concept, the nation is turning its wealth and power away from international concerns and toward domestic "people" problems, involving health, welfare, environment—all things that might provide a better life.

The concept is attractive, and anyone who doubts that the United States can fulfill it to a degree is probably underestimating the national strength of purpose. But there are some realities to be faced if the new expectations are to avoid disappointment.

Essentially, there are two realities. First, despite the Vietnam wind-down, the nation's possibilities for new fiscal undertakings will be very limited for the next five years, unless Americans are willing to pay higher taxes. Second, what the private sector can contribute toward new national goals will also be limited unless it can increase productivity more rapidly, something it shows little sign of doing.

What the two realities mean is that some of the new wants will have to be paid for by giving up things. A reordering of priorities involves not only what the nation intends to achieve but also what it is willing to give up.

THE BROOKINGS' ANALYSIS

One of the best estimates of the nation's federal budget prospects for the next five years is to be found in a just-published Brookings Institution analysis of the President's 1972 budget ("Setting National Priorities, the 1972 Budget"). One of the four Brookings economists who participated in the study was Charles L. Schultze, who was director of the Bureau of the Budget under President Johnson.

Mr. Schultze concludes that between now and 1976, already programmed growth in existing federal programs will use up nearly all of the extra federal revenue generated by growth of the national economy, the so-called "fiscal dividend." His revenue projections are "full employment" estimates, which assume an unemployment rate of 4% or under. In other words, they are the maximum amounts government could spend, in theory, without creating inflationary pressures. In still other words, they are optimistic. Mr. Schultze also assumes that the Indochina war will be largely liquidated in the next few years.

Specifically, Mr. Schultze projects that present federal programs will use up fiscal dividends through fiscal 1974. By fiscal 1976, there will be a surplus of $17 billion, but that is not a very big chunk of the $312 billion budget he projects. He notes also that $15 billion of the surplus will be in Social Security trust funds, not the general budget.

The message is clear. Any expensive new federal programs will have to be financed with either new taxation or cuts in existing programs. Otherwise, there will be deficits that would exceed hypothetical full-employment revenues, and those would be very serious deficits for the economy.

Paying for new programs with new taxes is one clear choice, but one that is not likely to be popular, given the expectations of fiscal benefits from ending the war. The alternative is a question: What can be easily dispensed with that the government now does? Getting agreement on this involves complex political issues.

Mr. Schultze, for example, sees only about $5 billion to $7 billion that could be pared from the budget by eliminating programs that have only marginal or counter-productive results. Even then, he would lop off some spending that still has strong political support, such as farm and maritime subsidies and some types of veterans' benefits. The political problems of getting rid of such spending are immense.

There are other programs where the basic importance is seldom questioned but where the desired spending level can be argued. One of the most tempting targets, particularly among those Americans who are disturbed over the nation's role in Indochina, is the Defense Department budget, which accounts for one-third of the total national budget.

The Brookings specialist on this subject is Edward R. Fried, who also participated in the budget study. He is a former Deputy Assistant Secretary of State for Economic Affairs. Mr. Fried notes that the failure of the Vietnam pullout to substantially reduce the defense budget suggests some weaknesses in Pentagon cost controls, a subject that Brookings will give further study.

But Mr. Fried feels that the real choice is not between an inefficient or super-efficient Pentagon. It is a far harder one. It revolves around that crucial and difficult question, "How much is enough?"—how much is enough to spend on defense to insure the nation and its people of survival?

The fears that question stirs have given the defense budget a high priority since World War II. But part of today's examination of values and priorities, by both the public and the government, turns on whether the nation has had an excessive concern over security that led it into costly, uncharacteristic and unwise adventures—most notably Vietnam.

Through cutbacks in the standing army and other moves, the U.S. has already been demonstrating that it is "moving toward an era in which it is prepared to take somewhat more risks," Mr. Fried observes. But despite this trend, he doesn't foresee much chance of cutting or even holding the line on the defense budget without some fairly serious risks. The more likely prospect is that it will rise some 11% in constant dollars through 1976, which is a fairly modest increase but an increase nonetheless.

For some time, the Brookings' study shows, the most rapid growth in federal spending has not been in defense, space travel and international affairs but in what Brookings calls "income maintenance" programs, in which, in effect the government distributes money to its citizens. Under this heading would come Social Security, public assistance programs (including the very fast growing Aid to Families with Dependent Children), veterans' benefits, farm subsidies, Medicare, Medicaid and the like. In 1960, such programs accounted for $25 billion of the budget. They will account for $85 billion in the fiscal 1972 budget. That will almost equal the combined outlay for defense, space and international affairs, whereas in 1960 it was only half that outlay.

It is significant that two of the most important programs President Nixon has put before Congress this year, welfare reform and health insurance, both fall in that area. The prospects are that welfare reform will raise, rather than lower, the national cost of welfare, although it perhaps will reverse the apparent tendency of welfare aid to encourage dependency. If a new law does raise welfare costs there will be serious questions about how they can be paid.

The federal budget, of course, is not the only way the nation alters its priorities. Another is through local and state budgets, which have been growing rapidly and which also are slanted toward "people" problems. Still another is through the market place, in the purchase of privately produced goods and services.

A PRICING TREND

One significant recent trend has been an increased effort to meet national priorities through government regulation of the private sector. It is possible that a major share of the nation's environmental problems will be tackled in this way and quite possibly a larger share of its health problems. What this does, in effect, is transfer the cost of reaching such public interest goals from taxation to prices.

Some business executives voice only light objections to this practice. Providing the law requires all their competitors to do the same thing, many say they are willing to control pollution or pay health insurance benefits and pass along the costs to their customers.

Their big objection is that regulators often set standards so high that they force the consumer to pay a high price for marginal extra benefits. "Where do you stop adding to a product's cost when you're trying to build in more safety?" asked Harry C. McCreary, president of McCreary Tire & Rubber Co., in a recent speech. It's the "how much is enough?" question again, except regulators

aren't subject to tax revenue limitations that Pentagon budgeteers are.

There is another problem connected with transferring the cost of meeting national priorities to the private sector, and it is ably illustrated by Roy L. Ash, president of Litton Industries Inc. Mr. Ash notes that many of the new demands on the private economy take little account of whether the private economy has the capacity to meet them.

"We've learned to write erudite books about international balance of payments and full employment budgets." Mr. Ash said recently, "but too few people understand that consumption of goods or services can be fulfilled only from production. . . . To make these points may seem pedantic, yet the swelling and unstated assumption of too many Americans is that somehow we can consume what we don't produce; that there is such a thing as a free lunch.

". . . New claims for consumption—and a cleaner environment, compensated unemployment or 'free' medical services are consumption—can be met only by substituting them for existing ones or by increasing the total production of goods and services available. Under the first of these two premises, substitution, the reality simply becomes, What are we willing to give up in order to shift our values to new ones? To have every stream a cool, clear and bubbling one? To provide welfare support to one person in 10 in many cities? To enjoy transportation services at less than cost?

"Are we prepared to roll back the use of electric power we employ in so many ways, the intensive use of our automobiles, to give up what we spend that last 10%, 25% or 50% of our income for?

"Or how about putting back into the production stream some part of the 128 hours a week we don't work?" Mr. Ash asks.

CHOICES DEMANDED

What Mr. Ash is saying and what the Brookings study says, in effect, is that the nation's demands and wants in the years ahead cannot be bought with mere greenbacks. They loom so large in their total costs that they demand choices. Will it be less military security and more welfare? Will it be less pollution and more costly electrical power?

All of which leads to one of the most difficult problems of all. The nation's economy has become so complex that citizens and even Congressmen aren't always aware of the full cost of a "desirable." Choosing a national priority is not quite like choosing whether to buy hot dogs or steak, and even that isn't so simple nowadays.

The thing to keep in mind is that the mortgage on the future is already heavy. So much so that increasingly choices will not be between two desirables we don't have but between a desirable we don't have and giving up one we do have. That, of course, is a considerably harder choice.

PRESIDENT NIXON'S REVENUE-SHARING PROPOSALS

Mr. DOMINICK. Mr. President, on April 19, 1971, in Denver, Colo., our very able and distinguished Secretary of Health, Education, and Welfare, Elliot L. Richardson, spoke to the American Society for Public Administration. In that speech, he presented some particularly compelling arguments for President Nixon's revenue-sharing proposals.

In describing the values of both the general and special revenue-sharing concepts, he urged the public administrators to be forward thinking in their consideration of the plans.

I ask unanimous consent that Secretary Richardson's speech be included in the RECORD at this time. I urge my colleagues to read Secretary Richardson's statement and to be forward thinking in their appraisal of the President's revenue-sharing plans.

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

REMARKS BY THE HONORABLE ELLIOT L. RICHARDSON, SECRETARY, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

In his essay on "The World Outside and the Pictures in Our Heads," Walter Lippmann warned against the application of an irrelevant past to current decisions. "There was a moment," he wrote, "when the pictures of Europe on which men were conducting their business as usual, did not in any way correspond to the Europe which was about to make a jumble of their lives. There was a time for each man when he was still adjusted to an environment that no longer existed."

Unfortunately, Lippmann's insight is as valid today as it was in 1921, as I shall try to show in examining reactions to the President's revenue sharing proposals. It is one of the minor exasperations of public life that one must deal with individuals who fail to distinguish between the living forces of history and a collection of antimacassar images. As Gertrude Stein once lamented, it is a pity that not all one's contemporaries are one's contemporaries.

In public administration, the important time dimension is the future. We must keep in mind the instructions of our historical catechism—that "the past is prologue" and "those who ignore the past are condemned to repeat it." But also, as e. e. cummings once observed, "Tomorrow is our permanent address." If we know where we are going, a relevant past will be a moving van, helping us to get to our new residence.

It is within this context that I should like to review very briefly the President's revenue sharing proposals, which are in two parts, and inspect the "address" to which we should like to move.

The first proposal is for *general* revenue sharing, in which a percentage of the income tax base would be distributed among States and localities with only two provisos—that State and local governments be accountable to the public for the honest use of shared revenues, and that the funds not be used in any way that would impede our progress on civil liberties.

The second part of the revenue sharing proposal is to consolidate a large and cumbersome number of categorical grants into a very few grants, without matching requirements. For these, in addition to the provisos for accountability and non-discrimination, there are requirements for State planning and for the participation of citizens in the planning.

Underlying the general revenue sharing proposal is the President's recognition of two immediate realities. But, as I shall note later, there are more profound reasons underlying both proposals.

The first immediate reality is that State and local governments are experiencing serious financial distress in maintaining the most elementary public services—police protection, garbage disposal, and the like. One mayor was asked what he would do with shared revenues, and he replied, "With the first $1,000, I'll pay the office's electric bills."

The second reality is that the power of government has become overly centralized. In the transformation of the role of State and local government into administrative arms of the National Government, their fundamental powers have atrophied.

And what has been the reaction to the general revenue sharing proposal?

Some have said, "if the governors and mayors need more money, let them raise taxes." As the former Lieutenant Governor of Massachusetts, allow me to translate that sentence. In political English, it means, "Let them drink hemlock." Except in rare instances, governors and mayors who have proposed raising taxes in proportion to need have put an end to their political lives. Moreover, most States and localities—which incidentally have been raising revenues despite the political liability—have about exhausted the treasure hoard of property and sales taxes as well as of special fees and charges. The sources of revenue simply cannot keep up with expenditures.

Moreover, these taxes and fees are essentially regressive while the National Government has pre-empted the lion's share of progressive and more equitable income taxes. And, I should add, more than three-fourths of the States have picked up the National Government's leavings through their own taxes on income.

I am not saying that there is no opportunity for the States and local governments to increase their revenues. I am saying that the opportunity is more limited and less equitable than it would be if a portion of the expanding national income tax base were reserved for their use.

Another argument against general revenue sharing is that the government that raises taxes should have the responsibility for spending them. This is one of those high principles from which we need to be rescued from time to time.

The money raised by the Congress does not belong to the Congress—although some members seem to think it does. The money belongs to the citizens of this country. It comes from their—from our—pockets. How that money should be distributed, who should be accountable, and on which purposes the money should be spent is the choice of citizens, through their representatives. Revenue sharing is not precluded.

There is also afoot the argument that, if the National Government assumed all welfare costs, that would be the best form of revenue sharing. It is argued that this step would relieve the States and localities from large and increasing welfare expenditures.

This is a chimera. Current expenditures on welfare are only the tip of the proverbial iceberg if the National Government assumes all costs. For there is a wide disparity among the States and localities in welfare expenditures, and the pressure for uniform national standards would be irresistible. Welfare expenditures, at a minimum, would double—and this added cost would be gravely felt in the competing national priorities we should then have to forego. Severe constraints would thereby be imposed on our options for the future.

When those who hold to the high principle of linking revenue raising to spending authorities also advocate block grants and the nationalization of welfare expenditures, one feels as though Humpty Dumpty has at last won the day, and words mean whatever anyone wants them to mean.

Turning to special revenue sharing, we find the objectives again to be quite straightforward. Much of the Federal support for State and local governments has been in the form of categorical grants-in-aid, of which there are roughly 500 different ones at this time. While the history of grants-in-aid goes back to the 19th century, their philosophical basis has altered considerably. Before the Depression, they were regarded primarily as means to assist States and localities to fulfill their purposes. During the Depression, and at an accelerating pace thereafter, they came to be regarded as means for achieving national purposes.

In recent years, however, categorical grants-in-aid have been subjected to a plague of criticism in many forums—for their bewildering maze of procedures, rules, and reporting requirements; for their attempt to impose unnecessary national uniformities in

ignorance of the diversity within and among the States; and for their distortion of State planning.

To be responsive to these criticisms, and as part of the general strategy for sorting out and sharpening the respective roles of the National, State, and local governments, the Administration has proposed its special revenue sharing measures.

It is *not* proposing, I should stress, that the national government abdicate its responsibilities or abandon any effort to evoke responses to urgent national priorities. Rather, we are endeavoring to devise a legitimate and constructive role for the national member of the Federal Government. For example, our support of research and development to uncover useful solutions to social problems, and our engagement with the processes by which useful information is disseminated and put into practice, constitute a forceful means of effecting reforms.

The reaction to the special revenue sharing proposals has been different from the reaction to general revenue sharing, and we have attracted a different set of critics—a difference, one might say, without very much distinction.

These critics argue that grants should not be consolidated and States and localities should not be given greater flexibility in the allocation of resources, because State and local governments are archaic, because they have tried to subvert national purposes, and because these governments are weak, corrupt, and untrustworthy.

One critic has proposed abolishing State governments altogether, substituting regional government. It is interesting, in this connection, to recall the reasoning of the Founding Fathers on the distribution of governmental powers. In the 10th paper of *The Federalist*, we read that: "The Federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular[ly] to the State legislature."

Federalist paper number 13 pointed out, "Were it proposed by the plan of the convention to abolish the governments of the particular States . . . it would not be difficult to show that if they were abolished the general government would be compelled, by the principle of self-preservation, to reinstate them in their proper jurisdiction."

Jefferson, in his *Autobiography*, made similar observations: "Were not this great country already divided into States, that division must be made, that each might do for itself what concerns itself directly, and what it can much better do than a distant authority . . . Were we directed from Washington when to sow, and when to reap, we should want bread. It is by this partition of cares, descending in gradation from general particular, that the mass of human affairs may be best managed, for the good and prosperity of all."

It requires little acuity of vision to see that "local and particular" interests are being referred to the national legislature, and that the "partition of cares" has been almost completely removed. The question remains: is the "mass of human affairs" being managed better?

I do not mean to rest my case on appeals to the authority of Hamilton, Madison, Jay, and Jefferson. There are many impressive thinkers among us today who question whether a government theory originating with John Locke and others in the 18th century is applicable to these times. It is a truism that the past is a graveyard for dead freedoms unless those freedoms are reaffirmed by the living. And the Promethean task of leadership in every age is to bring new light, even if it upsets the bureaucracy of Olympus. We must ask what future, what freedom, we should like to have, and bring today's forces to bear on the goal.

The substitution of regional governments for State governments is not on the national agenda. But even if it were, we should then be worrying about regional financing and regional relationships to categorical grants. Nothing but geographic area would be changed in our intergovernmental constructions for the future. The choice is between concentrating still more the powers of government in the center, and decentralizing and balancing those powers.

There is a role for regional government; indeed, it figures as one of the strong interlocking steps the Administration is taking to reverse the centripetal flow of governmental powers. We see the regional offices of the national government as principal agents of change, introducing and adapting innovations by means of technical assistance into the diverse social environments that characterize the regions in which they are located.

I should like to stipulate to the fact that some State and local governments have not kept pace with progress (whatever that may be) that some have been led by corrupt officials, and that some have been recalcitrant in applying the law of the land in correcting social injustices. I submit that the percentage in all cases has been low, and that many State and local governments are far different from what they were only a decade ago. But all that is not to the point.

The question is not what the States have been, or how some have failed, but what they may be, and, beyond that, what the alternatives are. The history of strong *central* governments, and their relationships to the people, should leave no one sanguine about the main alternative to strong, *decentralized* foci of governmental power. The growth of an anonymous bureaucracy, remote from the lives of most Americans, and yet impinging daily on them, must surely be the final tyranny of a civilized society.

The question is whether, with proper attention to the problems, we can strengthen the governing capacity of the State and local governments within a truly Federal system, whether we encourage their modernization, and open up opportunities for the participation of citizens in the governing process.

I do not use the word "participation" lightly. This conference is on "Public Administration in an Age of Involvement," and it is precisely the richness of "involvement" I should like to convey—the search for personal identity and for responsiveness from institutions one cares enough about to want them to endure. We must deliberately devise ways of giving individuals meaningful parts in shaping governmental policies and programs; they affect the quality of their lives too importantly to do otherwise.

And lastly, the question is whether responsiveness to national purposes can only be achieved through uniform requirements—especially when we are very uncertain what it is those requirements really produce.

I submit that there is a better alternative—that the national purposes be made clear, that we ask the States to achieve those purposes in any way that they can within the bounds of fiscal responsibility, and that the National Government publicly measure the outcomes and assist in replicating the successful ventures.

The National Government has no monopoly on wisdom, nor has it a Fort Knox of solutions for our social problems.

The states can and should be great laboratories for diverse experimentation, and more responsive to their citizens in achieving national goals. An objective measurement of their performance, open to the public, enforced by law and public conscience, will provide us with an inescapable social accounting. It isn't past performance, but the changes we should like to occur in the future, that is important.

Finally, as I mentioned at this outset, there are deeper reasons for wanting to follow the route proposed by this Administration.

It is essential to recognize that the essence of governemnt, any government, is coercion—no matter how we mask it by words such as "partnership" or "cooperation." The central issue is how that coercion is to be applied—whether it is to be *mutual* coercion or otherwise, and whether it is to be coercion or oppression. What is this sense of frustration abroad in the land with government if it is not that citizens feel they are unable to influence either the form or the substance of coercion?

Cicero once said, "Potestas in populo, auctoritas in senatu"—power lies in the people, authority in the Senate. But people feel powerless today. What is the result? As the people lose power, the force of authority that they bestow upon those who govern begins to weaken, the representatives of the authorities narrow, and to more and more people the remaining authority takes on the appearance of hypocrisy and injustice.

The restoration of power is at the root of the Administration's proposals—not only in general and special revenue sharing, but also in its proposals to reform welfare, to make institutions of higher education more responsive to students, and to reform and reorganize the Federal Government itself. We are trying to rid this Nation of the miasma of alienation and powerlessness that is smothering it. We are challenging the citizens, all citizens, to accept the power of governance and the responsibility that accompanies it.

The people must feel in the future that the decisions of government are truly theirs, that its declared purposes are theirs, and that the actions of their governments are fair and just. The people must regain an awareness of their potency to control government, not merely confront it. They must become in the future self-confident in their strength and self-assured that their elected officials act in accord with their delegated authorities.

Clearly, the psychological and humanistic ambience of our proposals differs from our opponents. Distrust, contempt, and vituperation accompany the indiscriminate attacks on State and local governments and their elected officials. These charges add to the sum total of bitterness, suspicion, and hostility afflicting this Nation. They divide us; they depress our energies, they misdirect the vast resources of the Federal Government; they distract us from the rennovations and reforms we so urgently need.

The Administration seeks to decentralize power, to strengthen the capacity of State and local governments to govern, and to encourage the participation of citizens—*because* we believe it is crucial, more so than ever before, to trust the people.

We must try to open up these barricaded boxes into which we have crawled, peering with armed hositility through narrow peepholes at every outsider. We must rediscover our useful past—of a tolerant spirit, neighborliness, and good humor. We must try once again to trust one another. For although tomorrow is, indeed, our permanent address, whom or what shall be found there depends in the end upon this.

FORMER SENATOR GRUENING MAKES COMPELLING CASE FOR ENDING DRAFT—NOW

Mr. PROXMIRE. Mr. President, on Wednesday, May 5, an excellent article appeared in the New York Times urging in the most compelling terms an immediate end to the draft. The article placed particular emphasis on the corrosive effect the draft has had on our Nation because of the Vietnam war. The author of this article former Senator Ernest Gruening is perhaps as well qualified as anyone to speak on this aspect of the

draft, for he was one of the first Senators to condemn our Vietnam involvement.

As Senator Gruening pointed out:

The draft should at the very least be made inapplicable to Southeast Asia.

Senator Gruening tried twice while he was in the Senate to gain acceptance of such a limitation. I introduced an amendment last year to implement a Southeast Asia exemption. This year Senator NELSON has proposed a similar measure.

But a Southeast Asia exemption is only second best. I agree with Senator Gruening that our national ethos is not attuned to a continuation of the draft. As the New York Times article points out:

Only briefly in times of war was there a draft until, for the first time, peacetime conscription was established by the Congress in 1948.

This is a tradition we all too often overlook. Historically there is no basis for the argument that our Nation is incapable of sustaining its defenses while at the same time protecting itself from a professional military elite without the draft. We have done so for most of our history.

Mr. President, I ask unanimous consent that the Gruening article be inserted in the RECORD at the conclusion of my remarks so that Senators can consider his persuasive and eloquent arguments for the immediate abolition of the draft system.

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

[From the New York Times, May 5, 1970]

END THE DRAFT NOW

(By Ernest Gruening)

WASHINGTON.—Continuation of the draft when the Selective Service Act expires on June 30 is now planned by the White House. This move is, of course, supported by the Pentagon, but the decision rests with the Congress.

If Congress does not act, if either House fails to vote for extension, no more of our young men will be conscripted for service in Southeast Asia or elsewhere. Congress could, alternatively, repeal the Selective Service Act enacted 23 years ago, and Senate Joint Resolution 20, sponsored by Senators Hatfield, McGovern, Cranston, Church and Proxmire, would do just that.

For those who, like this writer, feel that the draft should at the very least be made inapplicable to Southeast Asia, and, preferably, totally abolished, there is the apprehension that the Administration will promise, as Mr. Nixon did in 1968, to offer a volunteer army as a substitute, but will argue that the draft must be extended for a year or two in order to effect the transition. I hope the Congress will not fall into that trap. And let me say, parenthetically, that the present and past attempts to "reform" the draft are meaningless and futile. It is the draft itself that constitutes the injustice.

We should be reminded that for by far the greater portion of our national life we had no conscription. The millions who emigrated from the Old World came in part to get away from the compulsory military service designed to further the ambitions of monarchies, and attracted by the absence of such compulsory service in "the land of freedom." Only briefly in terms of war—the Civil War, World Wars I and II—was there a draft until, for the first time, peacetime conscription was established by Congress in 1948. It can scarcely be argued successfully that our nation has fared better under this departure from time-honored precedent.

The draft—for this war—has posed an unconscionable problem to the prospective draftee. It has been a major factor in campus unrest, in the alienation of our youth, and, together with the war itself, the chief contributor to the national malaise. Our young people have come to realize that military service in Indochina is not service in defense of our country.

Since the exposures of the 1968 hearings of the Senate Foreign Relations Committee, people have learned that the Congress was misled by White House misrepresentations of what occurred in the Tonkin Gulf in August 1964 into giving President Johnson the unlimited power to wage war as he saw fit in Southeast Asia, with a resulting toll of nearly 50,000 Americans dead, 300,000 wounded, some crippled for life, and all the other unhappy consequences. They should know also that a resolution to achieve what the Tonkin Gulf resolution did had been drafted months before the Tonkin Gulf incident.

Our young people also know that the official allegations that we are there to bring freedom to the Vietnamese is made a mockery by the sleazy characters that we are supporting in power in Saigon whose actions are the counterparts of the oppressive tactics we denounce in our adversaries.

So the draftee is required to take part in a war that he considers unjustifiable, immoral and, as more and more is revealed, monstrous; to fight and kill people against whom he feels no grievance and perhaps be killed or maimed himself in the process, with the alternative, if he refuses, to go to jail for five years at hard labor and probable ruin of his future in civil life.

This is an infamous dilemma to which no American, indeed no member of a society that vaunts itself as free, should be subject.

The draftee is uniquely the victim of this injustice. Those who signed up voluntarily in any of the armed services knew when they enlisted they would have to go wherever they were sent.

While in the Senate I tried twice, in 1966 and 1967, to amend the Selective Service Act to provide that no draftees should be sent involuntarily to Southeast Asia without the consent of Congress. These attempts were voted down. Such a bill has now been introduced by Representative William Fitts Ryan of New York. But now that President Nixon has proclaimed for over two years, that he is ending the war, has repeatedly announced troop withdrawals, and Congressional voices echo that, "he's winding it down," what earthly justification is there for sending draftees to the slaughter?

Actually, while campaigning for election, Mr. Nixon said he would end conscription. But fulfillment of that campaign promise appears as elusive as the other campaign promises to end the war.

I am not a lawyer, constitutional or other, but being able to read, I cannot understand why conscription is not the involuntary servitude which the Thirteenth Amendment to the Constitution forbids. Yet the Supreme Court, with the two strict constructionists recently added, has avoided ruling on this crucial issue, and now has further decided, with Douglas alone dissenting, that one can't be a conscientious objector to this obscene war.

With the executive and judicial branches having failed our young men, our hope must rest with the legislative branch. The American people will be watching how their elected representatives in Congress vote on this issue, and who among these older men will sentence more of our boys to die in vain in an utterly discredited cause.

FREE FLOW OF INFORMATION

Mr. SAXBE. Mr. President, I have been in public life for a long time, nearly half of the years I have been on earth, and during most of that time I have been subject to the often microscopic scrutiny of the press. I would not have it any other way. While it would be untrue to say I have always enjoyed this adversary relationship, or that I have profited from it, I will say that the public certainly is the richer for it. For the free flow of information, from both the writing and the broadcast media, must always continue unhindered.

An eloquent discussion of that free flow of information, and a look at potential dangers directed its way, were recently offered by the distinguished senior Senator from Illinois (Mr. PERCY). I ask unanimous consent that the speech be printed in the RECORD so that Senators might share its wisdom.

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

ADDRESS BY SENATOR CHARLES H. PERCY BEFORE THE ILLINOIS BROADCASTERS ASSOCIATION, SPRINGFIELD, ILL., MAY 12, 1971

I wish to speak to you tonight about what I see as a growing danger to the unrestricted flow of information in this country. Conscious efforts are being made to nibble away at the freedom of the press, one of the founding principles upon which our democratic society is based, and it seems to me to be time for us to take note of this disturbing trend.

Attempts have been made to subpoena the notes of newspaper reporters and the broadcast film and tapes of television reporters. A fusillade of criticism has been fired at the news media by many of the big guns in the executive and legislative branches of the government. And, regrettably, too few people are reacting sufficiently to this threat to the free and uninhibited functioning of the American press and to the First Amendment guarantees upon which its independence is based.

These guarantees are not subject to modification. As Supreme Court Justice Hugo L. Black has observed, "The First Amendment does not speak equivocally. It prohibits any law 'abridging freedom of speech or of the press.' It must be taken as a command of the broadest scope that explicit language, read in the context of a liberty-loving society, will allow."

It is true, of course, that broadcast journalism operates under special restraints that do not affect the print media. Broadcast media are the only ones that are licensed by the government they are supposed to examine. Broadcasting licenses come up for review and renewal every three years, and renewal depends upon a governmental judgment of how well each broadcast station has served "the public interest."

Through its authority to grant or withhold a license to broadcast, the government has the power, if not the authority, to judge a news medium. Clearly, the existence of that power can have an impact on what is broadcast.

I do not mean to imply that any of you here today have capitulated to criticism by the government, nor that you are likely to do so. But as long as the possibility remains that a few broadcast journalists will yield to governmental pressure and abdicate their responsibility to report the news fully and fairly, we face a very perilous situation. The power of government is so vast that its attempts to discredit the press carry alarming overtones.

It seems to me that one cannot differentiate between the essential functions of the printed and the electronic press. The one works with pencils and notebooks, the other with cameras and microphones. But these are differences of technique, not of substance. They share the same ultimate goal:

To insure that the American people's right to know is not subverted.

At its meeting recently in Washington, the American Society of Newspaper Editors recognized that the current wave of attacks on television news constitutes an assault on the press per se, not simply on one segment of it. The newspaper editors sent a blistering telegram to the House subcommittee that is trying to subpoena from CBS news the film and words not used in the now celebrated documentary, "The Selling of the Pentagon."

Eric Sevareid, the CBS commentator, described the editors' action this way: "For the first time, so far as we recall, American newspaper editors are formally and collectively saying that the First Amendment is not divisible, that the broadcast and the printed press constitute one crew in the same boat, one end of which is not likely to sink by itself."

This audience is well aware of the fact that relationships between the print and the broadcast media have historically been suspicious, if not acrimonious. This is understandable enough. Electric journalism has harmed many newspapers economically and, by its immediacy, has forced them to alter the traditional ways in which they present the news.

Of late, however, it seems to me that both newspapermen and broadcasters have begun to realize that they serve complementary purposes and that they must unite against common foes rather than concentrating their energies on competition with each other.

Radio and television obviously cannot provide the depth and scope offered by a good newspaper or newsmagazine. And newspapers cannot hope to offer the visual impact provided by television or to equal the speed with which both of the broadcasting media can respond to news events. But with a combined effort, the media can protect themselves from incursions into their constitutionally guaranteed freedoms.

No rational man would argue that the press is perfect or that it should be immune from reasonable criticism. Like any institution relying on human judgment, it is fallible, even irresponsible on occasion. All reporters and editors make mistakes. And no expression of editorial opinion has—or ever will have—universal support.

But freedom of the press includes the freedom to err occasionally. In Walter Lippmann's words: "The theory of the free press is that the truth will emerge from free reporting and free discussion, not that it will be presented perfectly and instantly in any one account."

Specific errors made by the press are certainly fair game for specific, factual rebuttal. But the general broadside—the unsubstantiated contention that the average newsman is an advocate, rather than a reporter; or that he is party to some "conspiracy" to mislead the public—this is the weapon of intimidation.

I personally am far more concerned over the possibility that governmental errors will go unreported and undetected than I am over the prospect of a few inaccurate stories by a few reporters. If an issue reaches the public, the truth will eventually be sifted out. But if news is suppressed and newsmen are cowed, the public may remain uninformed, and powerless to alter the course of government.

As a United States Senator, I am subject to the scrutiny of the press. I often read and hear things that make me understand why Napoleon Bonaparte complained—before the age of radio and television—that "Four hostile newspapers are more to be feared than a thousand bayonets." Sometimes I find that a good reporter has made public some information that I had hoped to keep private. Or I may feel that my public positions have been misrepresented—or, just as bad, not represented at all.

But, if I am occasionally exasperated by the free press, I think I also understand that I could not function effectively as a Senator without it. The press is one of the principal links between me and my constituents. It is one of my major sources of information about a wide variety of public issues. And I trust it, because I know that it is not an arm of the state nor an apologist for any faction or interest group.

In general, I am in sympathy with the sentiments of President Theodore Roosevelt, who said early in this century:

"I think it is a great deal better to err a little bit on the side of having too much discussion and having too virulent language used by the press, rather than to err on the side of having them not say what they ought to say, especially with reference to public men and measures."

I realize that an outsider takes some risk in telling a professional organization what is in its best interest, but since so many of you have offered me so much unsolicited advice, I feel free to respond in kind.

I would strongly urge you to continue to protect the confidential sources of newsmen. They are the raw material of the reporter's craft, and the free dissemination of news will be restricted if they are identified.

I hope you will tenaciously resist any attempt by government to pry into unused notes and news film. They are sacrosanct.

And, perhaps most basic of all, I hope that newsmen will continue to regard governmental pronouncements with the skepticism they so often deserve and to goad the elected leadership into action.

If it had not been for a free and inquiring press, the nation might never have had an insight into the Laotian operation.

We might never have known of the disgraceful conditions that exist in Chicago area nursing homes—conditions that were either ignored or condoned by the governments responsible for licensing and inspecting them.

We might have been blissfully ignorant of the condition of minority groups in this country.

G. Harrold Carswell might be sitting on the Supreme Court.

Senator Joseph McCarthy might have destroyed many more loyal Americans.

The press did not manufacture these individuals and situations. It merely informed the public of their existence, thereby discharging its fundamental obligation with distinction. Arthur Hays Sulzberger, the late publisher of *The New York Times*, described this essential duty very well. "We tell the public which way the cat is jumping," he said. "The public will take care of the cat."

Unfortunately, too many of our fellow citizens do not understand the role of the press. When unpleasant news comes into their homes, they seem to believe that the press is responsible for the events it reports. They blame the transmission belt, not the machine itself, for the breakdowns in our society. A newsman could be forgiven for occasionally thinking that we have not progressed far enough from the time when the herald who brought news of a military defeat was executed for his trouble.

Unreported news might make some people feel better, but it would leave our society much poorer, for a society cannot solve its problems without comprehending them. The press has wrought change in this country because it has rarely compromised with the truth and has not knowingly withheld information from the public. I hope it never deviates from its commitment to truth and full disclosure of the facts, and I can assure you tonight that I will do whatever I can to assist you in resisting encroachments upon your freedoms.

The late Supreme Court Justice Felix Frankfurter stated the rationale for the constitutional guarantees that protect the press very succinctly. He said: "Without a free press there can be no free society. That is axiomatic."

REMARKS BY SENATOR HUBERT H. HUMPHREY AT THE COMMONWEALTH CLUB IN SAN FRANCISCO ON MAY 17, 1971

Mr. STENNIS. Mr. President, on May 17, in San Francisco, the distinguished Senator from Minnesota (Mr. HUMPHREY), addressed the Commonwealth Club. His remarks are thoughtful and timely.

Senator HUMPHREY said that a hasty and unilateral reduction of American troops in Europe would appear to friend and foe alike to indicate declining U.S. support for our NATO commitments. He stressed the importance of NATO to our security, and the need for the alliance as a dynamic and flexible institution of great usefulness to its members. Mr. President, I think the Senator's speech has points of great merit.

I ask unanimous consent that Senator HUMPHREY'S address to the Commonwealth Club be printed in the RECORD.

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

REMARKS BY SENATOR HUBERT H. HUMPHREY ON NATO

Ladies and gentlemen, I want to speak to you today on a matter of vital concern to us all—the North Atlantic Treaty alliance. You might think it peculiar for me to talk about the Atlantic when I am addressing a forum at the edge of the Pacific. But surely we know by now that what affects people even in the remotest corner of the world can affect us all.

The North Atlantic alliance is the foundation of American national security. It represents a singularly effective achievement of American foreign policy because it has preserved the peace in Europe for over 25 years.

I came to the Senate when the NATO alliance was consummated. I voted for its adoption.

Now the Senate is about to vote on a proposal which would put that alliance into question. I believe that if we jeopardize the alliance in any way now, we will do so at our peril.

An alliance, like life itself, changes and matures. NATO had as its sole original purpose the containment of the massive military power of the Soviet Union. In other words, it was strictly defensive.

That posture continues. But it now has a new dimension. Today the alliance provides the necessary framework around which European unity and cooperation can flourish.

NATO has become a vehicle for diplomatic initiatives with the Soviet Union and the Warsaw Pact countries. It permits us to work in concert with our allies to secure an Atlantic security system. It also permits us to work together to induce diplomatic engagement, rather than mere military containment.

NATO, in short, is a dynamic, flexible institution which has a very real function, vital to our own security. While its role has evolved over a period of time, its usefulness today is as great, if not greater than at its inception.

NATO is a unique illustration of how an essentially mutual defense pact has evolved toward an institution designed to promote economic and political cooperation. And let me emphasize that economic and political cooperation are not mutually exclusive. In fact, they are complementary.

National security is not to be found in

military power alone. It is to be found in economic and political cooperation which can only be instilled through constant consultation.

Senator MANSFIELD recently introduced an amendment in the Senate which calls for a reduction of 150,000 American troops in Europe—half of the American commitment to NATO.

I do not question the Senator's sincerity. But I am dismayed at the thought that such significant action would ever be taken unilaterally.

A call for substantial troop reductions is a matter of serious portent. It can only be decided upon in consultation with our allies. Senator Mansfield's amendment does not provide for consultation. I believe its acceptance at this time would not be in the best interests of the United States or its European allies.

When my distinguished colleague and those who support his proposal point out the serious weight which has been placed on the dollar as a result of our NATO commitments, my reaction is one of puzzlement.

The recent international monetary crisis is, indeed, a serious problem. But certainly the root of this problem cannot be attributed to our NATO expenditures. Not when we realize that Eurodollar accumulation reportedly is in the range of 50 billion dollars and our own balance of payments costs for our NATO contribution are 1.8 billion dollars annually . . . not when we realize that through offsetting agreements with the Federal Republic of Germany, the United States has received over 6.5 billion dollars.

Since 1949 the nations of Europe have grown steadily more prosperous. With each year they have shown a greater willingness to share in the financial burden of maintaining NATO. They recognize that it is in their interest.

We certainly can and should encourage our allies to make an even greater contribution, and their recent pledges give us every indication that they are perfectly willing to assume what is their responsibility.

I understand the frustrations and concerns which have prompted Senator Mansfield to introduce his amendment. I commend him for correctly pointing out the need to review our commitments with respect to NATO, and I would add with respect to other areas of the world. The brutal and costly experience of Vietnam makes it imperative that we reassess and reevaluate our roles both at home and abroad.

I cannot, however, accept the rationale that links our withdrawal from Vietnam—and withdraw we must—to withdrawal from other parts of the world.

Our alliance with Western Europe is permanent and basic to American foreign policy. There should be no doubt that the security of the United States and Western Europe are inextricably linked. And we must be wary of taking steps which might weaken that alliance.

A weakening of the physical and psychological fabric of the NATO alliance, I believe, would strike a serious blow to the prospects for peace, future chances of international cooperation, and the security of the United States.

To abruptly cut in half our forces in Europe would seem to friend and foe alike a clear measure of declining U.S. support for our NATO commitments.

We must be mindful of the fact that there have already been significant troop reductions from Western Europe since the peak period of 1961–62 during the Berlin crisis. At that time we had 434,000 American forces stationed in Europe. We now have roughly 300,000—a reduction of about 134,000 troops.

To convey an impression of neglecting our NATO commitments would jeopardize vital efforts already in progress to reduce tensions between East and West and to facilitate durable force cuts by both NATO and the Warsaw Pact Countries.

Only last Friday, Mr. Brezhnev threw out an open invitation for the NATO countries to join in discussions on troop reductions and armaments limitations in Central Europe. Since 1968, NATO has expressed an interest in negotiating an arrangement for mutual balanced forced reductions in Europe.

Now, when we seem to be at the point of settling an issue that has helped to keep the world unsettled since World War II, we are seriously considering a far riskier option.

We should not now gamble away the very stakes to be negotiated.

We should seize the opportunity to negotiate a troop reduction on a mutual basis and without damage to the NATO alliance.

We should never give the Russians something for nothing.

Negotiating with the Russians is like picking fruit from a tree. The Brezhnev invitation indicates that the fruit on that tree may now be ripe.

I believe we should try to preserve the delicate balance between the United States and the Soviet Union, while cutting back on our defense expenditures. The Soviets are as interested as we are in cutting defense costs and, hopefully, in reducing tensions. The recent statements at the 24th Party Congress would seem to affirm this conclusion. They, too, are saddled with a costly military establishment whose budget could be greatly reduced, if only we could agree.

Our national security should not be unilaterally legislated. It should be negotiated. It requires diplomacy, and cooperation between the United States and our allies and with members of the Warsaw Pact.

I stress the need for consultation within our own country as much as within NATO and with the other parties involved.

We should have learned only too well from past involvements since World War II—Korea, the Middle East, and now Vietnam—that what has been lacking at home has been the crucially important process of consultation.

We have seen a gradual isolation and insulation of power within the executive branch. The Constitution, I suggest, intended something quite different when it called for a separation of powers. The pursuit of peace and security abroad requires greater harmony and closer consultation and cooperation between the President and the Congress at home.

As Arthur Vandenvurg put it: "If you are asked to be present at the crash landing, you ought to be there at the take-off."

Now there is a general strategic parity between the Soviet Union and the United States. Both parties recognize this uncomfortable fact. Rather than try futilely to regain superiority or to assume inferiority, both great powers have shown a willingness to keep this balance firmly under control.

And, hopefully, they will reduce the chance of confrontation by moving their position of equilibrium to a lower defense level—through mutual balanced forced reductions in Europe and arms control agreements.

To win our allies' support for the far-reaching Soviet-American strategic arms limitation talks, the United States has reassured our NATO associates that we will consult with them fully on matters affecting the alliance's military posture. Indeed, our allies have fairly assumed that NATO's conventional strength will not be trimmed sharply during this crucial period.

For the United States unilaterally and without consultation to cut its forces would certainly cast doubt upon our trustworthiness; it would rekindle our allies' anxieties on the possibility of a separate Soviet-American deal in Europe and at SALT—a deal which would give short shrift to the interests of European nations.

Furthermore, a precipitate force cut by the United States might persuade other members of NATO that they should begin exploring alternative security arrangements. In particular, there could well be a tendency to reassess their support for the Nuclear Non-Proliferation Treaty. If the Europeans believe the United States is backing away from its NATO obligations, the ugly fact is that many of the old pressures to acquire nuclear weapons could revive in Europe.

We are dedicated to discouraging the spread of nuclear weapons. To do so we must help reassure potential nuclear powers that their security will be protected without such weapons. A solid NATO serves that purpose. And our relationship to the Alliance should be nourished with that view in mind.

There is also the Middle East to consider. At a time when the Middle East continues to simmer on the NATO's Mediterranean flank, a quick American pullout from Europe could be seriously misinterpreted by Moscow as a sign of our wavering will.

The intricate diplomacy which now seeks to stabilize the Arab-Israeli situation could be adversely affected if the Soviet Union comes to feel it can act with less restraint in that theater.

Steady American participation in our central alliance—NATO—is essential to convincing the Soviets that we are willing and capable of meeting threats to our interests elsewhere as well.

Should we appear to be disengaging from Europe, one wonders what weight would be given to our indications that we will work for an equitable settlement in the Middle East.

In short, I am convinced that the Mansfield amendment would have grave consequences reaching far beyond Europe. Its damaging effects on NATO would also endanger a host of critical diplomatic undertakings of great importance to us all.

An erratic shift in the American commitment to NATO would undermine the promising initiatives symbolized by the West German government's so-called Ostopolitik. Chancellor Brandt has premised his steps toward normal relations wtih the Soviet Union and other East European states on firm and steady support by NATO. The pending German-Soviet treaty and related diplomatic measures to shore up peace in Europe could be damaged irreparably if the Atlantic partnership is called into question.

The essence of an alliance is to act in concert, not to make fundamental shifts without consultation. Some progress has already been made in sharing NATO's burdens more equitably.

We should certainly persist in seeking to enlist greater contributions from our allies and to negotiate suitable adjustments in force levels at the earliest practicable date. I believe the President should keep the Congress regularly informed of progress toward this end.

Reporting to Congress on the question of troop reductions should be considered part of an effort to restore the Constitutional balance we have lost during the last 30 years.

The next step is to restructure the relationship between Congress and the President. We can no longer simply urge the President to report to Congress on the progress of these negotiations.

We must provide him with the proper forum in which there can be a forthright meeting of minds on questions of national security.

I propose that the Congress establish a joint committee on national security. This committee would be set up like the present National Security Council for the purpose of reviewing American foreign policy before it is made. We must avoid fait accomplits and work together to reformulate policies,

tailored to our needs at home and abroad. NATO is one of these important needs.

In consultation we can expect negotiation and agreement. We can meet the security needs both of this country and our European allies.

GEOTHERMAL POWER

Mr. PACKWOOD. Mr. President, "geothermal power" is on the brink of becoming a household word for the Northwest. "Power from the Earth" is the subject of a Pacific Northwest conference scheduled in Olympia, Wash., this week.

Those of us who have long since tired of damming up every rushing mountain stream in sight to provide power are delighted. I believe this 1-day meeting in the State of Washington may well prove to be a meeting where reasonable men come together and throw full light on the question of how best to meet our power needs in the Northwest.

We do not need to dam up the precious few potential wild rivers such as the Middle Snake. In fact, it is unthinkable. But we do need to pursue with vigor the wealth at hand. And geothermal power promises to be a major breakthrough for reasonable men to supplement our power needs without destroying every vestige of our magnificent natural landscape.

Mr. President, I have introduced two important bills in this Congress relating directly to this issue. S. 717 would preserve the Middle Snake River by establishing a Hells Canyon-Snake National River. S. 564 is a bill designed to promote the exploration and development of geothermal resources. Both of these bills are pending before the Senate Interior and Insular Affairs Committee, and I believe should be placed on the priority list for Northwest Members of this Congress.

We are at that place in the history of this great Nation when we cannot bargain away our few remaining natural treasures to meet short-range needs without giving full consideration to alternative means with far less environmental impact. Indeed, we cannot afford this extravagance. We are living today in a country of more than 200 million people. And in spite of our affluence and ingenuity, we are beginning to have trouble in finding a piece of unoccupied space, an undammed, free-flowing stream. We are having trouble in closing out the noise and clutter of advanced technology and breathing in the marvelous splendor and tranquillity of a wild river or a wilderness area. And if we are having this much trouble, what will our children and grandchildren have?

Mr. President, we must broaden our vision to see and utilize the great potential at hand that does not require the destruction of those treasures such as the Middle Snake. Geothermal power is here. All we need to do is open our eyes and acknowledge it.

Mr. President, I think it is highly commendable that the State of Washington is hosting a conference to help us broaden our vision; and I ask unanimous consent that an article which appeared in the May 1971 issue of Northwest Public Power Bulletin, entitled "Washington State May Hold Geothermal Power Promise," be printed in the RECORD.

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

WASHINGTON STATE MAY HOLD GEOTHERMAL POWER PROMISE

(By Bert L. Cole Commissioner of Public Lands, State of Washington)

The volcanic areas of Washington State may provide a vast reservoir of steam that can be tapped to provide relatively pollution-free electrical energy. The electrical power production process—known as geothermal energy—steam, which emanates from the earth's molten interior, is led into turbines that generate electrical power.

The Department of Natural Resources is vitally interested in encouraging the exploration for geothermal steam on State and Federal lands; and, to this end, I am calling a conference on geothermal energy, which will be held in Olympia later this month. Earlier this year my staff held discussions with representatives of one of the nation's largest geothermal exploration and development organizations, the Magma Power Company, to urge their entry into geothermal-steam exploration within the State. As a result of this meeting, Magma is considering forming a partnership with one or more major corporations for exploratory drilling.

It doesn't make sense to wait until our last stream is dammed to start looking at geothermal energy as a source of power. Millions of dollars have already been spent on evaluation and site studies for fossil fuel, nuclear, and hydro power generation; but essentially nothing has been spent in Washington on geothermal studies.

This is in spite of the fact that power costs have proven to be competitive in areas where geothermal systems are operational.

Five countries—the United States, Italy, New Zealand, Japan, and Russia—are now producing electrical power from geothermal energy. In North America, electrical power is being produced from geothermal steam in California. In addition, exploration is now underway in Nevada, Oregon, Hawaii, and Mexico.

Of all power generating systems now operating, geothermal energy appears to have the least impact on the environment. With no major disturbance to the land surface of combustion products to dissipate into the air, and no inundation of river valleys or obstruction of fish runs, one wonders why there has been so little interest in the resource here in the Northwest.

The answer seems to lie in our traditional abundance of water power. Why tackle anything new when it is so easy to just build another dam?

Nuclear energy promises a new source of electrical power, but may create some environmental problems.

Washington's relatively few hot springs, in spite of the abundance of semi-active volcanoes and young volcanic rocks, has long puzzled the experts. It, of course, doesn't necessarily follow that lack of surface "shows" indicates a lack of geothermal reservoirs.

The "state of the art" in geothermal exploration has only recently passed the stage the oil industry was in during the 1800's, when drillers were guided by surface seeps.

The fact that most of the biggest petroleum reservoirs discovered later had no leaks to the surface may be indicative of what we can expect with geothermal resources. Fortunately, much of the needed technology for the development of our volcanic resources has already been worked out by the mining industry; so, once started, geothermal development can proceed much faster.

One of the major obstacles to the development of geothermal power in the United States has been the lack of Federal laws permitting development of geothermal resources.

This has been a crucial problem, as much of the geothermal potential in many states is on Federal land. Congress has been trying for more than eight years to resolve this controversy. At long last, a bill to regulate Federal leasing was signed into law by the President on Dec. 24, 1970, just before Christmas. The bill was brought to the Senate floor by the Senate Interior and Insular Affairs Committee, of which our Sen. Henry M. Jackson is chairman.

I recommended that the State of Washington assume a leadership role by encouraging exploration of land in geologically favorable areas of the state and by initiating new geologic investigations.

Exploration for geothermal steam is expected to take place outside officially designated parks and wilderness areas.

A fundamental need in any geothermal exploration is an understanding of the geology of an area. In addition to reconnaissance work by Department of Natural Resource's staff geologists and the support of other studies in areas of young volcanic rocks, the Department is publishing geologic maps and reports.

One of the reports, Cenozoic Volcanism in the Cascade Mountains of Southern Washington, by William S. Wise, is now ready for distribution.

GEOTHERMAL POWER TOPIC OF SESSION

"Power from the Earth" is the theme of a Pacific Northwest conference scheduled May 21 at the Evergreen Inn in Olympia, Wash. The one-day meeting, called by Bert L. Cole, Washington state commissioner of public lands, and sponsored by the state's division of geology and mines, is for the purpose of reviewing current knowledge related to tapping the heat of the earth's molten interior for the production of electric energy.

ABA AND THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, opponents of ratification of the Genocide Convention support their position by citing the official opposition to ratification of the American Bar Association. While the ABA is a distinguished professional association which I greatly respect, there are several reasons why its position should not be given the great significance that has been accorded it by those who agree with it and by some who might otherwise support the ratification of the convention.

First of all, the ABA was very closely divided on the issue. The ABA's house of delegates failed to endorse ratification of the Genocide Convention by only four votes. The very closeness of the vote, and the spirited debate that surrounded it, indicate that the ABA membership as a group has no decisive or overwhelming constitutional objection to the convention. A large number of lawyers see the Genocide Convention posing no threat to American sovereignty nor to the individual rights of American citizens.

Even more impressive than the closeness of the vote is that the ABA's standing committee on world order under law, and its sections on individuals' rights and responsibilities, international and comparative law, and criminal law—those very divisions of the ABA most directly and intimately concerned with the Genocide Convention—all

strongly favored ratification. The distinguished men and women who know most about the subject, who had the responsibility of delving into every relevant issue, supported ratification. The report of the committee to the ABA's house of delegates as a whole strongly urged ratification and found no legal or constitutional reason why we should not become a party to this agreement.

In considering the ABA's position on the Genocide Convention, we must keep one vital fact clearly in mind: The Senate of the United States has the constitutional responsibility to give its advice and consent to treaties submitted to it by the President; and the President and his advisers have the primary responsibility for conducting our foreign relations. The President, the Secretary of State, and the Attorney General have all endorsed the Genocide Convention.

Mr. President, I ask unanimous consent that the text of the committee resolution be printed in the RECORD.

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

RECOMMENDATION

The Committee on World Order Under Law of the American Bar Association approves and recommends the following resolution for adoption by the House of Delegates of the American Bar Association:

"Whereas, in the field of human rights the United States of America has exercised significant leadership; and

"Whereas, the Charter of the United Nations, in the drafting of which the United States played a major role, pledges all Members to take joint and separate action in cooperation with the Organization for the achievement of . . . universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion; and

"Whereas, it is in the National interest of the United States to encourage and promote universal respect for and observance of human rights and fundamental freedoms.

"Be it resolved that the American Bar Association favors the accession of the United States to the Convention on the Prevention and Punishment of the Crime of Genocide;" and

"Be it further resolved that copies of this resolution be forwarded by the Secretary of this Association to the President of the United States, the Chairman and members of the Foreign Relations Committee of the United States Senate, and the Ambassador of the United States to the United Nations; and

Be it further resolved that the Chairman or any representative of the Association's Standing Committee on World Order Under Law be authorized to appear before appropriate committees of the Congress, and to cooperate with the executive departments of the Government of the United States, to present the views of the Association as herein expressed."

ECONOMIC COMMONSENSE

Mr. GAMBRELL. Mr. President, the proposal for continued financing of the supersonic passenger plane is to be voted on again in the Senate tomorrow.

When the matter was first presented in March, I made a careful investigation and determined, with reluctance, to vote against this program. What I have learned since that time only served to reinforce my opinion, and I will again vote against this expenditure tomorrow. When the matter was previously before the Senate, I stated my reasons for opposing the program as follows:

First, and most important, we are all aware that real economic problems face this country today. If this large amount of money is to be spent at all, it should only be spent on the most critical and worthwhile programs, and not on those in the "luxury" or "prestige" class.

At the present time, President Nixon has cutback more than $10 billion which Congress has already appropriated. This is money in hand and earmarked for expenditure on urgent programs such as rural and urban development, water and sewerage, housing and highways, rapid transit, and pollution control and much of it in the State of Georgia. In his budget for the next year, the President proposes cutbacks which will further restrict such expenditures with the result that the development of highways such as I–75 and I–16 will be delayed, FHA and section 235 housing projects will be postponed, library development in rural areas of Georgia will be restricted, and Georgia rivers and streams will continue to be underdeveloped and polluted. I cannot agree to holding these programs back while we go ahead on the SST. I am opposed to deficit spending, but if we must have it let it be for things that a majority of the people can use.

Second, I am by no means convinced that private industry cannot or should not assume greater responsibility for the financing of the SST. Suggestions have been made that private industry will not expend the resources necessary to carry this program to fruition. I believe in the resourcefulness of our free enterprise system to provide technology and financing for any practical advancement in commercial aviation, particularly with the $800-million subsidy already invested by the Government in the SST.

In fact, I have discussed with the proponents of the SST a number of possible means of outside financing for the completion of the project, so long as strict environmental controls are made a part of the development.

Third, I believe the economic impact of discontinued Federal financing of the SST has been greatly exaggerated. Aside from the possibilities of continuing the project with outside financing, there are a number of pending proposals for the conversion of the labor force and technology into more useful and less speculative endeavors. Using this approach, it is my belief that the investment of the same $500 million in more worthwhile Federal programs will result in more jobs and greater and more lasting economic benefit for the country as a whole.

All of these reasons persist today, and in some respects are more apparent.

I am happy to say that my position finds support from the world's leading financial periodical, the Wall Street Journal. On Friday, May 14, 1971, this paper published an editorial opposing funding of the SST program. That editorial states in part "national prestige is nice, but there are better ways to enhance it. The Government, for example, could do more to strengthen the dollar, whose troubles have been causing so much foreign concern in recent days." "No doubt an American SST will eventually fly. We are convinced that the Nation will be better off, though, if the project waits until its commercial prospects brighten. In the House debate this week, the missing ingredient was economic commonsense."

A refreshingly honest statement by Mr. William M. Allen, board chairman of the Boeing Co., reveals that revival of the supersonic plane will involve extra cost as high as $1 billion. This simply underscores the folly of any vote in favor of SST funding at this time.

And tomorrow the Senate will also be voting on a number of resolutions providing for the withdrawal of troops from the continent of Europe.

It would indeed be a remarkable misalinement of priorities if the Senate were on the same day to move toward withdrawal of strategic forces based in Europe as an economy measure, and then vote to resurrect the economic folly of the supersonic transport program.

STOP ALL MINING

Mr. PACKWOOD. Mr. President, on May 6, following my remarks on the floor on May 4, I introduced two bills pertaining to mining activities in wilderness areas. One proposal, S. 1783, relates to the disposition of mineral resources in wilderness areas anywhere in the country; and S. 1784 relates specifically to mineral resources in lands comprising the Three Sisters Wilderness in Oregon.

Mr. President, I ask unanimous consent that the text of these two proposals be printed at this point in the RECORD.

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

S. 1783

A bill relating to the disposition of mineral resources in wilderness areas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, on and after the effective date of this Act, all federally owned mineral deposits in non-Federal lands, and all mineral deposits in federally owned lands, within the exterior boundaries of any area designated by or pursuant to the Wilderness Act as a wilderness area are withdrawn from all forms of appropriation under the mining laws of the United States and from disposition under all laws of the United States relating to exploration, location, development, leasing, mining, processing, or other utilization of mineral resources; except that the President of the United States may, prior to January 1, 1984, waive the provisions of this paragraph in any case in which he determines that such action is necessary in the national interest.

S. 1784

A bill relating to mineral resources in lands comprising the Three Sisters Wilderness, Oregon

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the date of the enactment of this Act, all federally owned mineral deposits in non-Federal lands, and all mineral deposits in any federally owned lands, within the ex-

terior boundaries of the Three Sisters Wilderness, Oregon, are withdrawn from all forms of appropriation under the mining laws of the United States and from disposition under all laws of the United States relating to exploration, location, development, leasing, mining, processing, or other utilization of mineral resources.

Mr. PACKWOOD. Mr. President, Oregonians are faced with a serious threat in the Three Sisters Wilderness, as is evidenced by continuing news items in the Oregon papers, and comments on the various radio and TV stations. My mail is running heavy on this issue.

While this is a particular case in point, there is no doubt in my mind, and in the minds of many knowledgeable conservationists that it is a latent threat to many of our wilderness areas, and this is the reason for the two bills.

Mr. President, I ask at this time to have articles from the April 30, 1971, Salem Capitol Journal; the May 4, 1971, Eugene Register-Guard; and the April 13 and 29, 1971, Bend Bulletin, printed in the RECORD.

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

STOP ALL MINING

Sen. Bob Packwood says he will draft a bill to prevent pumice mining in the Three Sisters Wilderness area east of Eugene.

A California outfit has indicated it may head into the high mountain area to take out pumice for building blocks.

And it's all legal under our mining laws.

The Packwood bill—which he may broaden to cover all wilderness areas—would restrict mining to that of strategic and critical materials only. No longer would it be possible to take out gravel, cinder and other low grade material.

But the trouble with this approach is that copper always is on the Defense Department's list of strategic materials. Zinc, lead, bauxite and dozens more of the high-bulk low-cost ores sometimes are needed in the national interest. And all of the ores mentioned above are mined in vast quantities at each site; it isn't simply a matter of a neat little tunnel running into the ground. There usually are hill-size holes and piles of tailings covering dozens of acres.

We aren't talking about maybe-some-day threats. Anaconda Copper Co. has finished exploratory mining in the North Cascades and wants to grind up a mountain within sight of the favorite climbing peaks of Seattleites.

The Wilderness Act usually is interpreted to mean that there can be no permanent structures—not even standard Forest Service privies—and no use of motor driven equipment. Some Forest Service officials are so fussy about this that they construct no privies, even the blue-sky variety, and allow power saws for trail clearing only before the tourist season starts (after that they use a "misery whip"—meaning one of those horrible 5-foot hand saws). Yet the law allows mining complete with earthmovers, trains, explosives and, of course, highways and trucks.

So we'd like to see Packwood make the big try—to prohibit mining of any kind in any wilderness area.

In effect, this would flip-flop present policy, which is that Congress flaps in after the fact and restricts each devastating use after it happens.

By prohibiting any mining, Congress then would have to act to allow a specific kind of mining for a particular strategic metal in times of extreme need.

We'd rather have Congress weighing the need for mining before it's done than the need for protection after destruction.

KEEP OUT

Some years ago, the Register-Guard pointed out that the Three Sisters Wilderness Area is in danger of a rape far greater than mere logging. Logs grow back. The new danger is mining, an activity permitted under the Wilderness Act of 1964 in wilderness areas. Mined areas do not grow back.

The immediate danger is to Rock Mesa, a plateau southwest of the South Sister. The mineral is pumice. If the California firm that has a mining claim to the pumice fields is permitted to operate a mine there, Rock Mesa will be scarred. Worse, however, is the effect of getting to and from a mine. Trucks, tractors, heavy earth moving machinery and explosives could be used, thus ruining far more than the immediate mine site.

Senator Bob Packwood is preparing legislation that would invalidate this mining claim in the Three Sisters Wilderness. It should be invalidated. And his bill should go further, to protect other wilderness areas that are endangered. One of them is the North Cascades, which the Anaconda Copper Company wants to pulverize.

One can make a case for opening wilderness areas for limited periods and with adequate safeguards where really rare minerals are to be found. Silver, for example, is in such short supply—the results of generations of foolishness in which it was used for coins—that the wilderness someday might have to be invaded for that.

But pumice?

THE MINERS WILL BLAST AWAY

A few Bend residents gave birth to a bill this week. But they shouldn't be surprised if it dies in infancy.

Sen. Bob Packwood has announced that he will introduce legislation to restrict mining in the Three Sisters Wilderness. The Oregon Republican said his action was prompted by reports that a California firm plans to mine block pumice in the wilderness. But, more accurately, he was prompted by persistent Bend area residents who badgered him and other Oregon lawmakers in Washington, D.C.

The California firm that may someday mine in the Three Sisters Wilderness is the U.S. Pumice Co. of Los Angeles. It holds valid claims to 1,460 acres at Rock Mesa, a lava formation just northeast of Wickiup Plains. The potential mining site is less than a mile east of the Pacific Crest Trail and about two miles south of the South Sister.

The firm mines block pumice, used for 24 different products. The main one is a panel board used for both interior and exterior construction. Development of the board has increased the firm's sales from less than $1 million in 1962 to almost $2 million in 1970. The firm is now mining at Lee Vining in California, where it has an undetermined amount of block pumice.

Conjecture is that the firm will move to the Three Sisters Wilderness once its Lee Vining claims diminish. The company will only say that it intends to maintain its Three Sisters claims. That alone is a good indication that the firm plans to move to Central Oregon someday.

Under the Wilderness Act of 1964, mining is legal in wilderness areas. The Forest Service must allow U.S. Pumice access to its claims, and not restrict its operation. The firm must be allowed to operate as a "prudent" miner would. That means the Forest Service can't force the company to fly out the block pumice by helicopter, or pack it out on mules or men. It probably means that the company will use large dump trucks to haul out its booty. Such activity, of course, destroys the intent of the Wilderness Act, which allows no man-made vehicles to intrude beyond wilderness boundaries.

The wilderness act would have never come into being without the provisions for mining. The mining lobby is simply too strong.

Packwood's bill will try to chip away at the mining provision—it wouldn't wipe it out completely. All Packwood is seeking is to limit mining in the Three Sisters Wilderness to strategic materials necessary to the national security. But the miners will blast away at his bill until they kill it. It's doubtful conservationists can muster the strength to pass it.

But the bill at least calls national attention to the plight of the Three Sisters Wilderness. It will let the rest of the country know that Central Oregon doesn't want miners to mess with its Sister.

Meanwhile, Forest Service people who will eventually work with the miners shouldn't relax just because the bill has been introduced. They've got to do all they can, including being taken to court if necessary, to protect the wilderness from U.S. Pumice Co.

REWARD YOUR FRIENDS

The U.S. Forest Service has announced new regulations for prospecting in the national forests. The new regulations will not, however, stop development of a pumice deposit in the Three Sisters Wilderness Area, if we read them correctly. That will take a new law.

Such a law ought to be a first order of business for Senators Mark Hatfield and Bob Packwood, and Rep. Al Ullman. The three are going to have a lot of explaining to do if an open-pit mine starts operation near Wickiup Plain. Voters in this area might then remember the old political commandment: "Reward your friends, and punish your enemies."

A REVERENCE FOR THE LAW—JUSTICE WILLIAM H. BOBBITT

Mr. ERVIN. Mr. President, the Raleigh News and Observer, which is published in the capital city of my home State, recently saw fit to honor Chief Justice William H. Bobbitt of the North Carolina Supreme Court by naming him the "Tar Heel of the Week."

The headline over the story read, "A Reverence for the Law and a Twinkle in the Eye," and I must say that these few words caught the essence of Chief Justice Bill Bobbitt's legal career and character.

Throughout his career, which has included 15 years as a superior court judge and 17 years on the North Carolina Supreme Court, the last two as chief justice, he has been unwavering in his devotion to the law and to justice for every man. He is a great servant of his State and Nation, and I take great pride in bringing his accomplishments to the attention of the Nation.

Mr. President, I ask unanimous consent that the article written about Chief Justice Bobbitt, which appeared in the News and Observer on Sunday, May 9, 1971, be printed in the RECORD.

There being no objection, the article was ordered printed as follows:

[From the News and Observer, Raleigh, N.C., May 9, 1971]

THE TAR HEEL OF THE WEEK

A REVERENCE FOR THE LAW AND A TWINKLE IN THE EYE

(By Bob Wilson)

Half a century after that little epigram sprang from the mind of a Chapel Hill yearbook editor, the man whom it describes still laughs at his jokes, still likes to talk, and, fortunately for North Carolina, is still a "decent sort."

When William Haywood Bobbitt talks now, however, his sentences are more likely to reveal the spice of legal parlance than debating and literature. But his jokes . . . well, as the redoubtable maxim goes, the more things change, the more they remain the same.

Come into the modest office of the Chief Justice of North Carolina, meet Bill Bobbitt, and begin to absorb the essence of a man devoted to what Tennyson called "reverence for the laws ourselves have made."

A word of warning, first. He remembers names, goes out of his way to learn names, so don't be surprised if you pass him on the street and receive a hearty greeting. And another thing you'll notice right away: behind the self-effacing comments, the anecdotes and a casual air that quickly puts any visitor at ease is a mind that works with awesome precision.

"He is such a nice person," one of his colleagues on the high court said recently, "that we won't even show people the door."

That's true. Not long ago, a Durham workman, upset because a case in which he was a state's witness was being inexplicably delayed, came to see Bobbitt. Now, the chief justice is a busy man with little time to devote to minor matters such as this. Only Bobbitt saw beyond the surface aspects of the interruption.

The workman was losing money as he sat in court day after day, the solicitor never calling the case. The workman had had enough. He went straight to the top.

"He was bothered and rightly so," Bobbitt said recently. "I sympathized with the man's problems and suggested to whom he might talk. I also called in my administrative assistant and asked him to check on it." The case was tried promptly.

That sort of thing isn't encouraged by Bobbitt, but he saw clearly that one man's impression of North Carolina justice was at stake. It's likely that the workman would never have gotten past the secretary of some of Bobbitt's predecessors, who for reasons often known only to themselves, stayed aloof from the run of common men.

Not this chief justice. As egalitarian as judges come, Bobbitt neither seeks nor expects special consideration, even to the point of once refusing a reserved parking space. You can often see him eating in the Blue Tower or International House of Pancakes, making small talk with customers.

He told his colleagues on the court, shortly after becoming chief justice Nov. 17, 1969: "While the chair of the chief justice is in the center, all are on the same level. Here the doctrine of one man-one vote prevails." And that's the only way he'll have it.

Bill Bobbitt came down a long, ofttimes exhaustive, road before he began sitting in that center chair. Born in Raleigh in 1900, he was to be in Charlotte or on the road as a special superior court judge for most of his life.

Bobbitt's exceptional record as a high-school student brought scholarship offers from Trinity College (now prestigious Duke University), Washington and Lee, and Chapel Hill. He chose the latter and to this day points to a sentence in the university's 1917 catalog that played a memorable part in his decision: "We know of no other place that offers greater opportunities to a meritorious student of slender means."

"I had that qualification, all right," Bobbitt tosses out with a burst of laughter. He also had a determined academic spirit that put him through school in three years, a feat that allowed law studies as a senior.

During the Chapel Hill years, Bobbitt met John J. Parker, a Charlotte attorney and future law partner whose destiny almost included the U.S. Supreme Court except for a recalcitrant Senate during Herbert Hoover's administration. Into his circle of friends, too, came Thomas Wolfe, Jonathan Daniels and dramatist Paul Green.

It was an exciting, turbulent time as the country turned to peaceful pursuits and tried to crowd bloody memories of the Great War into unfilled corners of the national consciousness. Chapel Hill was a vibrant place, and its remarkable influence was seeping into Bobbitt's character and every view of life.

Tapped by the Golden Fleece and Phi Beta Kappa, the dapper young man who was renowned for "making a speech on the slightest provocation" was on an intellectual plane with Tom Wolfe. He enjoyed the novelist immensely, describing him as "a great big fella, with a tremendous body and a comparatively small head."

"Tom was interesting to me. I remember in Dialectic Society a fellow who would get up with a nervous habit of spitting. Spsst! Spsst! Well, Tom couldn't resist. 'Mr. President, we came here expecting an oration. Instead, we're having an expectoration.'"

The halcyon days of student life merged into a budding career. Wolfe went to Harvard, then New York. Bobbitt lost contact with him, later quitting law school after a year to return to Charlotte. He worked under John J. Parker, a legal education in itself, and thus passed the state bar examination in 1922.

Charlotte was home base from that point on, even after he left the law firm and took the oath of superior court judge in 1939. ("Come on Willie," partner Plummer Stewart quipped when Bobbitt announced his candidacy. "We'll have to work up a brag sheet.")

For 15 years and a month, Bobbitt was a self-described "itinerant judge" whose best friends were traveling salesmen. He steadily amassed a record as one of the most competent judges in the state, however, and met people who later would be valuable contacts in running for the Supreme Court.

"Even in the beginning," a friend who pleaded cases before him recalls, "he was a superior superior court judge. We saved our hard cases for him because Bill's decisions were so often sustained on appeal."

Unsuccessful as a high court candidate in 1952, he was appointed to the bench by Gov. William B. Umstead two years later. Successive elections have kept Bobbitt there, until today he can claim modestly that every member of the court has appeared before him when he was either a superior court judge or supreme court justice.

Bobbitt has become much more intertwined with the court since the death of his wife, Sarah, in 1965, and son Bill Jr. three years ago. The lights in his third-floor office in the Justice Building frequently burn late into the night.

Yet, loneliness is hardly a hallmark of Bobbitt's life. Five of his 14 former law clerks are in Raleigh, all sources of companionship and delight. He often walks and dines with Justice Susie Sharp. And he has the responsibility, in addition to a normal caseload, of overseeing North Carolina's judicial system under the court reform act that went into full effect in December. His current extracurricular project: preparing for the 1921 class reunion at Chapel Hill. (He's the permanent class president.)

As Bobbitt puts it: "I'm sort of a case by case person. I like to look at it and see what's right and just about it. I don't mind doing a little innovating, but at the same time, I don't want to destroy the ancient landmarks . . . I think we should feel free to re-examine what has been the standard policy.

THE MAN FROM FLAT ROCK

Mr. PERCY. Mr. President, on May 7 the Decatur Review in Decatur, Ill., published an article on H. G. "Skinny" Taylor, chairman of the Macon County Republican Central Committee for 23 years and one of my oldest and closest friends in politics.

Harry G. Taylor was the first county chairman in Illinois to support me upon my entry into politics in 1963, and his assistance was invaluable to me during both my campaign for the governorship in 1964 and my senatorial campaign in 1966. Since coming to Washington, I have continued to rely on him for advice on a wide variety of issues affecting Illinois.

In the years since 1934, when he first became a precinct committeeman, Skinny Taylor has dedicated a substantial part of his time to the Republican Party. In my view, he exemplifies the very best in grassroots politics.

In order that my colleagues from outside Illinois may come to know him better, I ask unanimous consent that the newspaper article on Skinny Taylor be printed in the RECORD.

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

RECORDS OF A COUNTY CHAIRMAN: PHONE CALLS, TRIPS BY THOUSANDS

(By Glen R. Cooper)

H. G. "Skinny" Taylor practices politics. Republican brand, about 24 hours a day.

This is and should be a way of life for the chairman of the Macon County Republican Central Committee.

The committee is made up of the Republican committeemen of the 110 precincts of Macon County.

To get to be chairman of the central committee the first requirement is to be elected committeeman in a precinct.

The second step is to win support of a majority of the committeemen.

Taylor represents the Republicans from Precinct 12, the Dennis School area.

His job as committeeman hasn't always been an easy road. Several attempts have been made to vote him out of the nonpaying position.

Some of the most lively in-party fights have developed when some ambitious Republican decided to challenge Taylor.

None of these has been successful. Taylor keeps his own precinct in order as well as the county central committee.

POLITICAL UPS AND DOWNS

Taylor admits to some political ups and downs. Right now the GOP holds just two elected offices in the County Building—coroner and head of the county school system.

"We did real well in the last township election. There are 27 Republicans and eight Democrats on the Board of Supervisors," he said.

This puts the GOP supervisors in the position of naming two major professional officeholders—county superintendent of highways and supervisor of assessments.

Taylor is in his 23rd year as county chairman, and he brought out some interesting facts this week in talking about the job.

His bookkeeping shows he has made 43,800 local telephone calls that dealt strictly with politics.

The calls were about patronage jobs, election strategy, meetings and private sessions dealing with the 300 or 400 patronage jobs that he helps fill.

As chairman of the central committee, Taylor is head of the executive committee that passes on patronage job applicants.

ACTIVITY IN SPRINGFIELD

Incidentally, people interested in patronage jobs must first get the approval of the precinct committeeman who passed it on to

the county central committee patronage group.

Taylor's political bookkeeping also discloses he has, in nearly 23 years, made 3,432 calls to Sprinfield to talk politics.

Many of these have been to Republican governors or other state-level officials. Taylor will also admit that he has frequently had a few words with the Democratic governors.

In addition to his Springfield calls, Taylor said he has driven to Springfield 1,200 times as a part of his political position.

Apparently some of the telephone calls had to be backed with personal visits to those involved.

On a national level and a pretty "fast track," Taylor has records of making 1,144 phone calls and 20 trips to Washington, D.C.

Taylor hasn't overlooked the local level, either. His notes record 660 meetings that involved political events. He tops off this with 400 meetings held in Springfield and other areas of the state.

PRACTICAL POLITICS

People close to Taylor claim that he tries to get some kind of a Republican rally started when he goes back to his hometown, Flat Rock, to visit.

There is another story that Taylor, when a student at Millikin University, was practicing the art of practical politics.

He came up with a key to Aston Hall, girl's dormitory, and loaned it out for a nominal fee or favor.

Taylor is one of the few county chairmen of the state who has never held a patronage job.

"If I did I would have to give up some of my independence," he said.

Taylor's wife, Marion, qualifies as a political widow because of her husband's interest in Republican politics.

"That Skinny . . . last Friday he went to Chicago to attend a meeting and when he got there he discovered he was a week late," she said.

Taylor didn't count the trip as a complete loss.

"At least I was able to ride a train (the City of Decatur) on its final trip between Dectaur and Chicago," he rationalized.

TENURE AS PRESIDENT

Taylor was first elected a precinct committeeman in 1934. He has been county chairman since 1948 and served as president of the Illinois Republican County Chairmen's Association for eight years.

His tenure as state president will probably never be broken. Rules of the organization now limit the terms of office.

In 1956 Taylor was delegate to the national Republican convention in San Francisco and in 1964 he returned to San Francisco as an alternate delegate.

Three years ago he was elected delegate to the GOP convention in Miami, Fla.

AMERICA'S LAST WILD HORSES AND BURROS

Mr. JACKSON. Mr. President, I know that many of my colleagues have received letters from youngsters in support of legislative action to protect the last of the wild horses and burros in the United States. However, I would like to call their attention to a select group of individuals who, probably better than anyone else, realize the true value of these animals as part of our American heritage. These men speak with an authority attained only through years of experience. I ask unanimous consent to insert in the RECORD, several letters I have received from individuals whose memories serve as testimony in favor of the effort to save the last of these animals.

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

MONTEREY PARK, CALIF.,
April 30, 1971.

Senator HENRY JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs, Senate Office Bldg., Washington, D.C.

DEAR SIR: I have read an article in the Reader's Digest for May 1971 on the Vanishing of the Wild Horse.

Now I spent 20 years on the plains of Kansas and Colorado, handling horses of most every character, and though I am 87 years old and away from the plains and wild horses, I still have great affection and esteem for them, and had I caught some one slaughtering them in my day there, I am afraid something would have happened unhealthy for such a person.

Therefore, I earnestly urge you to use all your powers in restricting the destruction of these animals for their future and eternal preservation. The idea of slaughtering wild horses for dog and cat food is so revolting to me that it would take Cowboy language for me to give proper expression of it.

Sincerely Yours for action,

ISAAC E. AYERS.

SONORA, CALIF.,
May 10, 1971.

The Reader's Digest of May 1971, page 227, says "Goodby to the Wild Horse." I am 87 years old and have always been a ranch owner and run both horses and cattle—lots of 'em, in different states. I think it is a national disgrace to kill off all our wild horses. What are all the Congressmen in the 11 western States doing to save the wild horse? They can save them if they want. If they don't, they all should be fired.

BILL MAYHALL.

SANTA ROSA, CALIF.,
April 30, 1971.

Senator HENRY JACKSON.

SIR: Keep up your fight to save the wild horses. I caught wild horses in Nevada 52 years ago, *but not* for slaughter for pet food. We caught them to ride on cattle ranches to work cattle only.

Truly yours,

E. R. WILLSON.

DEERFIELD BEACH, FLA.

Hon. HENRY M. JACKSON.

DEAR SIR: I just read in the Reader's Digest re; Wild Horse Annie and her mustangs. This brings back a lot of pleasant memories when I was a boy 50 years ago. Father bought a supposedly buggy horse very cheap from a farmer who said his name was Harry (I mean the horse). He wasn't very big, was tough as leather and could run all day. From your description he had to be related to the mustangs. We were too poor to buy a saddle so I rode him bareback and every time I mounted him I thought I was leading the Charge of the Light Brigade.

He had a nasty habit of trying to squeeze you against the side of his stall but Dad took quick care of that by nailing a plank with several spikes in it that caught Harry on his left side. A couple of small spike wounds cured Harry pronto.

Dad finally traded Harry for a cow with her calf as there were nine of us and we drank a lot of milk.

What ever you and Wild Horse Annie are for you can count me in your corner. If there is a horse heaven, Harry will be in the front row. May his soul rest in peace.

Yours for clean sports and good Govt.,

JOHN COUCH.

SAN JOSE, CALIF.,
May 2, 1971.

Senator HENRY M. JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs, Washington, D.C.

DEAR SIR: In the article, "America's Last Wild Horses", on page 227 of the Readers Digest for May, officials of the Bureau of Land Management insisted that wild horses had destroyed the vegetation on their range so badly that erosion was setting in. They claim that by eliminating the horses, they can upgrade the area and lease it to ranchers for grazing.

I am wondering if those officials have ever been in wild horse country. I was born and raised in good old Wyoming, which was one of the best States for raising cattle and horses. Feed was of good quality and horses and cattle grazed together without any erosion.

The year of 1919 was a dry year. Most of the stockmen had overstocked and many of them went broke. Before that the sheepman and cattleman had an agreement to form a cow line, with the sheep on one side and the cows on the other. They got along fine with a few arguments now and then but nothing serious. After the hard winter the cattle business went to pot and several cattlemen bought sheep. That was the end of the cow line. There was no moisture and the land was overgrazed. The sheep moved in. Now, I haven't anything against sheep, but a cow has poor grazing where a band of sheep have been. You can spot a sheep bed ground for miles—nothing but weeds. And when it's muddy, their sharp hooves cut the grass roots all to pieces. I just ask one serious question: Wouldn't this cause erosion?

The wild horses stayed on their own range in the badlands and never came close to civilization. They lived where no other stock could exist and I would have to be shown where they ever caused any erosion. There is one thing about a wild horse—he can live on the hills when the grass is covered with a foot of snow. He will paw away the snow to get a mouthful of grass.

A wild horse is a beautiful animal. He doesn't do any harm to anyone. They have feelings the same as a human being and more brains than some of the parties that torture them. I have run wild horses in my younger days. We gathered them for a good purpose—for Cavalry mounts for World War I. They were broke to lead and ridden a few times, which was an Army requirement.

Very few game animals could exist where wild horses roam. The only ones I know of are the jack rabbit and prairie dog.

You will be doing a great service for our country in using your best efforts to preserve the few wild bands that are still in existence.

Very truly yours,

LESLIE A. CLEMENTS.

TABIONA, UTAH.,
April 27, 1971.

Sen. HENRY M. JACKSON,
Senate Office Building,
Washington, D.C.

DEAR SIR: I just finished reading the artical in the May Readers Digest titled, "Goodby to the wild horses," by Hope Ryden and I just want to say that I am one of the old timers in North-eastern Utah. When I was a kid I have seen thousands of wild horses on the ranges here, used to chase them some just for excitement and once in a while I was able or lucky enough to rope one and break him to ride and they made excellent saddle horses, the toughest horses and the surest footed horse on earth. They in their natural state they would weigh from 600 to maybe 750 lbs. but catch a young one and break and gentle him and they would keep growing until they were 8 or 9 years old and many would get to weigh 900 lbs.

I have watched the stockmen, wild game hunters and other two-legged wolves try to get rid of the wild horses from off the ranges but I will tell you that 50 or 60 years ago when there were hundreds of wild horses, deer, and antelope you could ride all day and your stirrups would drag in the tall grass, but now there is hardly enough grass on that same country to feed the prairie dog population which has been almost shot out of existance by the so-called sportsman, who actually would not make a pimple on a real sportsmans neck.

During the great depression of the 1930's there was a bunch of two-legged wolves that went out on the desert and shot wild horses, skin them and leave the body to rot and feed the coyotes and bobcats and they would take the hide and sell it for 3 or 4 dollars. I just wanted you to know that I am for most anything that will save and protect the few that are left.

Very truly yours,

RALPH SMITH.

THE TIME DIMENSION OF MILITARY FORCES

Mr. BENTSEN. Mr. President, on May 14, 1971, Gen. John C. Meyer, Vice Chief of Staff of the Air Force, delivered an address to the National Security Forum of the Air War College at Maxwell Air Force Base in Alabama.

As always, General Meyer was incisive and eloquent in outlining our security needs, and in describing the efforts of the Air Force to meet them.

I have known General Meyer for years. I count him both as a close friend and as an invaluable public servant and military leader. He brings to our Defense Establishment a rare talent and intellect.

In his speech, General Meyer recounts the highly sophisticated and well-conceived philosophy that is the basis for our strategic defense strategy. He offers an intriguing insight into the planning behind our present deterrent posture and the allocation of our defense resources.

It is particularly timely, in view of our debate here today, and in view of issues to come before us that will greatly affect our military capability.

I commend his speech to all Members who would better understand our national defense policies and needs. Mr. President, I ask unanimous consent to have printed in the RECORD the full text of General Meyer's remarks.

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

THE TIME DIMENSION OF MILITARY FORCES

There is a time-worn quote, attributed by Sir Winston Churchill to General Forrest of the Confederate Army. In it, General Forrest describes his approach to victory as, "I get thar fustest with the mostest men." In those rustic words, he was saying what military men have recognized for centuries. He was restating the law of combat that pre-dates Alexander the Great that has been set out as a principle of war by von Clausewitz, and that is even a pillar of Mao's doctrine of protracted conflict. It is the law of local superiority, and—I might add—it is a law that exacts its own punishment on those who violate it.

Yet, despite the widespread acceptance of this law, today we find many people—pundits and pseudo-intellectuals alike—preoccupied with counting missiles, aircraft, and ships; and then seeking to prove a point on the basis of those aggregate numbers alone. When this simplistic calculus is used in a kind of do-it-yourself systems analysis, the dynamic concept of having forces at the right place, at the right time, is completely lost. There seems to be a tacit assumption that if you have these forces, it is simply a matter of good sense to have them properly deployed.

But "properly deployed" assumes a lot. It assumes that you know ahead of time where those forces have to be, and it also assumes that you have the means and the freedom to move those forces. These are hardly trivial assumptions, and they probably go a long way in explaining why the questions of time and place are not usually addressed. Yet, by failing to consider what the economists call "time and place utility," the picture of military capabilities presented by simply comparing aggregate numbers is not only misleading, but it could also be disastrous.

I can think back to my younger days and World War II, to some of the interesting debates on the relative merits of the Messerschmitt Me–109 and the RAF Spitfire. There were all sorts of analyses and comparisons of G forces, accelerations, turning rates, and the like. The rather spectacular performance of the 109 at air races was also cranked into analyses. And, of course, the relative numbers of aircraft was offered as a strong argument in favor of the Messerschmitts.

But when the chips were down in the crucial Battle of Britain, all of the analyses went for naught. Why? Because the Messerschmitts could not get to Britain; their legs were too short. The highly regarded Me–109s did not have time and place utility in what many historians view as the major turning point of World War II. Although the Germans had a lot of them, they could not get them *where* they were needed, *when* they were needed.

Now, I do not mean to discount the importance of overall force levels. Obviously you cannot use what you do not have. So force levels are important—but primarily in the perspective of what could be available. The force levels provide the long lead-time reservoir of trained and ready forces that could be used to deter, to deploy, and to do battle. They are the "what" in the "what, when and where" equation of military forces.

But in the short term—the day-to-day operations—the "when and where" become more important. This is because force levels are pretty well fixed as a result of decisions made months, or years before. In effect, you have to "make do" with whatever forces you have in being. As you concentrate these limited forces to secure local superiority—or deny it to an enemy—time becomes the critical dimension. And, as you move along the time dimension you rapidly approach the "moment of truth."

Let me cite another World War II example which is less dependent on technological limitations: the invasion of the Continent. Take the case of the Normandy landings when the continuing air interdiction campaign *slowed* the German ground force deployments. Where the Germans had planned to mass 25 divisions for a D-day-plus-10 counter-offensive; they could only get 14 into position *at the time* they were needed. The other 11 divisions were not destroyed to the last man, but air strikes kept them away from the scene of battle.

Then, as General Patton drove his Third Army across Normandy and into Brittany, he could leave his southern flank exposed. He knew the fighter-bombers of the XIX Tactical Air Command would keep the large German columns from getting into position, *in time,* to pinch off his otherwise exposed drive.

There are, of course, many other examples in hot wars and the cold war where time and place utility have been the critical determinants. Korea and Southeast Asia offer many such cases. And, in the Cold War, one need only recall such examples as Lebanon and the Formosa Straits in 1958 and the Cuban crisis in 1962.

Unfortunately, not all of the military excursions on the time dimension are documented as well as the World War II episodes that I mentioned. As a result, some people tend to lose sight of how vital that time dimension can be. I recently read, for example, a narrow and shortsighted view by a nonhistorian who wrote, "Historically speaking, the case for the deep interdiction mission is poor." Perhaps a part of the explanation for this kind of pseudo-historical shortsightedness is in the inherent difficulty of documenting events that were kept from happening.

In any case, it turns out—and not too surprisingly—that the Air Force has the greatest facility in moving along the time dimension. Through our tactical, strategic and air-lift systems, we can mass military forces and increase their time and place utility. And, we have demonstrated that we can go a long way in denying an enemy the ability to mass his forces and employ them at the time he needs them massed.

Today I would like to focus on still another time dimension of military forces. In this case, I will be addressing the time factors of strategic deterrence. And, by strategic deterrence I mean the capability to exhibit sufficient military strength to convince any would-be attacker that he will be worse off if he attacks. Or, put another way, I mean making sure that no enemy misunderstands, or miscalculates our ability to survive an attack, and still have sufficient force to strike back with convincing strength. And this, of course, is a problem with forces in being; and, equally important, a problem in timing.

Let me review what those forces are and how they fit together as a strong and effective deterrent. They are really of two types: reconnaissance and surveillance systems, and what we call the Triad of strategic offensive forces.

In its entirety, our surveillance and warning program is a mosaic compiled from many inputs and indicators. But for our purposes this morning, I will limit my remarks to those systems which provide warning of an actual attack.

The first of these is the Ballistic Missile Early Warning System—or, BMEWS, I believe you are all familiar with that system. It has been operational since 1964, and consists of radar sites tied into the NORAD Cheyenne Mountain Complex. In terms of time, the BMEWS provides about a 15-minute warning for a mass ICBM attack on the United States. It also gives warning for an IRBM attack on the United Kingdom.

Of course the BMEWS is not foolproof—no system is. It has gaps in its coverage. It looks to the North and cannot "see" the "long way around" missiles that could come at us from the South. Its capability is also limited in detecting depressed trajectory missiles that could come in under the radar coverage.

But the BMEWS is complemented by a network of radar coverage which blankets the Soviet Union and much of China. This is a different kind of radar. It is called over-the-horizon radar. It gives warning of a mass missile attack as well as nuclear events and space launches. Again in terms of time, it provides more warning than the BMEWS.

We have been operating the over-the-horizon radar as a test system since early 1966. In more than three years of operation and testing, it has detected and reported a large number of ICBM type launches. We feel there is now only a very remote chance of missing a mass missile launch.

Although this radar does not provide the same detailed information as does BMEWS, it makes a significant contribution to warn-

ing. Its coverage fills the gaps in the BMEWS—that is, it detects launches regardless of depressed trajectories or fractional orbits. And, it provides warning sooner. Of course, what we would really like is even earlier warning together with precise trajectory information. I will have a little more to say about that later.

Now, let me turn to the Triad of strategic offensive forces. This 3-pronged approach consists of Air Force land-based missiles and long-range bombers together with Navy missile-carrying submarines. This combination of forces significantly increases our confidence in continuing to deter attack.

The most obvious reason for greater confidence is the reliability inherent in multiple independent approaches. An unforeseen vulnerability or weakness in one particular system would not put us out of business. For example, as the Soviets increase their already substantial anti-submarine warfare capabilities, we would still have sufficient strength to deter an attack.

Then there are the advantages associated with each type of strategic system. The land-based ICBMs stand ready—constantly on alert, and 30 minutes from their targets. They are both reliable and accurate. Today we have 1054 of these missiles consisting of 54 Titans and 1000 Minuteman. The Titans are retained in our forces because they can deliver a large nuclear warhead to targets at great ranges. At present the majority of our Minuteman missiles are Minuteman I's and II's. Both of these are capable of delivering nuclear warheads, against potential enemies with the Minuteman II having the greater range.

Last year we completed our development flight test program on the Minuteman III and the first squadron has been deployed. The Minuteman III is MIRV capable and has a vastly improved capability for the deployment of re-entry vehicles as well as penetration aids. By 1975, we plan to have a Minuteman force just about evenly divided between Minuteman IIs and IIIs.

The manned-bomber is an entirely different kind of deterrent force. It can be launched and then recalled—without ever penetrating enemy airspace. It can be rerouted en route. It can be on airborne alert outside of our continental limits and out of range of enemy defenses. When ordered to the attack, the manned bomber can strike a series of targets with a variety of weapons. It can also be reused.

Today we have close to 450 operational bombers. Nearly all of these are B–52s with a small number of FB–111s currently entering the inventory. The B–52s on alert carry free-fall bombs and air-to-surface missiles whereas the FB–111s which will also be on alert carry only free-fall bombs until a new air-to-surface missile, now in development, becomes operational.

The third part of the Triad consists of missile-carrying submarines. They offer yet a different type of targeting problem to the Soviets. The Navy has 41 such submarines with a total of 656 missiles. Of course, not all of those are on station at any one time.

These three systems operating in concert complicate an enemy's defense problems and limit his offense strategies. For one thing, they put a strain on his resources. He must divide his available resources in some fashion between offensive and defensive forces. Those that go to defense must then be further divided between anti-ballistic missile systems, anti-aircraft systems, and anti-submarine warfare. He must also spread out his top-grade scientists, engineers and managers. The resulting dilution in defenses is tantamount to increased capabilities for our strategic offensive forces. At the same time, resources made available for defenses are no longer available for offensive systems.

But perhaps the most important contribution of the Triad is the severe problem in timing that it presents an enemy strategist. A simultaneous surprise attack on all elements of the Triad is virtually impossible—and a strike on any one element gives warning to all of the others. As a result, the advantage of a first strike surprise attack by an enemy is largely foreclosed.

If an enemy launches an ICBM attack against the United States, the BMEWS and over-the-horizon radar warn of the attack eight to 15 minutes after launch. The time remaining to impact is 15 to 20 minutes. This is more than enough time for the bomber alert force to become airborne and to escape the lethal radius of warheads targeted against their bases.

If an enemy chooses to attack our bomber bases with submarine launched missiles, the first impacts would provide rather conclusive evidence of an attack. In this situation the missiles in the silos and submarines which are on station are still available to our command authority. Even if an attack on our bomber bases were timed to coincide with our detection of hostile ICBM launches, this availability would remain. And, the credibility of our Triad deterrent will be further enhanced by our plans for dispersal of the bomber force and improved warning systems. There are, of course, other tactics in timing which an enemy might use, but in each case, some part of the Triad can still respond with what should be unacceptable destructive power—that is, unacceptable to an enemy.

In effect, then, there is synergy in the Triad which adds value beyond costs. And while the total value of the Triad cannot be measured in strictly quantitative terms, it certainly has had sufficient time and place utility to deter any attack over the past decade. To paraphrase General Forrest, it has assured that we would also be "lastest with the mostest."

But, there is no guarantee that what has been sufficient, will continue to be. As a result I am not only concerned about where we are now, but also about where we are going, and how we will get there. This means hard decisions on qualitative improvements and equally hard decisions on procurement quantities to assure the continued effectiveness of our deterrent. It also introduces still another time dimension in our military forces—in this case, the time it takes to develop and deploy new capabilities.

We are making those hard choices right now. We are putting our limited resources on those systems which will do the most to keep our deterrent effective—and we are very much aware that these programs are time sensitive.

Some of our very important development programs are concerned with surveillance. By taking full advantage of earlier technology programs in many areas, we believe we will be able to get much better detection of enemy missile launches. And, we will be able to do it for both land-launched ICBMs and submarine-launched ballistic missiles. This kind of warning will, of course, benefit all elements of our strategic force. It will provide more of that very valuable commodity—time. It will also mean more time to get the manned-bomber force airborne—even in the face of submarine-launched ballistic missiles.

For the other end of the ballistic missile trajectory, we are developing new re-entry vehicles and more advanced penetration aids. Some of these developments are aimed at giving us better techniques of weapon delivery. Others are being developed to dilute, saturate, or otherwise degrade the enemy's defensive capabilities. But together, they will erode the time he has to defend himself against our retaliatory forces.

We are also working on the development of a new bomber as well as new air-to-surface weapons. The development of the B–1 bomber is now under contract. This new aircraft is being designed to get off its base much more quickly. That is, it will be able to escape an attack with less warning. It will be significantly smaller than the B–52 both in actual size and, perhaps more important, in its radar reflectivity. That, plus its high speed and low altitude flight path, will leave enemy defenses less time to respond. And, of course, it will continue to offer all of those advantages peculiar to the manned bomber:

It can be launched, recalled, and re-used;

It can be re-routed enroute;

It can be on airborne alert; and,

Each sortie can strike many widely dispersed targets with a variety of weapons.

But development of an advanced strategic system, such as the B–1, is a time-consuming process. And if there is one thing we have learned about the development of complex weapon systems, it is that you cannot shorten the development lead time—at least not by very much. But, reductions in funds and unending studies can extend that lead time—almost without limit. This means—in the simplest terms—that it costs you more, and you get it later. It also means you may not have it when you need it.

For those reasons, we spend a lot of our time trying to keep our carefully selected strategic deterrent systems "on track." Another example is the short range attack missile which will add new nuclear capabilities to our present bombers—the B–52s and FB–111s—as well as the B–1. This new missile is called the SRAM. It adds new dimensions to our strategic bombers through its distinctive trajectories. It can get to its target on a high arching ballistic path or it can hug the earth in an all low altitude attack. When in the semi-ballistic mode it has the longer ramp. At low altitude its range is shorter, but it has the same accuracy of delivery. In either case, the SRAM will get a weapon on target sooner than a gravity drop bomb and it will substantially increase an enemy's air and missile defense problems. Again, he will have less time to respond.

These new systems, as well as others in development, should keep the strategic balance from tilting against us—at least in a qualitative sense. They will provide more effective systems and they will protect us against technological surprise. But in this business, no one is ever really sure. We know we could do more in system development, and we know we could move somewhat faster along the time dimension of system development. But we also know that either of those alternatives would cost more money. At the same time, we see the Soviets doing more, and apparently moving faster. In that context, we are doing everything that we can to make sure that we continue to have "sufficient" strategic forces, in time, but it is a risky business at best.

What I have tried to do this morning is focus on the time dimension of military power—and more specifically, the time dimension of our nuclear deterrent forces. This is a very vital part of our national strategy, and certainly one that gets a good deal of attention in the Air Force. But it is really bigger than the Air Force.

As I have indicated, our nuclear deterrent strategy is based on a network of surveillance and detection systems, and on a Triad of retaliatory forces. Working together, with each part of the system prepared to make its timely contribution, we have created an international environment of deterrence, one in which no rational enemy would attack—the price he would have to pay has been too high. And the reason the system works—and this is the key to deterrence—is that each part has different characteristics and a different time profile. That is what makes the value of the Triad greater than the sum of the individual parts. And that is also why it would be a mistake to settle for any one system—or even two.

At the same time, I have introduced the

specter of the future. Just because our current forces and systems have proved to be an effective deterrent in the past, is no reason to believe that they cannot be effectively countered in the future. For that reason—and recognizing the long lead times involved in the development of strategic weapon systems—we are pressing on with selected new programs. These include new surveillance systems with shorter response times, and new retaliatory systems with faster response times. Taken as a whole, we are doing everything that we can to make sure we will have the forces we need, where we need them, and when we need them.

SECRETARY ROGERS REJECTS WAR POWER BILLS

Mr. GOLDWATER. Mr. President, on Friday, May 14, the Honorable William P. Rogers, Secretary of State, appeared before the Senate Foreign Relations Committee to testify concerning several bills which would set forth rules purportedly governing the ability of the President of the United States to use the Armed Forces in military hostilities. Secretary Rogers presented his testimony in a courteous and calm manner which fully exemplified the recognition by himself and the administration that Congress has a direct and important role in the setting of major foreign and military policies. His statement gave fair weight to the constitutional expectation of cooperation and consultation between the legislative and executive branches in the formulation of foreign policy decisions and the use of force in the conduct of that policy.

But having stated his commitment to the achievement of a proper balance between the roles of the President and Congress in this field, Secretary Rogers made it clear that his view of our system of shared powers does not mean that one branch possesses the dominating role as the authors of the war powers legislation would presume the Congress to have. By shared powers, the Secretary appears to mean that each of our political branches holds grants of authority which enable it to act independently. In contrast, the bold assertion made by the Senator from New York (Mr. JAVITS) that the President is the mere "executive arm of Congress" who must carry out "its policy directives in the prosecution of military hostilities" shows all too clearly what the authors of the War Powers bills have in mind when they speak of "shared powers."

Though it is normally desirable that military action should not be initiated without cooperation between the two branches, Secretary Rogers points out there are occasions when it is utterly indispensable for the President to act immediately and in secrecy without prior approval from Congress. Indeed, history demonstrates that past Presidents have so acted on their own authority, without any declaration of war, in nearly 155 instances.

Secretary Rogers indicates that this historical practice has occurred under a grant of authority by the framers of the Constitution who "intended to leave the President certain indispensable emergency powers." In speaking of the President's widely recognized power "to repel sudden attacks," the Secretary of State argued:

> That was the one situation, in 1787, in which it was evident that emergency action was required. But I submit that the rationale behind the concept is broader—that is, that in emergency situations the President has power and a responsibility to use the armed forces to protect the nation's security.

Mr. President, I agree. I, too, believe the President must hold an independent power of action whenever he believes the freedoms of this Nation are undeniably at stake. To explain what I mean, I believe the kinds of emergency situations which the Secretary has in mind would include the Cuban missile crisis of 1962, in which President John F. Kennedy had to act strongly and swiftly within a matter of days in order to force the removal of offensive missiles being aimed at 80 million American citizens. I think they would also encompass the Congo rescue efforts of 1964 in which U.S. Air Force planes airlifted about 600 Belgian paratroopers during two operations in which nearly 2,000 civilians, almost all of them non-Americans, were saved from revolutionary mobs threatening their lives; and they would definitely foresee the possible need for the sudden deployment of several thousands of American troops to the city of free Berlin during one of the cyclical pressures against that city by Communist forces.

Mr. President, as incredible as it seems, the War Powers bills would either prevent the President from taking prompt emergency action in each of these vital true-life situations and many others of a similar nature, or would else prohibit continued United States action beyond 30 days. In the light of such ill-considered results as these, I think the Secretary of State is putting it mildly when he charges the bills "would not serve the Nation's long-term interests."

But this is only the beginning. There are untold other problems connected with the War Powers proposals. For one thing, they cannot change the Constitution by legislation. In this regard, Secretary Rogers is absolutely correct when he observes:

> The bills would raise a serious Constitutional issue of interference with the President's authority under the Constitution as Commander-in-Chief.

Also, any Members of Congress who might conceive of the war powers legislation as serving the ends of a peaceful settlement of issues might closely study Secretary Rogers' warning that:

> Moreover, requiring prior congressional authorization for deployment of forces can deprive the President of a valuable instrument of diplomacy which is used most often to calm a crisis rather than enflame it.

In addition, the doves among us might take heed of Secretary Rogers' fundamental observation that:

> To circumscribe presidential ability to act in emergency situations—or even to appear to weaken it—would run the grave risk of miscalculation by a potential enemy regarding the ability of the United States to act in a crisis. This might embolden such a nation to provoke crises or take other actions which undermine international peace and security.

Mr. President, there are countless other problems and unfortunate ramifications attached to the various war powers measures. For example, Secretary Rogers cautions that the 30-day limitation might prove impossible to implement, once our troops have been committed, in a manner which provides for the withdrawal of our forces in safety within such an arbitrary time period.

In summary, Mr. President, the war Powers legislation is a can of worms. Regardless of all the good motives in the world on the part of the sponsors of these bills, I must join in the conclusion reached by Secretary Rogers, who told the committee:

> I am opposed to the legislation before you as a way to achieve these objectives because (1) it attempts to fix in detail, and to freeze, the allocation of the war power between the President and Congress—a step which the framers in their wisdom quite deliberately decided against and (2) it attempts in a number of respects to narrow the power given the President by the Constitution.

Mr. President, in order that the entire Congress and a broad segment of the American public might be able to read and study the thoughtful and scholarly presentation of Secretary Rogers before the Senate Foreign Relations Committee, I ask unanimous consent that his testimony be printed in the RECORD together with relevant footnotes.

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

CONGRESS, THE PRESIDENT, AND THE WAR POWERS

(Statement of the Honorable William P. Rogers, Secretary of State)

I. INTRODUCTION

It is, as always, my privilege to appear before this Committee. I am grateful to you, Mr. Chairman, and to members of the Committee for the opportunity to testify on the serious questions under consideration.

The Committee has helped stimulate an important examination of the war powers of the President and Congress under our Constitution. This Administration, of course, fully respects Congress' right to exercise its constitutional role in decisions involving the use of military force and in the formulation of our nation's foreign policy. We realize that under our constitutional system decisions in this vital area should reflect a common perspective among the Legislature, the Executive and the electorate so that each may play its proper role. We also recognize that this common perspective can only be built through cooperation and consultation between the Legislative and Executive branches. Generally speaking, the constitutional process so wisely conceived by the Founding Fathers has worked well throughout our history. Any attempt to change it should be approached carefully and should be subjected to long and full consideration of all aspects of the problem.

The issue before us involves the constitutional authority to commit forces to armed combat and related questions. These questions have been the subject of considerable debate and scholarly attention.[1] Unfortunately, they are often approached polemically with one side arguing the President's constitutional authority as Commander-in-Chief and the other side asserting Congress' constitutional power to declare war—the implication being that these powers are somehow incompatible. The contrary is true. The framers of the Constitution intended that there be a proper balance between the roles

Footnotes at end of article.

of the President and Congress in decisions to use force in the conduct of foreign policy.

In discussing these issues with you today, I wish first to review the historical background of the war powers question, beginning with the Constitution itself and tracing the practice of the nation throughout our history. I would then like to place the war powers issue in the modern context and discuss with you the factors which I see bearing on the issue of the exercise of presidential and congressional powers now and in the foreseeable future. Finally, from this perspective, I will describe what I believe the national interest requires in terms of a proper balance between the President and the Congress.

Frist, let me stress that cooperation between the Executive and Legislative branches is the heart of the political process as conceived by the framers of the Constitution. In the absence of such cooperation, no legislation which seeks to define constitutional powers more rigidly can be effective. Conversely, given such cooperation, such legislation is unnecessary. Obvioully there is need for and great value in congressional participation in the formulation of foreign policy and in decisions regarding the use of force. But, at the same time, there is a clear need in terms of national survival for preserving the constitutional power of the President to act in emergency situations.

II. HISTORICAL BACKGROUND

A. Textual authority and the intention of the framers

Let me turn, then, first to the historical background beginning with the Constitution. Article I, Section 8 of the Constitution grants Congress a number of specific powers relevant to our discussion, including the power "to . . . provide for the common Defence . . .; To declare War . . .; To raise and support Armies . . .; To provide and maintain a Navy; To make Rules for the Government and Regulation of the land and naval Forces. . . ." The Senate, in particular, is given certain foreign relations powers to advise and consent to treaties and to the appointment of ambassadors and other officials.[2] Congress has the power to make all laws which are necessary and proper for carrying out powers vested by the Constitution in the federal government.[3] In addition, Congress has the sole authority to appropriate funds[4]—a vital power in the war powers and foreign relations area.

The powers of the President which are relevant to this inquiry are found in Article II. The President is vested with the executive power of the government, he is named Commander-in-Chief of the army and navy and is required to "take Care that the Laws be faithfully executed."[5] From these powers and the power to make treaties and to appoint and receive ambassadors is derived the President's constitutional authority to conduct the foreign relations of the United States.

The framers of the Constitution were not writing in an historical or political vacuum. Experience during the colonial period and under the Articles of Confederation had shown the need to strengthen the central government. The problem was to create a strong federal system and yet prevent tyranny.[6] Accordingly, the framers established three powerful federal branches of government and depended upon the independence of each branch and their co-equal powers to provide the checks and balances necessary to preserve the democracy.

The division of the war powers between the Legislative and Executive branches is illustrative of the general constitutional framework of shared powers and checks and balances. By this division, the framers changed prior United States practice under the Articles of Confederation where the "sole and exclusive right and power of determining on peace and war" had been vested in the Legislature.[7] They wished to take advantage of executive speed, efficiency, secrecy and relative isolation from "public passions."[8] At the same time, they wished to avoid the dangers to democratic government exemplified by the unchecked British monarch who, as Hamilton noted, had supreme authority not only to command the military and naval forces, but also to declare war and to raise and regulate fleets and armies.[9] Mindful of the hardships which war can impose on the citizens of a country and fearful of vesting too much power in any individual, the framers intended that decisions regarding the initiation of hostilities be made not by the President alone, nor by the House or Senate alone, but by the entire Congress and the President together.[10] Yet it is also clear that the framers intended to leave the President certain indispensable emergency powers.[11]

The grant to Congress of the power to declare war was debated briefly at the Constitutional Convention and that well-known debate reveals the essential intention of the framers. The Committee of Detail submitted to the general convention a draft article which gave the Congress the power "to make war." Pursuant to a motion by Madison and Gerry, this was amended to the power "to declare war." This change in wording was not intended to detract from Congress' role in decisions to engage the country in war. Rather it was a recognition of the need to preserve in the President an emergency power—as Madison explained it—"to repel sudden attacks" and also to avoid the confusion of "making" war with "conducting" war, which is the prerogative of the President.[12]

The necessity to repel sudden attacks was the case cited by the framers in which the President clearly had power to act immediately on his own authority. That was the one situation, in 1787, in which it was evident that emergency action was required. But I submit that the rationale behind the concept is broader—that is, that in emergency situations the President has power and a responsibility to use the armed forces to protect the nation's security.[13] This conclusion is borne out by subsequent practice and judicial precedents, as I will show later. In fact, much of the debate at the time centered on the need to curb the European monarch's tradition of precipitating offensive wars and to transfer to the federal government the war powers previously exercised by the states; little attention was given to the scope of the President's power to use the armed forces for defensive purposes to protect the nation or its security interests.[14]

The constitutional division of authority in the war powers area, as I see it, parallels the constitutional balance between the Executive and Legislature in other fields. By dividing these powers between the two branches, the Constitution established a system that, except in emergency situations, would function most effectively if decisions to involve the nation in armed conflict were arrived at jointly by the President and Congress.

B. Selected historical examples

In addition to the textual authority and the framers' intentions regarding the war powers of Congress and the President, we should consider the practical exercise of those powers since the Constitution was adopted. Many scholars have reviewed the historical records[15] and I do not intend to cover all of this ground again. I think it is important, however, to identify the trend which developed.

From the earliest years of the republic we find examples of presidential use of the armed forces without congressional approval. These were, at first, very limited in character. For example, in 1801 President Jefferson sent on his own authority a squadron of ships to protect American vessels from the Barbary pirates, but he authorized them to take only defensive actions.[16] The scope of presidential initiative expanded during the 19th and early 20th centuries. President Polk sent American forces into the disputed territory near the Rio Grande in January 1846, where they engaged in battle with the Mexicans purely on presidential authority.[17]

In 1900 President McKinley sent 5,000 troops to China without congressional authorization to protect Americans and help put down the Boxer Rebellion.[18] President Theodore Roosevelt on his own authority dispatched gunboats to the Canal Zone area.[19] Later, Presidents Roosevelt, Taft, Wilson and Coolidge intervened and temporarily occupied other Latin American and Caribbean countries without prior congressional approval.[20] Nicaragua, for example, was occupied and, in effect, administered by U.S. marines for nearly seven years, from 1926–1933. Congressional approval was never requested.[21]

This history shows an increasing exercise by the President of his constitutional powers to use American armed forces abroad, without the prior authorization of the Congress. And yet there was remarkably little complaint from the Congress. It is interesting to speculate why this was so. It seems to me there may have been several possible factors. In the first place, I suppose that the President was acting in the context of a generally popular consensus in the country that the United States should assume a posture consistent with its emerging power, particularly in the Western Hemisphere. Second, a large majority of the 19th and early 20th century presidential actions occurred in the Caribbean, where this country's power was so predominant that there was little or no chance of forcible response to our actions. Therefore, the risks to the nation which Article I, Section 8, was designed to reduce never arose. In short, there being no risk of major war, one could argue there was no violation of Congress' power to declare war.[22]

It has been suggested that even Franklin Roosevelt's executive agreements in 1940–41 with Britain effecting an exchange of destroyers for bases in the Western Atlantic and agreements with Denmark and Iceland for bases in Greenland and Iceland can be considered a legitimate exercise of hemispheric defense.[23]

However, the factor distinguishing these agreements from prior presidential actions in the Western Hemisphere was that in 1940–41 there was most unmistakably a great risk that the United States would become involved in a major war.

I cite these historical precedents not because I believe they are dispositive of the constitutional issues your Committee is considering—far from it—but to illustrate how the constitutional system adapts itself to historical circumstances. Whatever the reasons for presidential initiatives during this period, they seem to have been responsive to the times and to have reflected the mood of the nation.

You are, of course, equally familiar with the post-World War II history surrounding the exercise of war powers by the President and the Congress.

At the invitation of the Government of the Republic of Korea and pursuant to resolutions of the United Nations Security Council, President Truman committed over a quarter million of air, naval, and land forces to a war in Korea without congressional authorization.

The Truman administration based its authority to commit these troops squarely on the President's constitutional authority. It asserted that "the President, as Commander in Chief of the Armed Forces of the United States, has full control over the use thereof."[24] Citing past instances of presidential use of armed force in the broad interests of American foreign policy, the Ad-

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ministration asserted that there was a "traditional power of the President to use the Armed Forces of the United States without consulting Congress." [25] Reliance was also placed on the fact that the action was taken under the United Nations Charter, a part of both the treaty and international law which the President is constitutionally empowered to execute.[26]

President Eisenhower sought congressional authorization for possible engagement of American forces in Middle East [27] and in the area around Formosa.[28] In his request for a resolution on Formosa he stated his view that:

"Authority for some of the actions which might be required would be inherent in the authority of the Commander in Chief. Until Congress can act I would not hesitate, so far as my constitutional powers extend, to take whatever emergency action might be forced upon us in order to protect the rights and security of the United States.

"However, a suitable congressional resolution would clearly and publicly establish the authority of the President as Commander in Chief to employ the Armed Forces of this Nation promptly and effectively for the purposes indicated if in his judgment it became necessary." [29]

When President Eisenhower sent 14,000 troops into Lebanon in 1958 he did so without seeking specific congressional approval and without specifically basing his authority on the 1957 Middle East Resolution. He said that the troops were sent "to protect American lives—there are about 2,500 Americans in Lebanon—and by their presence there to assist the Government of Lebanon to preserve its territorial integrity and political independence." "I have," he said, "come to the sober and clear conclusion that the action taken was essential to the welfare of the United States. It was required to support the principles of justice and international law upon which peace and a stable international order depend." [30]

In 1962 President Kennedy ordered the quarantine of Cuba, "acting under and by virtue of the authority conferred upon me by the Constitution and statutes of the United States, in accordance with the aforementioned resolutions of the United States Congress and the Organ of Consultation of the American Republics, and to defend the security of the United States . . ." [31] The resolution of Congress referred to by the President was passed one month before the Cuban missile crisis and the quarantine proclamation. The Cuban Resolution, unlike the other area resolutions contained no grant of authority to the President; it simply declared that the United States was determined to use any means necessary to prevent Cuba from extending its subversive activities through the hemisphere and from creating or using an externally supported military capacity which would endanger United States security.[32]

In April 1965 President Johnson sent United States Marines into the Dominican Republic without congressional authorization, and stated initially that he was exercising the President's power to protect the safety of American citizens.[33] A few days later when the peace-keeping objectives of the action became predominant, he explained his action as an exercise of the President's power to preserve the security of the hemisphere in accordance with the principles enunciated in the OAS Charter.[34] At no time during the Dominican action did the President seek congressional authorization.

When President Johnson began sending American combat troops to South Viet-Nam in 1965, he relied as authority for his action, on a combination of his own constitutional authority as Chief Executive and Commander-in-Chief, the Senate's advice and consent to the SEATO treaty, and the authority granted by the Congress in the Tonkin Gulf Resolution.[35]

Looking back then over the last twenty years, one can see that Presidents have given varying rationales for Executive action and varying interpretations of the necessity of congressional authorization.

I think there are two points to be made regarding this period of our history. First, certainly the area resolutions were some evidence of congressional approval. Usually, however, they arose in an atmosphere of crisis or else in a different factual context than that in which they were eventually relied upon. The question is not whether these resolutions are useful to Presidents—of course they are—but instead whether such open-ended delegations are an effective means for Congress to exercise its constitutional authority.

Second, it serves no useful purpose to argue today whether or to what extent past presidential decisions regarding the use of military force have served the national interest. The very concept of that which best serves the national interest of the United States has undergone significant change since the uses of force of the 1950's and 1960's. The Nixon Doctrine represents a recognition that protection of our national interest does not require an automatic United States military response to every threat. The aim of the Nixon Doctrine is to increase the participation of other nations in individual and collective defense efforts. While reaffirming our treaty commitments and offering a shield against threats from nuclear powers aimed at our allies or other nations vital to our security, we now look to the nation directly threatened to assume the primary responsibility for providing the manpower necessary for its defense. I am sure this new approach will be of great help in achieving balanced executive-legislative participation in decisions regarding the use of military force.

C. Judicial Precedents

Let me turn now briefly to an examination of judicial precedents in the war powers area. There are relatively few judicial decisions concerning the relationship between the Congress and the President in the exercise of their respective war powers under the Constitution. The courts have usually regarded the subject as a political question [36] and refused to take jurisdiction. For example, in *Luftig* v. *McNamara*, the D.C. Court of Appeals upheld the dismissal of a suit by an Army private to enjoin the Secretary of Defense from sending him to Vietnam on the ground that the war was unconstitutional. The court stated:

"It is difficult to think of an area less suited for judicial action that than into which Appellant would have us intrude. The fundamental division of authority and power established by the Constitution precludes judges from overseeing the conduct of foreign policy or the use and disposition of military power; these matters are plainly the exclusive province of Congress and the Executive. . . ." [37]

Accordingly, to the extent issues regarding the war powers are resolved, their resolution is likely to come, as has been the case in the past, through political interaction of the President, Congress and the electorate. And, in the final analysis, that is the most appropriate means for the settlement of fundamental constitutional questions of this character.

There are, however, a few court decisions which contain expressions of judicial opinion relevant to the war powers issue. These cases suggest some rough guidelines. First, the decisions indicate that courts recognize and accept the President's authority to employ the armed forces in hostilities without express congressional authorization.

For example, in *Durand* v. *Hollings*,[38] the second circuit held in 1860 that in the absence of congressional authorization, the Executive had broad discretion in determining when to use military force abroad in order to respond quickly to threats against American citizens and their property. In the *Prize Cases* [39] during the Civil War, the Supreme Court upheld President Lincoln's Southern blockade despite the absence of a declaration of war or other specific congressional authorization. The Court held that, when war is initiated by the other party, the President is not only authorized, but obliged to resist force by force and has broad discretion in deciding what measures are demanded by the crisis. The decision was also based on the Court's finding of a general congressional sanction of the war from ancillary legislation and subsequent congressional ratification.

The Steel Seizure Case, Youngstown Sheet & Tube Co. v. *Sawyer*,[40] in which the Supreme Court held invalid President Truman's seizure of the steel mills during the Korean War, is sometimes cited as indicating the limits of the President's independent constitutional authority. However, it is important to note that the precise issue in that case was not the President's authority to conduct hostilities but the scope of his power over a clearly domestic matter—labor management relations. Moreover, the Court noted and several Justices based their concurring opinions [41] on the fact that Congress had enacted a number of laws concerning domestic labor disputes and in so doing explicitly withheld the power of seizure from the President.

This aspect of the *Steel Seizure Case* leads to a second observation: that throughout our history a head-on collision between legislation and presidential action has rarely, if ever, occurred in the field of foreign policy.[42] This is a testament to the strength and flexibility of our system, and to the statesmanship of the nation's leaders.

There are few judicial pronouncements on what would happen in the event of a clear collision in the area of the war powers. In *Ex Parte Milligan*,[43] the concurring opinion of four Justices indicated there were limits to what Congress might do by legislation:

"Congress has the power not only to raise and support and govern armies but to declare war. It has, therefore, the power to provide by law for carrying on war. This power necessarily extends to all legislation essential to the prosecution of war with vigor and success, except such as interfere with the command of the forces and the conduct of campaigns. That power and duty belong to the President as commander-in-chief." [44]

But perhaps Justice Jackson stated the wisest rule when he said that in the event of a clear collision between legislation and presidential action ". . . any actual test of power is likely to depend on the imperatives of events and contemporary imponderables rather than on abstract theories of law." [45]

A third guideline that emerges is that when acts of Congress authorize presidential action, the President's power is at its zenith; it encompasses both the authority delegated to him by Congress and whatever independent constitutional authority he may have with respect to the subject matter. It is in this third situation that we find the much-quoted case of *United States v. Curtiss-Wright Export Co.*,[46] in which the Supreme Court held that the normal legal restrictions upon congressional delegations of power to the President in domestic affairs do not apply with respect to delegations in external affairs because of the Executive's extensive independent authority in that realm and the desirability of allowing him maximum flexibility in exercising that authority.[47] There are numerous other examples of wide definition of presidential powers when acting under and in accordance with an act of Congress.[48]

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III. THE MODERN CONTEXT

As we turn from an examination of history to an analysis of the modern context in which the President and Congress operate, I am impressed by the fundamental changes in the factual setting in which the war powers must be exercised. And indeed, it is this very change in setting which has raised difficult constitutional issues that cannot be answered by reference to history alone.

The primary factors underlying this transformation are rather evident and need only be summarized. They include, first, the emergence of the United States as a world power. Since World War II we have found it necessary to maintain a large, standing military capacity which is sufficiently well-equipped and mobile to enable the United States to play a major peacekeeping role almost anywhere in the world and often with little delay. This development has generated a reliance upon the United States by other nations to help protect them—which has been translated into a series of defense treaties—and a sense of responsibility on the part of this country to fulfill our commitments in good faith.

Let me say again, because I think it is important to the issue before us, that this Administration has begun to reverse the trend of expanding U.S. military involvement abroad. The Nixon Doctrine means that while the United States must continue to honor its commitments and to play a large and active role in world affairs, we should not seek in all cases to have the preponderant role. We seek a new partnership with nations of the world in which they become increasingly self-reliant and assume greater responsibilities for their own welfare and security and that of the international community.[49]

The second factor which characterizes the modern context is the development of technology, especially in the field of nuclear weaponry. The fear of nuclear war and the importance of deterrence have engendered a sense of need to be able to take prompt, decisive Executive action. On the other hand, the fact that even a minor skirmish could lead to a confrontation of the major powers and raise the spectre of nuclear war, serves to emphasize the desirability of appropriate congressional participation in decisions which risk involving the United States in hostilities.

Third, the institutional capacities of the Presidency have facilitated the broad use of presidential powers. The heightened pace, complexity and hazards of contemporary events often require rapid and clear decisions. The nation must be able to act flexibly and, in certain cases, without prior publicity. The institutional advantages of the Presidency, which are especially important in the area of foreign affairs, were pointed out in *The Federalist:* the unity of office, its capacity for secrecy and dispatch, and its superior sources of information.[50]

Unlike the Presidency, the institutional characteristics of Congress have not lent themselves as well to the requirements of speed and secrecy in times of recurrent crises and rapid change. The composition of Congress with its numerous members and their diverse constituencies, the resultant complexity of the decision-making process, and Congress' constitutional tasks of debate, discussion and authorization inevitably make it a more deliberative, public and diffuse body.[51]

Yet, in order to balance this picture, we must also note the inherent limitations of the Presidency. There are few significant matters which can be accomplished by presidential order alone. The essence of presidential power is the ability to enlist public support for national policy,[52] and in this the President needs the cooperation of Congress. Virtually every presidential program requires implementing legislation and funding. Through their powers of investigation, and supervision, congressional committees have amply demonstrated their ability to inspire national debate, focus public opinion and thereby influence presidential policy. The Senate's power to advise and consent to treaties and appointments serves as a constant reminder of the Senate's indispensable role in foreign policy.

Of course, the electorate is the ultimate restraint upon the President and Congress in the exercise of the war powers. As President Nixon said in his "State of the World" message: "Our experience in the 1960's has underlined the fact that we should not do more abroad than domestic opinion can sustain." [53] The President and Congress must be sensitive to the people's willingness to suffer the potential physical, economic and political costs of military actions. The nation's ability to sustain long-term military action depends on the ability of the President and Congress to convince the people of the wisdom of their policies.

IV. The proper balance between Congress and the President

Thus far I have discussed what has happened to the war powers over the course of our history and described the modern context in which those powers must be exercised. The most difficult question is still before us. What should we seek for the future—what is the proper balance between the Congress and the President?

It seems to me that we must start from the recognition that the exercise of the war powers under the Constitution is essentially a political process. It requires cooperation and mutual trust between the President and Congress and wise judgment on the part of both if the nation's interests are to be well served.

Your Committee now has before it several bills [54] which attempt to define and codify the war powers of the President and Congress in a way that I believe would not serve the nation's long-term interests. I believe that the objectives of the sponsors of these bills, including Senator Javits, Senator Taft, and Senator Eagleton, and most recently Senator Stennis, are the same as the objectives of this Administration. We both want to avoid involving the nation in wars, but if hostilities are forced upon us, we want to make certain that United States involvement is quickly and effectively undertaken and is fully in accordance with our constitutional processes. So the difference is not in our objectives but in how to achieve those objectives. I am opposed to the legislation before you as a way to achieve these objectives because (1) it attempts to fix in detail, and to freeze, the allocation of the war power between the President and Congress—a step which the framers in their wisdom quite deliberately decided against and (2) it attempts in a number of respects to narrow the power given the President by the Constitution.

Regarding the first point, these bills reflect an approach which is not consistent with our constitutional tradition. The framers of the Constitution invested the Executive and Legislative branches with war powers appropriate to their respective roles and capabilities, without attempting to specify precisely who would do what in what circumstances and in what time period, or how far one branch could go without the other. This was left to the political process, which is characteristic of the constitutional system of separation of powers. Our constitutional system is founded on an assumption of cooperation rather than conflict, and this is vitally necessary in matters of war and peace. The effective operation of that system requires that both branches work together from a common perspective rather than seeking to forge shackles based on the assumption of divergent perspectives.

As for the second aspect, although the bills recognize to a significant extent the President's full range of constitutional authority, they do tend to limit the President in some questionable ways. It appears, for example, that two of the bills [55] do not cover situations like that of the Cuban missile crisis. In failing to recognize the need for immediate action and the propriety of a presidential response to such situations, the bills are unduly restrictive. It is inconceivable, for example, that the President could have carried out the delicate diplomatic negotiations with the Soviets which led to the removal of the missiles from Cuba if there had been a full-scale congressional debate prior to his deciding on a course of military and diplomatic action.

Some of the bills would also seek to restrict the President's authority to deploy forces abroad short of hostilities. This raises a serious constitutional issue of interference with the President's authority under the Constitution as Commander-in-Chief. Moreover, requiring prior congressional authorization for deployment of forces can deprive the President of a valuable instrument of diplomacy which is used most often to calm a crisis rather than enflame it. For example, such a restriction could seriously limit the ability of the President to make a demonstration of force to back up the exercise of our rights and responsibilities in Berlin or to deploy elements of the Sixth Fleet in the Mediterranean in connection with the Middle East situation.

At least two of the bills would require that action initiated by the President within his specified authority be terminated after 30 days unless Congress enacts sustaining legislation; [56] and three of the bills would permit Congress to terminate presidential action in less than 30 days.[57] The bills would provide for expedited action on such legislation but would not and could not insure definitive congressional action within the 30 day period. This raises another constitutional issue, that is whether the President's authority under the Constitution—for example, to protect the nation against sudden attack—could be limited or terminated by congressional action or inaction. The 30-day limitation also raises practical problems regarding the conduct of our forces. Once our forces are committed to hostilities, it might prove impossible to terminate those hostilities and provide for the safety of our forces within an arbitrary time period. To the extent the legislation would impinge in these ways upon the President's authority as Commander-in-Chief and Chief Executive, it is of doubtful constitutionality.

There is another consideration. To circumscribe presidential ability to act in emergency situations—or even to appear to weaken it—would run the grave risk of miscalculation by a potential enemy regarding the ability of the United States to act in a crisis. This might embolden such a nation to provoke crises or take other actions which undermine international peace and security.

I do not believe we have sufficient foresight to provide wisely for all contingencies that may arise in the future. I am sure the founding fathers acted on that premise; and we should be most reluctant to reverse that judgment. Moreover, I firmly believe that Congress' ability to exercise its constitutional powers does not depend on restricting in advance the necessary flexibility which the Constitution has given the President.

At the same time, I want to make clear that I do not interpret "flexibility" as a euphemism for unchecked Executive power. Some have argued that Congress power to declare war should be interpreted as a purely symbolic act with little real substance in a world in which declared wars have become

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infrequent despite the existence of real hostilities.[58] In my judgment it would be improper to do so. Congress' power to declare war retains real meaning in the modern context. While the form in which the power is exercised may change, nevertheless the constitutional imperative remains: if the nation is to be taken into war or to embark on actions which run serious risk of war, the critical decisions must be made only after the most searching examination and on the basis of a national consensus and they must be truly representative of the will of the people. For this reason, we must ensure that such decisions reflect the effective exercise by the Congress and the President of their respective constitutional responsibilities.

V. Conclusion

What needs to be done to ensure that the constitutitonal framework of shared responsibility for the exercise of the war powers works in the nation's best interests?

First, we are prepared to explore with you ways of helping Congress reinforce its own information capability on issues involving war and peace. For example, I would be prepared to instruct each of our geographic assistant secretaries to provide your Committee on a regular basis with a full briefing on developments in his respective area, if you believed this would be helpful. Regular and continuing briefings would enable the Committee to keep abreast of developing crisis situations. This would be in addition to the numerous official and informal contacts which regularly take place between members of the two branches.

Second, there needs to be effective consultation between Congress and the President, and we have tried to follow this policy. It is not only Congress that is weakened by a lack of consultation. Our nation's foreign policy is itself weakened when it does not reflect continuing interaction and consultation between the two branches.

Third, the Congress must effectively exercise the powers which it has under the Constitution in the war powers area. In its 1969 Report on the National Commitments Resolution, your Committee recognized that "no constitutional amendment or legislative enactment is required" for Congress to assert its constitutional authority. "If Congress makes clear that it intends to exercise these powers," the Report states, in referring to Congress' war powers, "it is most unlikely that the executive will fail to respect that intention."[59] I agree with that conclusion.

Fourth, there is the need to act speedily, and sometimes with our prior publicity, in crisis situations. We should try to find better institutional methods to keep these requirements from becoming an obstacle to Congress' exercising its full and proper role. Suggestions have come from a number of quarters for the establishment of a joint congressional committee which could act as a consultative body with the President in times of emergencies. If, after study, you believe this idea has merit, we would be prepared to discuss it with the Committee and determine how best we could cooperate.

Fifth, there is, in my view, the clear need to preserve the Presidents ability to act in emergencies in accordance with his constitutional responsibilities. This ability to act in emergencies, by its very nature, cannot be defined precisely in advance. Let me emphasize that I am not suggesting a presidential *carte blanche*. As I indicated at the beginning of my statement, I believe the framers of the Constitution intended decisions regarding the initiation of hosilities to be made jointly by the Congress and the President, except in emergency situations. I believe that constitutional design remains valid today.

In conclusion, I would like to refer to the suggestion which the distinguished Senator from Mississippi, Senator Stennis, made last Tuesday that the war powers question requires thorough consideration and full study. He said, "I think this matter should be pending for a year or more. It must be understood in every facet and the people must understand fully the question that is involved."[60] I believe that is wise advice. This is a basic question affecting our constitutional structure and the security of our nation. It is most important that such a matter be considered deliberately and calmly, in an atmosphere free from the emotion and the passions that have been generated by the Viet-Nam conflict.

We in the Executive branch are prepared to continue the discussion of the war powers question with you. Our sole objective is to ensure that the nation's interests are best served in this vital area.

My own view is that the constitutional framework of shared war powers is wise and serves the interests of the nation well in the modern world. The recognition of the necessity for cooperation between the President and Congress in this area and for the participation of both in decision-making could not be clearer than it is today. What is required is the judicious and constructive exercise by each branch of its constitutional powers rather than seeking to draw arbitrary lines between them.

FOOTNOTES

[1] *See generally*, Background Information on the Use of United States Armed Forces in Foreign Countries, House Comm. on Foreign Affairs, 91st Cong., 2d Sess. (Comm. Print 1970) (hereinafter cited as Background Info. 1970); Documents Relating to the War Power of Congress, the President's Authority as Commander in Chief and the War in Indochina, Sen. Comm. on Foreign Relations, 91st Cong., 2d Sess. (Comm. Print July 1970) (hereinafter cited as Docs. on the War Power 1970); Hearings on Congress, the President, and the War Powers before the Subcomm. on Nat'l Security Policy and Scientific Dev., House Comm. on Foreign Affairs, 91st Cong., 2d Sess. (Comm. Print 1970).

[2] U.S. Const. art II, § 2.

[3] *Id.* at art I, § 8 cl 18.

[4] *Id.* at art I, §§ 7, 8 cls 1, 2, 12 and 9 cl 7.

[5] *Id.* at art II, §§ 1–3.

[6] Solberg, The Federal Convention and the Formation of the Union of the American States, at xc (1958).

[7] Articles of Confederation of 1781, art IX. This consolidation of power in the Legislature was principally intended to put the war powers in the hands of the central government rather than the states, except in certain specified emergencies. A division of the war power between Congress and the President was not at issue, for the fear and dislike of monarchy was so great among the colonists that the Articles did not provide for an independent Executive branch. Had the framers intended to give Congress exclusive control of the war powers they could have incorporated the same war powers provision into the Constitution.

[8] *See* The Federalist Nos. 70–75 (J. Hamilton ed. 1864) (A. Hamilton); *id.* No. 49, at 390–92 (A. Hamilton); *id.* No. 63, at 476–77 (A. Hamilton).

[9] *Id.* No. 69, at 516.

[10] II M. Farrand, The Records of the Federal Convention of 1787, at 313, 318–19 (1911). "The power of the President with regard to a declaration of war does not end with the functions of communication or information, and of recommendation. A declaration of war, like any other bill, order, resolution, or vote requiring the concurrence of both houses of Congress, must be submitted to the President for his approval or disapproval." Berdahl, War Powers of the Executive in the United States 95 (1921).

[11] Farrand, *supra* at 313, 318–19. That the scope of these emergency powers was controversial from the beginning is evidenced by Hamilton's vigorous attack on President Jefferson's conservative interpretation of his defensive powers in his conduct of the limited war with the Barbary Pirates in 1801. *See* note 16 *infra*.

[12] Farrand, supra at 313, 318–19.

[13] For example, the President's power to repel sudden attacks undoubtedly includes the power to provide against the imminent threat of attack. This concept was recognized early in connection with Congress' constitutional power to call forth the militia to repel invasions. In Martin v. Mott, 25 U.S. (12 Wheat.) 19 (1827) Justice Story found constitutional the Act of Congress of 1795 which empowered the President to call forth the militia if the country were invaded or in imminent danger thereof. "(T)he power to provide for repelling invasions includes the power to provide against the attempt and danger of invasion, as the necessary and proper means to effectuate the object. One of the best means to repel invasions is to provide the requisite force for action, before the invader himself has reached the soil." *Id.* at 28. *See also* Durand v. Hollins, 8 F. Cas. 111 (No. 4186) (CCSD NY 1860) recognizing the Executive's emergency power and duty to respond quickly to threats against the lives and property of American citizens abroad. The origin of the notion, set forth in the *Durand Case*, that citizens have a right to protection abroad is unclear. It is listed as an unquestionable privilege of federal citizenship in the Slaughter-House Cases, 83 U.S. 36, at 79 (1872) with no authority given and mentioned also in In Re Neagle, 135 U.S. 1, at 64 (1889). *See also* 22 U.S.C. §§ 1731–32. For authority that this is more properly a matter within the Executive's discretion, see E. M. Borchard, The Diplomatic Protection of Citizens Abroad 29–30 (1928).

[14] R. Russell, The United States Congress and the Power to Use Military Force Abroad, Apr. 15, 1967, at 25–63 (unpublished thesis in Fletcher School of Law and Diplomacy Library); *see* The Federalist No. 4, at 65–70 (J. Hamilton ed. 1864) (J. Jay).

[15] *See, e.g.*, R. Russell, *supra* at 64–389.

[16] J. Rogers, World Policing and the Constitution 46–47 (1945); Background Info. 1970, *supra* at 40. In his first annual message to Congress on December 4, 1801, Jefferson explained his actions: "Unauthorized by the Constitution, without the sanction of Congress, to go beyond the line of defense, the vessel, being disabled from committing further hostilities, was liberated with its crew. The Legislature will doubtless consider whether, by authorizing measures of offence also, they will place our force on an equal footing with that of its adversaries. I communicate all material information on this subject, that, in the exercise of this important function confided by the Constitution to the Legislature exclusively, their judgment may form itself on a knowledge and consideration of every circumstance of weight." II Annals of Cong. 12 (1801) Jefferson's conservative interpretation of his war powers, even against a declared adversary, was vigorously attacked by Hamilton. In his view, once the nation is attacked or war is declared by a foreign nation, the President is authorized to respond with whatever force he thinks necessary. "[I]t is the peculiar and exclusive province of Congress, *when the nation is at peace* to change that state into a state of war; whether from calculations of policy, or from provocations, in injuries received: in other words, it belongs to Congress only, *to go to war*. But when a foreign nation declares, or openly and avowedly makes war upon the United States, they are then by the very fact *already at war*, and any declaration on the part of Congress is nugatory; it is at least unnecessary." 7 Works of Alexander Hamilton 746–47 (J. Hamilton ed. 1851) (emphasis in original); *see* Wormuth, The Vietnam War: The President versus the Constitution in 2

The Vietnam War and International Law 723–25 (Falk ed. 1969). Hamilton's view received judicial approval in The Prize Cases, 67 U.S. (2 Black) 635 (1863).

[17] Wormuth, *supra* at 726; Rogers, *supra* at 48–49; Background Info. 1970, *supra* at 39. Although the Mexican War subsequently became a declared war, Act of May 13, 1846, ch. 16, 9 Stat. 9, there was some initial Congressional opposition. *See* 15. Cong. Globe, 29th Cong., 1st Sess. 782–88 (1846) This opposition had so increased two years later that the House passed a rider to a resolution honoring Gen. Taylor reading "that the war was unnecessarily and unconstitutionally begun by the President of the United States." A subsequent motion to strike the rider was defeated. *See* 17 Cong. Globe, 30th Cong., 1st Sess. 95, 343–44 (1848).

[18] Rogers, *supra* at 58–62; Background Info. 1970, supra at 40.

[19] Rogers, *supra* at 73–74; Background Info. 1970, *supra* at 41; S. Bemis, A Diplomatic History of the United States 513–15 (4th ed. 1955.)

[20] Rogers, *supra* at 74–78; Wormuth, *supra* at 748–49; Bemis, *supra* at 519–38.

[21] Rogers, *supra* at 77–78; Background Info. 1970, *supra* at 43.

[22] Note, Congress, the President and the Power to Commit Forces to Combat, 81 Harv. L. Rev. 1771, at 1790 (1968).

[23] Henry Steele Commager, Hearings on S. 731 before the Senate Comm. on For. Rel., 92d Cong., 1st Sess. (Mar. 8, 1971). The statement is based on the assumption that the President's emergency powers can, under certain circumstances, encompass hemispheric defense as a necessary correlative of his power to defend the United States, its territories and possessions.

[24] U.S. Dept. of State, Authority of the President to Repel the Attack in Korea, 23 Dept. State Bull. 173 (1950).

[25] Id. at 174.

[26] Powers of the President to Send the Armed Forces Outside the United States, Sen. Comms. on For. Rel. & Armed Serv., 82d Cong., 1st Sess., pp. 2–3, 20–22 (Comm. Print Feb. 28, 1957).

[27] Pub. L. No. 85–7, § 2, 71 Stat. 5 (Mar. 9, 1957), as amended by Sec. 705 of the Foreign Assistance Act of 1961, 75 Stat. 424 (1961).

[28] Pub. L. No. 84–4, 69 Stat. 5 (Jan. 29, 1955).

[29] 101 Cong. Rec. 601 (Jan. 24, 1955).

[30] 104 Cong. Rec. 13, 903–04 (1958) for July 15, 1958 statement of the President.

[31] Pres. Proc. No. 3504, 27 Fed. Reg. 10,401 (Oct. 23, 1962).

[32] Pub. L. No. 87–733, 76 Stat. 697 (Oct. 3, 1962).

[33] *See* N.Y. Times, Apr. 29, 1965, at 1, col. 8; *id.* Apr. 30, at 1, col. 8.

[34] *See* Statement by the President, May 2, 1965 in N.Y. Times, May 31, 1965, at 10, col. 1. The OAS subsequently authorized a multination peacekeeping force.

[35] U.S. Dept. of State, The Legality of United States Participation in the Defense of Viet-Nam, 54 Dept. State Bull. 474 (1966). The Tonkin Gulf Resolution, Pub. L. No. 88–408, 78 Stat. 384 (Aug. 10, 1964) *repealed by* Pub. L. No. 91–672, §12 (Jan. 12, 1971) provided that "the Congress approves and supports the determination of the President, as Commander-in-Chief, to take all measures necessary to repel any armed attack against the forces of the United States and to prevent further aggression," and that "the United States is . . . prepared, as the President determines, to take all necessary steps, including the use of armed force."

[36] Massachusetts v. Laird, *motion for leave to file complaint denied*, 400 U.S. 886 (1970); Mora v. McNamara, 387 F. 2d 862 (D.C. Cir.), *cert. denied*, 389 U.S. 934 (1967); Luftig v. McNamara, 373 F. 2d 664 (D.C. Cir), *cert. denied*, 387 U.S. 945 (1967); Mitchell v. United States, 369 F. 2d 323 (2d Cir. 1966), *Cert. denied*, 386 U.S. 972 (1967). The Political Question has been defined as a question which the Constitution requires to be determined by an agency of government other than the judiciary. *See generally*, A. Bickel, The Least Dangerous Branch (1962); H. Wechsler, Principles, Politics and Fundamental Law 3–48 (1961); Scharpf, Judicial Review and the Political Question: A Fundamental Analysis, 75 Yale L. J. 517 (1966); Tigar, Judicial Power, the "Political Question Doctrine," and Foreign Relations, 17 U.C.L.A. L. Rev. 1135 (1970); Brief for Defendant at 35–41, Massachusetts v. Laird, *supra*.

[37] Luftig v. McNamara, 379 F. 2d 664, at 665–66 (D.C. Cir. 1967).

[38] 8 F. Cas. 111 (No. 4186) (CCSD NY 1860), involving a suit for damages against a Navy Commander who, on orders of the President and Secretary of the Navy, bombarbed and burned the city of Greytown, Nicaragua in retaliation against a revolutionary government which refused to make reparation for damage done there to U.S. citizens and their property. Mr. Justice Nelson (on assignment to the second circuit) decided in favor of the defendant; the case never reached the Supreme Court. *Cf.* Perrin v. United States, 4 Ct. Cl. 543 (1868).

[39] 67 U.S. (2 Black) 635, 665 (1862), involving suits by four ship owners alleging their ships had been illegally seized as prizes under President Lincoln's blockade against the Confederacy. The Court held the blockade legal. Mr. Justice Nelson and three others dissented, arguing that the President had no authority to impose a blockade and seize the property of U.S. citizens without a congressional declaration of war.

[40] 343 U.S. 579 (1952).

[41] Concurring opinions of Mr. Justice Frankfurter, *id.* at 604–09; Mr. Justice Burton, *id.* at 655–60; Mr. Justice Clark, *id.* at 662–65.

[42] *See* E. Corwin, The President: Office and Powers 1787–1957, at 259 (1957): "Actually Congress has never adopted any legislation that would seriously cramp the style of a President who was attempting to break the resistance of an enemy or seeking to assure the safety of the national forces."

[43] 71 U.S. (4 Wall) 2 (1866). The case arose as a *habeas corpus* proceeding contesting the legality of a conviction by a military tribunal of a Northern civilian in Indiana during the Civil War. The Court invalidated the conviction, holding that the military tribunal had no jurisdiction, since neither the Congress nor the President could constitutionally authorize the trial of a civilian before a military tribunal in a State which had been loyal to the Union during the Civil War. *Id.* at 118–22.

[44] *Id.* at 139.

[45] Youngstown Sheet & Tube Co. v. Sawyer, *supra* at 637. In an early case involving seizure of vessels on the high seas it was held that the President could not act inconsistently with a specific legislative prohibition. Little v. Barreme (The Flying Fish), 6 U.S. (2 Cranch) 170 (1804) involved the seizure of a ship sailing *from* a French port which was made in accordance with presidential orders interpreting the Act of 1799 (which only provided for seizure of ships bound *to* French ports). Chief Justice Marshall, for a unanimous Court, held the seizure unlawful, but noted in passing that the presidential order might well have been lawful in the absence of congressional authorization were it not for the express negation of authority contained in the Act. *See also*, the concurring opinion of Mr. Justice Clark in Youngstown Sheet & Tube Co. v. Sawyer, *supra* at 660–61.

The Flying Fish involved an issue squarely within the specific grant of authority to Congress "to make Rules concerning Captures on Land and Water," [U.S. Const. art I, § 8] and for this reason should not be considered authority for congressional predominance in an area of shared powers, such as the war powers. Moreover, *The Flying Fish* was decided before the doctrine of "political questions" was formulated by Chief Justice Marshall in Foster v. Neilson, 27 U.S. (2 Pet.) 253 (1829) and, therefore, although it has never been overruled, a similar case would probably never reach decision on the merits today.

[46] 299 U.S. 304 (1936). *See also*, Martin v. Mott, *supra*, involving an Act of Congress of 1795 which delegated authority to the President to call forth the militia in the event of an invasion or the imminent threat thereof.

[47] *Id.* at 319–22. The *Curtiss-Wright Case* is more often cited for the Court's dicta than its holding. The Court saw the foreign affairs powers as inherent attributes of national sovereignity and, consequently, vested exclusively in the federal government, to be exercised by the President as "the sole organ of the nation in its external relations." The Court suggested that this "very delicate, plenary and exclusive power of the President" with respect to foreign relations did not depend upon congressional authorization, although like every other governmental power it had to be exercised in subordination to the applicable provisions of the Constitution. *Id.* at 320. The case holding has been interpreted as withdrawing "virtually all Constitutional limitation upon the scope of Congressional delegation of power to the President to act in the area of international relations." Jones, The President, Congress and Foreign Relations, 29 Calif. L. Rev. 565, at 575 (1941). *But see* recent Supreme Court decisions which contain warnings that the *Curtiss-Wright* holding may not be followed should a similar set of facts arise in the future. Afroyim v. Rusk, 387 U.S. 253 (1967); Zemel v. Rusk, 381 U.S. 1 (1965); Reid v. Covert, 354 U.S. 1 (1957).

[48] *See* Youngstown Sheet & Tube Co. v. Sawyer, *supra* at 635 n. 2.

[49] *See, e.g.*, Richard M. Nixon, President of the United States, United States Foreign Policy for the 1970's—Building for Peace, Rep. to Cong., Feb. 25, 1971, pp. 10–21; United States Foreign Policy 1969–70, Rep. of the Secretary of State, Mar. 26, 1971, at II, 36–39.

[50] *See* The Federalist No. 64, at 485–86 (J. Hamilton ed. 1864) (J. Jay); *id.* No. 74, at 552 (A. Hamilton); *id.* No. 75, at 559 (A. Hamilton).

[51] Reveley, Presidential War Making: Constitutional Prerogative or Usurpation?, 55 Va. L. Rev. 1243, at 1271 (1969).

[52] *See* R. Neustadt, Presidential Power: The Politics of Leadership (1960): "The President of the United States has an extraordinary range of formal powers, of authority in statute law and in the Constitution. Here is testimony that despite his "powers" he does not obtain results by giving orders—or not, at any rate, merely by giving orders. He also has extraordinary status, *ex officio*, according to the customs of our government and politics. Here is testimony that despite his status he does not get action without argument. Presidential power is the power to persuade." *Id.* at 23.

[53] Richard M. Nixon, Rep. to Cong., Feb. 25, 1971, *supra* at 16.

[54] *See, e.g.*, S.J. Res. 18, 92d Cong., 1st Sess. (introduced by Sen. Taft Jan. 27, 1971); S. 731, 92d Cong., 1st Sess. (introduced by Sen. Javits Feb. 10, 1971); S.J. Res. 59, 92d Cong., 1st Sess. (introduced by Sen. Eagleton Mar. 1, 1971); S.J. Res. 95, 92d Cong., 1st Sess. (introduced by Sen. Stennis May 11, 1971).

[55] S. 731, *supra*, would only authorize the President to use the armed forces, in the absence of a declaration of war, in four specific situations: (1) to repel a sudden attack against the U.S., its territories, and possessions; (2) to repel an attack against U.S. armed forces on the high seas or lawfully sta-

tioned abroad; (3) to protect the lives and property of U.S. nationals abroad; and (4) to comply with a "national commitment" as defined in S. Res. 85, 91st Cong., 1st Sess. (1969). S.J. Res. 59, *supra*, would limit unauthorized presidential military action to (1) repelling an attack on the U.S.; (2) repelling an attack on U.S. armed forces; and (3) withdrawing U.S. citizens from countries where their lives are subjected to an imminent threat.

[56] S. 731 and S.J. Res. 95, *supra*.

[57] S. 731, S.J. Res. 59, and S.J. Res. 95, *supra*.

[58] Formal declarations of war are often deliberately avoided because they tend to indicate both at home and abroad a commitment to total victory and may impede settlement possibilities. The issuance of a formal declaration also has certain legal results: treaties are suspended; trading, contracts and debts with the enemy are suspended; vast emergency powers become operative domestically; and the legal relations between neutral states and belligerents are altered. *See* Eagleton, the Form and Function of the Declaration of War, 33 Am. J. Int'l L. 19–20, 32–35 (1938). On the other hand, Professor Moore argues that: "probably the most compelling reason for not using a formal declaration . . . is that there is no reason to do so. As former Secretary of Defense McNamara has pointed out '[T]here has not been a formal declaration of war—anywhere in the world—since World War II.'" Moore, The National Executive and the Use of the Armed Forces Abroad, 21 Nav. War. Col. Rev. 28, at 33 (1969). *See generally*, J. Maurice, Hostilities Without Declaration of War (1883).

[59] Docs. on the War Power 1970, *supra* at 32.

[60] 117 Cong. Rec. at S6616 (daily ed. S. Jour. May 11, 1971).

ERVIN HEARINGS ON PRIVACY II—TESTIMONY OF RALPH M. STEIN

Mr. ERVIN. Mr. President, a few days ago I announced my intention to place in the CONGRESSIONAL RECORD some of the prepared statements submitted for the recent hearings by the Subcommittee on Constitutional Rights on Computers, Data Banks, and the Bill of Rights.

Today I would like to include in the RECORD excerpts from the testimony of Mr. Ralph M. Stein. Mr. Stein, another former Army intelligence agent, engaged in domestic intelligence analysis work from July 1967, through October 1968. His excellent testimony describes how the intelligence collected by the Army was analyzed, what it was used for, and how the operation was conducted. His statement also lists the wide range of citizens and groups against whom the Army's civil disturbance intelligence program was directed.

I ask unanimous consent that excerpts from the statement of Mr. Stein be printed in the RECORD at this point.

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

STATEMENT OF RALPH M. STEIN

Mr. Chairman and Members of the Subcommittee: The intrusive presence of military intelligence in civilian affairs constitutes a grave challenge to the American tradition of military-civil separation and poses urgent Constitutional questions. I am happy to have this opportunity to discuss my experience in serving with and later investigating the activities of military intelligence.

I would like to present my background first. Prior to entering the U.S. Army, I was a history major for three and a half years at Long Island University in Brooklyn, New York. I am currently attending the New School for Social Research in New York where I will receive my B.A. degree in May. I hope to attend law school in the fall.

I served in the U.S. Army from October 22, 1965 to October 21, 1968 and was honorably discharged as a sergeant. After basic training I attended the U.S. Army Intelligence School at Fort Holabird, Baltimore, Maryland, and graduated from the military intelligence specialist course in April 1966. I served as a special agent in the Investigations Section, Company B, 502d Military Intelligence Battalion, Republic of Korea, from May 1966 to June 1967. After returning from Korea I was assigned to the Counterintelligence Analysis Branch, Counterintelligence Division, Directorate of Security, Office of the Assistant Chief of Staff for Intelligence (ACSI), from July 1967 until my discharge, serving for all but the first few days of my assignment in the Domestic Intelligence section of CIAB. I received a certificate of commendation from the Assistant Chief of Staff for Intelligence at the time of my discharge. I was cited for excellence in domestic intelligence analysis work at CIAB.

MY ASSIGNMENT AT CIAB

In July of 1967 I reported to CIAB which was then located in a warehouse building in the 1400 block of South Eads Street in Arlington, Virginia (in late 1967, we moved to the Northern Virginia Community College building on South Carlyn Spring Road, Bailey's Crossroads, Virginia). After an initial assignment of a few day's duration with CIAB's Eurasian Section, I was dispatched to the Army Operations Center in the Pentagon to assist in preparing intelligence analyses of the then raging Detroit riot. Teams, each consisting of two analysts, were sent by CIAB to the Army Operations Center to make cogent sense out of the mass of reports, sometimes conflicting, emanating from Detroit. During this chaotic period, we attempted to keep the generals in the AOC abreast of developments by preparing hourly reports and delivering briefings on request.

The information provided by members of the 113th Military Intelligence Group in Detroit encompassed every conceivable activity occurring on the streets of that troubled city from sniper reports to arrests for domestic quarrelling. We were instructed to request every bit of information they could obtain and they complied. Whatever the value this information might have been to the commanders in Detroit, it was purely superfluous and confusing in Washington. The reports from General Throckmorton on the progress of his troops were of far more importance in determining the extent of the riot at any given time. It was both my expectation and my impression that the data compilation by the 113th was strictly *ad hoc*.

While Captain Perry Cole and I worked our four p.m. to midnight shift, other members of CIAB prepared and rapidly published a new document, a Counterintelligence Estimate of Civil Disturbances. This report, which evaluated the potentiality for future civil disturbances, using Army and FBI sources, was well received by its military recipients and it later became a standard CIAB project.

EXPANSION OF CIAB DOMESTIC INTELLIGENCE SECTION

Immediately after returning to CIAB from the Pentagon assignment, I was summoned by the new branch chief, Lieut. Col. Robert J. Brown. LTC Brown informed me that CIAB was to begin a new, sophisticated and somewhat all encompassing domestic intelligence effort and I was directed to start and maintain a left wing desk. My responsibilities would include being thoroughly familiar and conversant with all aspects of New Left and traditional left wing activities as well as with anti-war activities so as to be able to prepare summaries, reports and briefings when requested. I was instructed to monitor the activities of both individuals and organizations and I was told that I would be under the general direction of the deputy branch chief, Mr. William L. Parkinson, and under the specific direction of Captain Byron E. Wicks, the officer in charge of CIAB's Domestic Section. LTC Brown concluded by stating that the Domestic Section would be receiving more manpower and that I was now "Mr. New Left" as far as he was concerned.

My first step was to ascertain what had been done in the past. In May 1966, while assigned to a work detail at Fort Holabird, I was startled to discover that the Army Intelligence Command maintained a very large library of classified reports on civilian organizations and personalities. This library was under the direction of a civilian employee, Millie Adkins. At the time, I assumed the library was for reference purposes, but I really gave it little thought as I was preoccupied with preparing to go overseas.

Inquiring at CIAB as to past activities, I discovered that CIAB had been engaged in domestic intelligence since at least 1965. At that time a WAC captain had started a North American desk. She spent her time gathering information primarily on right wing groups such as the Minutemen, John Birch Society, American Nazi Party, and Ku Klux Klan. I was told that CIAB had tried to provide information for the Pentagon during the Watts disturbance, but had lacked the resources.

At this point I began to organize my desk and two other agent-analysts (also known as action officers) instituted Racial and Right Wing desks. While I received no written orders, my verbal instructions, which were constantly being added to and updated, were broad. I was to literally cover all aspects of left wing activity in the United States. I was also to be sufficiently acquainted with racial activities so as to be competent to again participate in Army Operations Center activities during civil unrest. When I specifically inquired as to the need for relevance with regard to civil disturbances, I was told that all groups and all prominent personalities of the Old Left, New Left and anti-war area were to be monitored and the right wing and racial analysts received similar direction. I was unable to ascertain the originating authority for such a widesweeping policy.

From the day I assumed responsibility for the left wing desk until my departure, I received thousands of FBI reports and a great number of military intelligence reports on groups and persons engaged in dissident activity. The amount of information received seemed to increase monthly. I retained much of the information, placing the material into the CIAB microfilm data bank or into a hard copy file. The microfilm data bank, incidentally, was being used as a depository for domestic intelligence information before my assignment to CIAB.

Some of the information was used to write reports or briefings. Most of the information received did not concern violence nor did it concern any situation which involved the United States Army. As I will show later, the monitoring of civilian political activities did not in any way enhance or improve the Army's ability to perform its legitimate civil disturbance activity. In fact, this screening was counterproductive to the accomplishment of the Army's overall mission because of the drain in manpower and time spent.

Because of the great volume of information kept by CIAB and other military units on civilian activities, I will break down military monitoring and data retention efforts as best I can to illustrate how deeply the

military became involved in civilian affairs, violating a tradition of non-involvement dating back to our Revolution.

ORGANIZATIONS COVERED

It is no exaggeration to state that CIAB's files covered virtually every group engaged in dissent in the U.S. From memory, I present a very incomplete list below:

Right wing

American Nazi Party (later National Socialist White People's Party).
National Renaissance Party.
Ku Klux Klan.
United Klans of America.
John Birch Society.
The Minutemen.
Numerous anti-semitic lunatic fringe groups.

Left wing and anti-war

Workers World Party.
Communist Party, USA.
Communist Party, Marxist-Leninist.
Socialist Workers Party.
Progressive Labor Party.
Students for a Democratic Society.
Southern Students Organizing Committee.
Spartacist League.
Young Socialist Alliance.
National Mobilization Committee to End the War in Vietnam.
Student Mobilization to End the War in Vietnam.
SANE.
Fifth Avenue Vietnam Peace Parade Committee.
Business Executives Move to End the War in Vietnam.
Clergy and Laymen Concerned About the War.
National Lawyers Guild.
Emergency Civil Liberties Committee.
The Resistance.
The Revolutionary Contingent.
Yiddisher Kultur Farband.
National Conference for New Politics.
Women's Strike for Peace.
Women's International League for Peace and Freedom.
Peace and Freedom Party.
Urban League.
Youth International Party.

Racial

Congress of Racial Equality.
National Association for the Advancement of Colored People.
Student Non-Violent Coordinating Committee.
Revolutionary Action Movement.
Southern Christian Leadership Conference and many local groups.

Most of the organizations I have listed are nationally known. Some have little popular support and have engaged in activities generally deserving of widespread disapprobation. A few of the groups did sponsor activities designed to hamper the Army in the accomplishment of its lawful mission and information on such activities, when obtained by the FBI, was appropriate for the Army to receive. Most of the information collected, however, which included organizational philosophy and beliefs, membership, programs, funding, publications, liaison with other groups and future plans, was not of any value in determining the possibility of civil disturbances and the collection of such information constituted complete monitoring of political affairs, in most cases lawful, by the Army.

It is natural that I can most easily recall the names of the organizations that are well known and often reported on by the news media. I must emphasize here that the Army collected and received information on many purely local groups which engaged entirely in constitutionally protected activity. Examples include black groups devoted solely to securing better housing, vigil groups in New England which met regularly to light candles and pray for peace, and student organizations interested in increasing the relevancy of their education.

Reports on individuals were also kept by CIAB. Again, virtually every prominent leader of a group—racial, right wing, or left wing—were included as were many, many members. The reports, which often reflected information obtained covertly by either FBI informants or, less frequently, by Army Intelligence special agents, contained information which did not help CIAB analysts prepare the Army for riot duty, but which did bare the individual's life and secrets. Financial information, sexual activities (especially illicit or unconventional), personal beliefs and associations were all reported in great detail. It is again very important to emphasize that while many of the persons recorded in the CIAB file are or were famous, the greater majority are anonymous Americans whose political and social lives were observed, sometimes surreptitiously, with the results being sent to CIAB analysts and elsewhere in the Army.

Among the better known persons in CIAB's files are:

Dr. Martin Luther King.
H. Rap Brown.
Whitney Young.
Julius Hobson, Sr.
Herbert Aptheker.
Bettina Aptheker Kurzweil.
Albert Cleage.
Stokely Carmichael.
David Dellinger.
Abbie Hoffman.
Thomas Hayden.
Rennie Davis.
Cora Weiss.
Dagmar Wilson.
Joan Baez.
Arlo Guthrie.
Julian Bond.
Arlo Tatum.
Gus Hall.
Conrad Lynn.
George Lincoln Rockwell.
Bernadine Dohrn.
Rear Adm. Arnold E. True, USN, Ret.
Brig. Gen. Hugh B. Hester, USA, Ret.
Brig. Gen. Herbert Holdridge, USA, Ret.
Maj. Gen. Edwin Walker, USA, Ret.
Rev. Ralph David Abernathy.
Rev. Jesse Jackson.
Hosea Williams.
William Fauntroy.
Rufus Mayfield.
Jerry Rubin.
Dr. Benjamin Spock.
Rev. William S. Coffin.
Rev. James Groppi.
A. J. Muste.

It is instructive to relate the process of placing names in CIAB's microfilm data bank, a procedure called coding. Using a special Intelligence Subject Code, the analysts would use various number combinations which indicated a person's status and beliefs. For instance, 134.295 indicated that a person was a non-Communist while 135.295 indicated Communist Party membership or advocacy of communism. While no problem ever existed with a self-proclaimed Communist, the individual analyst would have to choose a designation arbitrarily in many doubtful cases or where identifying information was lacking. The result? Many persons who are not Communists have been so listed in CIAB's data bank.

At the time of my departure from CIAB, the microfilm data bank contained thousands of names of individuals and hundreds of organizations. Many of the individuals listed were students who merely participated in a meeting or rally sponsored by an organization under surveillance.

THE COMPENDIUM

In late October 1967, the deputy chief of CIAB, Mr. Parkinson, summoned me to his office and outlined his concept for a new CIAB publication which would serve as an encyclopedic reference book of dissenters and their organizations. This was the beginning of the Counterintelligence Research Project, Persons and Organizations of Civil Disturbance Interest, commonly known as the Compendium. It was originally planned to update this book, published in looseleaf format, regularly. On practical grounds I opposed this project from the onset as I doubted the book could be kept relevant. Later on it became obvious that the information had no intrinsic relevancy in the first place.

The Compendium was published, in early 1968, I believe, with about 375 copies being printed and bound in yellow, three-hole looseleaf binders. The classification of this document was secret. The Compendium was published in two volumes. Organizations and personalities were divided into left wing, right wing and racial categories. At a later date, a cities section was added and this constituted the only part of the Compendium which was relevant.

Each organization and personality was represented by, on the average, one page of text, which summarized the person's or organization's beliefs and activities. Distribution of the Compendium was restricted to military intelligence units and Federal internal security agencies.

It was originally Mr. Parkinson's intention, which he stated to me several times, that this Compendium would provide instant information to agents in the field and obviate the need for requesting information from Washington or Fort Holabird. There was no subsequent decrease in requests for information. Actually, requests for data from both the U.S. Army Intelligence Command Investigative Records Repository and from CIAB continued to climb throughout my service.

The information contained in the Compendium, before the section on cities was added, was pure domestic intelligence of political activities. Because it sought to summarize and was updated very infrequently, it had no bearing whatsoever on the execution of the Army's civil disturbance function.

The information in the Compendium was largely obtained from FBI sources, about which more will be said later. I found and still believe that much of the information used in writing the Compendium was either factually inaccurate or misleading. These faults were greatly magnified when the information was utilized to write sketchy, classified summaries which did not indicate sources consulted.

CIAB SOURCES OF INFORMATION

I would estimate that approximately 80% of the classified information received by CIAB came from the FBI. During my period of service, the FBI obviously made no attempt to screen reports for relevance to the Army mission and so CIAB daily received a veritable flood of information, the major part of which related to totally civilian political activities in which the Army should have had no interest. Reports included information on fund raising by blacks, anti-war protests and speeches in all our cities, detailed background investigations on anti-war protestors arrested for misdemeanor offenses by local police, political activities such as the National Conference for New Politics, Ku Klux Klan meetings, and many reports on the political activities of individuals.

Occasionally the FBI reports forwarded by Mr. Patrick Putnam, the FBI liaison agent to CIAB, would be amusing. An example was their detailed investigation of a mental hospital patient who asserted his claim to the throne of Spain. More often, however, there would be little to laugh at as we read reports which indicated the depth and scope of FBI surveillance of constitutionally protected activity. Many of these reports contained information of such a nature as to

indicate that covert means were used to obtain information.

The FBI reports, which were also furnished to Operations IV at the U.S. Army Intelligence Command, Fort Holabird, were studied by the analysts and many reports were coded. The result of this effort to study FBI reports and incorporate them into the CIAB and Operations IV data banks was to give military intelligence a vast library of unevaluated information which did not contribute to the Army's civil disturbance mission. Never were we able to use the data in the microfilm library to advantage with regard to helping the Army anticipate or control a riot. In fact, a major CIAB study, Thresholds of Violence, undertaken in early 1968 by Sergeant George A. Koopman and Mr. Kenneth Zima, stated that there were no indicators available to intelligence which would give advance warning of a civil disturbance.

In addition to providing a daily deluge of reports from all parts of the U.S., the FBI sent regular status reports on various organizations and individuals. This information, which added to the Army's surveillance of civilians, was even less useful than the rest of the information submitted by the Bureau. Two examples will suffice. Every three months the FBI prepares a detailed summary of the activities of the Communist Party, U.S.A. These summaries are regional in nature and there are many of them, at least 25. Generally based on the reports of informers, these reports detail the finances, programs, activities, meetings and other ascertained information on the Communist Party in a particular region. These reports, which suggested to all who read them that the CPUSA had become a moribund group, were put in the microfilm data bank. It is possible that there may be some substantial reason why the FBI is still collecting such information so intensively, but there is no reason why the Army should receive such reports. They told us nothing about civil disturbances; they told us everything about the political activities of CPUSA members.

The FBI also put out status reports on the New Left. Again, although these reports purported to warn about possible violence, the language and analyses were so general in nature that they made no contribution to Army Intelligence other than to provide still more information on the activities of civilians. The same comment can be validly made with reference to FBI reports on the Ku Klux Klan.

Approximately 600 persons were arrested at the October 21, 1967 Pentagon anti-war protest. Most of these arrests on a Federal, not a military, reservation were for misdemeanor offenses and most of those so charged were young demonstrators. The FBI conducted a background investigation on each of the individuals taken into custody and, again, provided the Army with the results. An effort was made to incorporate this information into the CIAB microfilm file which was never completed because of a lack of time. These reports not only listed the details of the offense but also revealed the individual's background, education, schooling, membership in groups, associations, travels and often contained information on other members of the subject's family as well. I doubt whether probation officers receive as detailed a history of their charges as we received on these people.

FBI reports were not the only source of information for CIAB. Reports from the field special agents of the U.S. Army Intelligence Command comprised a major source of information. Some of these reports were unclassified and were on-site reporting of demonstrations and meetings. It often seemed to us, as we watched the teletypewriter print one of these spot reports after another, that virtually every public protest meeting was monitored by Army agents, with the results being immediately forwarded to Washington through Baltimore. These reports came in around-the-clock. During civil disturbance, these reports, which were then occasionally useful, indicated the agent's perception of the situation. During more normal times, however, such reports concerned labor negotiations, vigils for peace, pro-Vietnam rallies, anti-war activities far removed from military installations and purely criminal occurrences, especially in inner cities.

Agent Reports, form DA–341, were utilized to report classified information or to transmit enclosures. Such reports contained information on penetration operations by military intelligence special agents into black and student groups. Agent Reports were sent from the field to the Operations IV section at Fort Holabird which was administered by Mr. Andrew Havre, a civilian career intelligence officer. Many of these reports were then sent to CIAB; all were available at Operations IV for CIAB researchers and I used the facilities several times. These reports reflected activities on campus, particularly with regard to coordination and planning for nationwide antiwar protests.

The enclosures sent with agent reports usually consisted of handbills, flyers, newspaper articles, "underground" newspapers, and similar material. The information reported was generally of local interest only and of legitimate Army interest virtually never (the exception being when the articles or flyers suggested direct action against the Army). Again, this mass of material was carefully catalogued, especially at Operations IV.

Another source of information for CIAB was publications which were received either openly at our office or at a cover location. We received each morning The New York Times, The Washington Post and The Wall Street Journal and each week such publications as the National Observer. These publications came right to our office. Analysts scanned the papers for articles relating to their desk and then clipped the articles and either had them microfilmed or put into the files. Several persons, including a Federal judge, have characterized this activity as being both harmless in essence and constituting the major part of domestic intelligence surveillance. I emphatically state that it was neither. The overwhelming bulk of material in CIAB's files was classified. Newspaper articles were used to help complete the picture and were often retained so that unclassified responses could be made with the authority cited. The maintenance of files which included newspaper files allowed the Army to have a domestic surveillance instrument that, in scope, covered every conceivable activity, legal and illegal.

When CIAB desired a publication but did not want the publishers to know that Army Intelligence was interested in them, a cover address was used. This was R. Allan Lee Associates, Box 922, Alexandria, Virginia 22333. Publications as diverse as the Berkeley Barb and the newsletter of SANE were received regularly.

I have talked about the input into CIAB and about the Compendium. On a daily basis, however, the information collected was put to two main uses: the preparation of briefings and the written responses to requests for information, commonly called "actions."

Briefings were delivered on request to the Assistant Chief of Staff for Intelligence, other members of the General Staff and to personnel in the Army Operations Center during riots, commitment of Federal troops, and at less appropriate times such as during the monitoring of the Poor People's Campaign. The AOC briefings generally constituted a legitimate function and were often relevant to the crisis at hand. The briefings for the ACSI, however, were often a different story. These briefings were called "desktop" briefings, were generally by request, and dealt almost exclusively with civilian groups and personalities.

Sometime after the Pentagon demonstration, the ACSI, Maj. Gen. William P. Yarborough requested a weekly briefing on a group engaged in dissidence, either left wing or racial. Choice of groups to be briefed was left to CIAB. As a matter of convenience, we alternated with the Racial Desk presenting one week and my Left Wing Desk the next. These briefings went on for quite a few months. Often, Gen. Yarborough would be absent and the briefing would be delivered before the Deputy ACSI, Maj. Gen. Wesley M. Franklin or Brig. Gen. Vasco Finelli. The connection between the Army's role in civil disturbances and the material covered in these briefings was highly tenuous or wholly absent. In effect, the ACSI was receiving a weekly political intelligence briefing which stressed the activities of the group of the week and its membership. I personally briefed on the Young Socialist Alliance, the Students for a Democratic Society, the Fifth Avenue Vietnam Peace Parade Committee and the National Mobilization Committee to End the War in Vietnam to name a few. My colleagues on the Racial Desk briefed on the Southern Christian Leadership Conference, RAM, and on a number of local black self-help groups.

Briefings on individuals also were frequent. For reasons still unclear to me, there was a great preoccupation on the part of many General Staff members with the background and activities of David Dellinger. There seemed to be a belief that he controlled so vast a segment of dissenters that he could initiate violence at his pleasure. I prepared a briefing on Mr. Dellinger, drawing heavily from classified files, which reflected his life's work, philosophy, travels, and future plans as well as present activities and associations. It was evident to my co-workers, as it was to me, that whatever opinion one might personally hold of Mr. Dellinger, and mine was negative, he was not behind any riot anywhere at any time nor did he ever hope to cause a riot. Yet, requests to be briefed on Mr. Dellinger were numerous. I last briefed on this subject in the summer of 1968 to Lieut. Gen. George Mather, then chief of what was then called the Directorate of Civil Disturbance Plans and Operations. An Air Force major general also attended the briefing. The fascination and interest by these generals, as well as by many others in the Pentagon, is indicative of the counterproductive paradigm verbalized by the general staff that key men were behind disturbances. I will deal with this problem in my analysis.

I wish to relate one further briefing before discussing written responses because, more than any other briefing, this one still disturbs me today. I went to the Central Intelligence Agency at McLean, Virginia, in the company of then Capt., later Maj., Darrel R. Johnson, my immediate supervisor at the time (I believe it was late in 1967) to deliver a briefing on "underground" and student protest newspapers. Mr. Jim Ludlum of the CIA had requested the briefing several days before and he was present with three other men whose names I no longer recall. Although the ostensible purpose of my briefing was to acquaint them with the financing for the purpose of determining if there was foreign support (there wasn't—most of the papers were going broke anyway), the questions asked suggested a deep interest in the beliefs of the students who published these papers. I think an inquiry into the CIA's involvement in domestic intelligence is called for. I made a number of remarks at CIAB after the briefing regarding the type of information requested by the CIA and my confusion about their interest and I was then told by Mr. Parkinson that I would not have to deal with Mr. Ludlum in the future. I saw

Mr. Ludlum at CIAB on several subsequent occasions.

This was not the first time I had been asked to analyze, in detail, publications and their sponsors. At one point I prepared a very complete study of Ramparts magazine which included an analysis of the editorial policy of that publication as well as complete background summaries on its leading editors and writers. This report was given to Mr. Merrill Kelly of the Directorate of Security.

Written responses to requests for information entailed either a quick response or an involved study which might take weeks. In most instances the request for information came from the Pentagon, often from the ACSI himself.

I would like to relate two examples of unnecessary request for information before discussing more serious examples of domestic intelligence. In late 1967 or early 1968, a brigadier general assigned to the Pentagon, whose name may have been Deane, requested a report, of an unclassified nature, on the Students for a Democratic Society. He stated that his daughter was then attending Briarcliff College in New York State and that she was quite concerned about the increased interest in SDS among the student body and wished to have facts at her fingertips so she could combat the SDS. I accordingly prepared a history of SDS and a summary of its activities from the New York Times, Time, Newsweek and publicly available SDS publications. This report, which took several hours of Army time to produce, was sent to the general for mailing to his daughter at her school. This unclassified report was placed in the CIAB reading file. It was still there in April 1970 when I first disclosed this incident. The Army feels the need to downgrade my account and Colonel John Downie, the Director of Security at ACSI, has stated that the request was only for a list of schools at which SDS chapters were known to exist. Such a list, incidentally, was maintained at CIAB, but was classified because SDS never published a list of member chapters. I suggest the Subcommittee explore this Army attempt at plausible denial by requesting the brigadier general's letter and my response. They are both unclassified.

Perhaps the strangest request came from ACSI on December 1st of 1967 when Gen. Yarborough received a marketing research questionnaire which asked if he preferred Newsweek, Time or U.S. News and World Report. The researchers attached a new quarter to the form. Gen. Yarborough penned the following note to the Director of Security: "What kind of an outfit is this? Why do they give quarters away? Y." The Director of Security logged the memo, assigning it number 370 and sent it to CIAB where it was given to me for response. I made a formal response, in writing, in which I explained the psychology of making a token payment in the hope of insuring response.

Far more indicative of the scope of domestic intelligence were the many requirements for reports on individuals active in the anti-war movement or in racial affairs. CIAB prepared many reports on the activities of Dr. Benjamin Spock, Stokely Carmichael, Thomas Hayden, Dr. Martin Luther King, Rev. Ralph David Abernathy, and on many others. Even military heroes were not exempt and reports on the travels of much decorated retired Rear Admiral Arnold E. True were frequent. I spent much time preparing a complete background report on a retired reserve brigadier general, a WWII Silver Star recipient, who spoke out publicly against the Vietnam war on Memorial Day, 1967, in the Midwest. Very often, the request for information would follow a widely reported public appearance by the person in question and there would be no relevance whatsoever to civil disturbances and would not be related in any way to plans to deploy troops.

CIAB LIAISON WITH FIELD UNITS

Towards the end of 1967, increasing dissatisfaction was voiced by supervisors at CIAB about the quality and quantity of information being provided by Intelligence Command units in the field. After several liaison conferences, authority was granted for CIAB to dispatch analysts to the field to initiate liaison with the working special agents. In February 1968, I went on the first liaison trip which afforded me the opportunity to receive the depth of field office involvement in domestic intelligence. While I had many friends and acquaintances who were keeping me up to date on their surveillance activities and I realized how deep the Army's involvement was from my Washington office, this trip was still quite a revelation. I was able to see just how fast this effort was growing.

Our trip, which covered the First Army area, began at G–2, First U.S. Army, Fort George G. Meade, Maryland. At a conference attended by representatives of the 109th Military Intelligence Group, it was stated that the collection of information on dissident groups, particularly blacks and anti-war demonstrators, had to be increased. A Col. Brinley outlined the needs of the First Army which, to me, seemed both all inclusive and irrelevant.

We then travelled to Boston and held a conference with the officers of the 108th Military Intelligence Group at the Boston Field Office. We explained to them that an increase in CONUS Intelligence has been mandated and they indicated that while they were behind in carrying out their primary mission, Personnel Security Investigations, they would try to increase their domestic surveillance, especially of colleges in the Boston area.

From Boston we flew to New York City where Lt. Col. Luther Morris, the 108th's region commander informed us that he considered domestic intelligence collection to be a challenge which his unit would meet. Actually, the 108th in New York City had more material than any other place I had visited previously or would visit subsequently. Under the direction of a woman employee, a black who was supposedly well connected with black militants, a large filing system had been established on dissident groups, student activists and campus goings on. This woman informed me that she frequently went out on nighttime intelligence gathering operations with the knowledge and tacit approval of her supervisor. Capt. Alfred Diaz, of 108th MI Group headquarters, acquainted us with the 108th plan for future collection which indicated even wider parameters for domestic surveillance.

A visit to Philadelphia followed and a lecture by the commander there indicated that that office was well aware of domestic intelligence requirements and was seeking to meet them. The chief complaint in Philadelphia, voiced I believe by a Capt. White, was that too many agents were shipped off to Vietnam before they could get familiar enough with the city to effectively engage in domestic intelligence. The Philadelphia office maintained, as did all offices visited by myself and other team members, effective ongoing liaison with the local police.

Our last job on this trip was to a region headquarters of the 109th in Columbus, Ohio. The main topic of interest to this office was Ohio State University. Their files reflected much on student activity and virtually nothing of relevance to military requirements with regard to civil disturbances.

When comparing notes with other CIAB personnel on their trips, both during my service and since, the verdict was always the same: A great deal of collection of information on activities that were either lawful or were of only local law enforcement interest with a noticeable consequent weakening of the unit's ability to perform its vital task of insuring that persons requiring security clearances from the Army receive thorough and professional background investigations.

I would point out here that while only a few of the Army's more than 1,000 agents in the U.S. spent most of their time collecting information on civilian activities, all spent all of their time when an incident occurred which the Intelligence Command wished followed. An example of this was the Poor People's Campaign.

APRIL 1968 RIOTS

I spent quite a bit of time in the Army Operations Center during the April 1968 riots. The information we had been collecting for so long was useless when the rioting actually occurred. Some generals, however, were obsessed with the idea that individuals were behind the rioting and we were required to brief these officers on the whereabouts of certain "key agitators." Stokely Carmichael was allegedly a key conspirator and we enjoyed one of the few amusing episodes of that tragic week as we reported, all within the space of one hour, that Mr. Carmichael had been "accurately" reported to be in 1) NW Washington, 2) Baltimore, 3) Atlanta and 4) Salt Lake City doing one of two things, a) telling people to get guns and fight or, b) telling everyone to "cool it" and go home. The last time I reported the location of the incredibly peripatetic Mr. Carmichael, a somewhat unhappy Gen. Johnson, the Chief of Staff, stated he wanted the name and organization of each person calling in further reports on Mr. Carmichael.

POOR PEOPLE'S CAMPAIGN

Army Intelligence monitored the progress of the PPC as it had never monitored anything before. Agents followed every march, attended every rally, took scores of photos, and filed hundreds of reports. This monitoring continued throughout the life of the PPC and Resurrection City. While the Army certainly had a right to know how many people would be camping in Washington, this information was easily obtained from local sources. The blanket coverage of the PPC was the largest coordinated surveillance operation during or since my service.

Up to this point I have discussed the input and output of CIAB without discussing the personnel involved. I wish to indicate here, briefly, the background of some of the analysts who were preparing and delivering briefings and writing responses to questions. Bear in mind the complexity of the issues of black militancy, urban decay, and youth alienation.

The right wing analyst had a B.A. in American studies with his major interest being political developments in the 1870s and 1880s. He had no experience working with black communities or with right wing groups.

The first Racial Desk analyst had no experiential or educational background or training in racial problems and yet he briefed generals on the Black mood in America. He was highly conscientious and tried to learn, but his reports understandably reflected his lack of knowledge of Negro affairs.

The officer who took charge of my desk in January 1968 had just graduated the basic intelligence officer's course after transferring from Armor. He had a B.S. in Chemistry and no background in domestic and political affairs. He had been out of the country the previous year serving in Vietnam where he commanded a tank unit.

A West Point graduate with an infantry background and straight from Vietnam took over the racial desk from the original analyst. An exceptionally perceptive officer, he learned fast and contributed much to balance the picture.

The officer who daily prepared a summary known as the Black Book which recounted domestic disturbances throughout the country for the previous 24 hours and who read

this briefing to Undersecretary McGiffert each morning, made no secret of his strong right wing, anti-black attitude. Despite pressure from several domestic analysts at CIAB, he continued to present misleading reports to Mr. McGiffert. It is my understanding that Mr. McGiffert considered this officer's morning briefings to be worthless and irrelevant.

The civilians who worked in domestic intelligence were highly conscientious men who were trained for espionage and counter-intelligence operations overseas. Their mentality, with regard to subversive threats, was unfortunately too often based on 1950's challenges and problems. These men had spent the major part of their adult lives overseas, had raised their families there, and were assigned to duties in the U.S. for what was derisively termed "a repatriation tour." Every one of these men was eager to return overseas and each made frequent efforts to secure an overseas transfer and some succeeded. Their concepts and thought processes were not geared to evaluating sociological and political data, even if the military was justified in collecting such data. These men usually supervised—Mr. Parkinson was the branch deputy chief—and they often delivered the more important briefings. Several had retired from active duty in intelligence, had gone straight to work for the Army, and were civilian in name only.

I came to CIAB straight from Korea with an academic background in Asian and American social history and political science. Of course I was out of contact with many trends in America and I had to learn quite fast.

To briefly summarize, CIAB, during my period of service, had substantially invested itself in domestic intelligence of a political and social nature. Files and the microfilm data bank contained much information not only on well-known organizations and publicly recognized leaders, but also on many anonymous Americans engaged in the lawful pursuit of their goals for social change. Sometimes the goals of these people were meritorious, sometimes they were questionable, bizarre, or illegal. Rarely, however, was the information necessary for the proper maintenance of the Army's capacity to carry out its lawful mission. In the instances where the Army had a right to information as, for instance, with regard to attempts to induce dissent, the ability of military intelligence to carry out its responsibilities was heavily compromised by the overbroad nature of domestic collection. I will try to show later why this overbroad activity came about and what can be done about it.

INVESTIGATION OF ARMY INTELLIGENCE IN DOMESTIC AFFAIRS

When I left the Army in October 1968 I was very concerned about the nature and scope of military intelligence activities when those activities included surveillance operations, covert penetrations of organizations, and massive data keeping, sometimes with the use of computers. Examples of computer usage for domestic intelligence include the CIAB computer indexed microfilm data bank, the computerized data bank at Fort Holabird and similar if not as extensive data banks at Fortress Monroe, Virginia and the U.S. Strike Command at McDill Air Force Base. When I first became aware of the Army's interest in civilian affairs while assigned to Ft. Holabird in May 1966, I tended to dismiss any misgivings because of my impending departure for Korea and my lack of knowledge of the growing assault on privacy and a clear understanding of the damaging effects on First Amendment rights posed by the Army's surveillance activities.

After seeing the domestic intelligence effort expand, with no apparent end in sight, I decided to take positive action to curb what I now consider to be one of the greatest threats to civil liberties in my lifetime. Before I left the Army I had applied for an intelligence position as a civilian. I had planned to make my disclosures anonymously if I were employed by the Army. However, my plans changed when I became engaged and married shortly after leaving the Army and my wife convinced me that delaying a return to school was not in our interest. After informing the Army's Administrative Survey Detachment that I was no longer interested in employment I began to ponder the manner in which I could most effectively bring out the story of the military's monitoring of civilian activities.

Working with Christopher Pyle for over a year has brought me into contact with many former special agents and some active duty members of the Army's Intelligence Command. My study is far from over, but I would like to acquaint you with the experiences of a few of my sources to indicate the scope and involvement of military intelligence.

One agent, whom I will call Agent A, spent many hours following the Poor People's Campaign as its mule train passed through Georgia. He had the task of racing ahead of the mule train to alert the sheriff in each town to be reached. During the time he was with the mule train, he was expected to pick up as much information as possible. Equipped with an Army 35 mm. camera, he took as many pictures as he could, including photographs of the mules. His story, however, is completely told in his own statement which I will make available to the Subcommittee.

Agent B observed the preparations for the Poor People's Campaign in Seattle. With his camera he monitored the activities of the Seattle contingent to Washington. He was told to eavesdrop and obtain as much information as possible. His photographs were wanted so that military intelligence could identify the leaders of this small, totally nonviolent group whose members were waiting for a bus. Unfortunately for Agent B, he used most of his film on the most militant-looking participant only to find out later that the man was a penetrant undercover agent who was accompanying the marchers. ("That's Mr. Brown. We don't need his picture!")

Agent C in New York City was far behind on his backlog of routine investigations. However, he had to do the work of two men because so many agents of the New York Field Office were checking train departures, bus charter companies and airlines to determine who was participating in the Poor People's Campaign. The same fate had befallen Agent C during the October 1967 Pentagon demonstration and, to a lesser degree, on numerous other occasions. He felt the general quality of background investigations in New York was minimal.

Agent D from the New York Field Office was sent with another agent to cover the October 1967 Pentagon protest. Although he was supposed to phone in any reports he heard suggesting plans for violence, he was also told to find out as much as possible about the leadership and membership of New York anti-war groups by posing as a demonstrator and joining an anti-war group before he left New York.

Agent E, stationed in Washington, D.C., was known to be against the war so his superiors weren't too surprised when he marched as a demonstrator in an anti-war moratorium the day after he attended a similar rally to gather information on who was behind the protest and to report on what participants said.

Agent F was pulled off his routine assignment to attend the Republican National Convention in Miami in 1968. He was told to walk about the floor without specific instructions as to what to do. He was, however, not a part of the protective services and he was not armed. He simply walked around the floor.

Agent G monitored reports on activities by informants working for military intelligence who reported on soldiers patronizing anti-war offpost coffee houses on the West Coast. These informants concerned themselves with reporting views on the war expressed by the soldier-patrons as well as by attempting to find out as much about the people who ran these activities as could be ascertained.

Agent H covertly attended a meeting of the sanitation workers' union in Atlanta, Georgia, in the late summer of 1968. He reported back on the progress of negotiations. Another informant stated that members of the 111th Military Intelligence Group videotaped this meeting, but I have been unable to confirm this so far.

Agent I spent a weekend watching drunk college students live it up in White, South Dakota. Shortly before this episode, a drunken brawl called Zip to Zap had resulted in a great deal of material damage to that little South Dakota town. The region commander for that area for the 113th Military Intelligence Group, Lt. Col. Matson, was somewhat less than happy that his agent was conducting liaison with the North Dakota National Guard at Bismarck while the kids had their spree and he determined that Army Intelligence would not miss out the second time.

Agent I's estimate of the possibility of Federal troop involvement was that no such possibility existed. He broke out laughing when I questioned him on that point and explained that his boss believed the Army should cover everything that happened in the region.

Agent J travelled to Milwaukee, Wisconsin, to conduct surveillance of mothers on welfare who wanted higher payments. Along with several other agents, he spent several days monitoring the protest and sending back spot reports.

Agent K, assigned to Washington, D.C., had a chauffer's assignment during the life of Resurrection City. His job was to drive a nervous black major who had penerated Resurrection City to and from that area. Agent K reported that the major had orders to find out as much about the camp and the Southern Christian Leadership Conference leadership as possible and, if it could be done, to advance to a position of leadership.

Agents of the U.S. Army Intelligence Command performed not only the duties cited above, but engaged in many more activities of a similar nature. Most, to their credit, recognized the absurdity or illegitimacy of their domestic intelligence assignment. I am currently contacting other sources with similar experiences. I have had to omit some source's stories at this time because they are still in the service or working in a sensitive area.

ANALYSIS

"What's wrong with the Army just because they're watching civilians?" "If people have nothing to hide, why should they care if the Army is interested in them?" I have been asked these questions by some people as I travelled through our country. Fortunately, the overwhelming majority of people with whom I have had contact understood the peril to civil liberties caused by military surveillance of civilian activities. I have answered those who do not understand as best I could. Experts from the legal and academic world, such as Professor Miller and Mr. Pyle, have presented their views, perhaps more cogently than I have and certainly with more authority. As a past participant in domestic intelligence and an ongoing student of military surveillance, I would like to present my feelings and suggest a course of action.

Wherever we turn today we are exhorted to remember America's traditions. Conservatives remind us of loyalty and past accomplishments, many of which we can truly view

with pride, and the radical left points out that our existence as a nation is founded on revolutionary action. The military establishment has played a large part in the forming of our traditions and a civilian government, aware of the abuses by Britain, also established firm principles which we now revere as tradition. Perhaps no other tradition is so vital to the security of our form of government than the separation of civil-military responsibilities and the maintenance of civilian hegemony over the military. This tradition has been imperiled by the growth of the domestic intelligence operations of the U.S. Army, at times supported by similar activities of the Navy and the Air Force.

To further understand the problem we must recognize several key and immutable facets of military sociology and psychology. The professional soldier is trained for war, steeped in a tradition which emphasizes force as the final arbiter and instills a moral code which, however well suited to the exigencies of warfare and military service, has little relevance to the process of understanding and solving the complex urban and social problems of today. Isolated by assignment from the mainstream of American life and living an insular life in which conformity is prized and dissent is looked down upon or even forbidden, the professional soldier brings uniquely military paradigms to bear when confronted with civil problems. This is what has happened at the highest levels of military intelligence and the desperate search for information and the initiating of overbroad requirements are examples both of the deadly disease called bureaucratic accretion and the application of military and even combat standards to the American scene. The gulf between civil and military thinking is too great to be bridged and the framers of our Constitution realized this perhaps better than we do today. The reliance on force, the readiness to believe in conspiratorial theories, the lack of identification with social problems and the immense force of our military are sufficient pragmatic reasons for reinforcing the Constitutional mandate and long tradition of military non-involvement in civilian affairs.

A second major point to consider is the deleterious effect the involvement in CONUS intelligence has had on the ability of military intelligence to carry out its legitimate mission. Firstly, I cannot stress this strongly enough, the use of military intelligence agents in domestic situations causes a morale problem because it brings out very subjective attitudes and causes no small degree of polarization among the agents, particularly if black agents are involved. This polarization occurred in CIAB. The fact that the Army has no explicit statutory authority for such surveillance and data keeping only causes increased alienation and bitterness among the agents. Today the Army has tremendously reduced its activities in the area of domestic intelligence and the Intelligence Command is emphasizing compartmentalization and the exclusion of first termers from sensitive operations because of the fear of further unpleasant disclosures. This hardly addresses the real problem.

I have spoken of the attitude of the agents. What is the attitude of those surveilled? My experience has convinced me that while a few activists may dismiss the Army's activities as to be expected, the majority of people are genuinely chilled in the exercise of sacred Constitutionally protected liberties. I would like to tell you about one such encounter which thoroughly chilled me. I participated in a TV talk show in Detroit hosted by a black community organizer. The format of the show allowed for questions from the audience which was composed entirely of blacks. Some were obviously supporters of militant groups. Others wore conservative dress and a few were college students. I was prepared for the usual questions which consist of "Who did what to whom?" The first person to get up asked me about the existence of a plan for the genocidal extinction of blacks through the use of military forces. I was about to dismiss my questioner's fears, perhaps casually, when I realized that his question had electrified the entire audience. After trying to convince him that I believed we had no Hitlers in our military and government, the rest of the audience began expressing their fears. These people believed that the Army must have a terribly malevolent intent in collecting this information and there was no dissuading them that something less dramatic, bureaucratic accretion and inappropriate paradigms, was responsible for the Army surveillance and data keeping. This same theme was repeated last week when I spoke on a talk show on a black radio station by listeners who phoned in to express their concern and fear. If any group of Americans feels this strongly, and is so fearful then the psychopathology is in the society at large and not in the members of the minority group who feel threatened.

We can reverse the steady draining of the right to privacy and restore a measure of confidence in our military without endangering or weakening our internal security. The military must be permanently removed from the domestic intelligence picture and while I am hopeful that the courts will take a firm stand on this issue, I feel that legislation is necessary to hold the military in check. The recent statement by Secretary Laird, in which he insisted on a higher level of accountability, and the Army directive of 15 December set the tone and indicated parameters for safeguarding Constitutional rights but past experience and study have convinced me that we cannot depend on the good intentions of individual bureaucrats nor can we rely on in-house directives to insure compliance when the present furor subsides.

Legislation is needed that will define the Army's legitimate concerns with regard to its security and its posture to effectively carry out its civil disturbance mission. I suggest the following guidelines:

(1) Domestic intelligence should be defined as the acquisition of knowledge by any means, covert or overt, about the political, social, economic, educational, and personal affairs of non-military Americans and the groups to which they belong.

(2) The military should have the right, and indeed it has the responsibility, to maintain accurate information on the access routes to American cities and the physical geography of such cities. As Senator Ervin has stated, the military's business is to know about bivouac areas, airports, parks, bridges, tunnels, and similar structures and features.

(3) The military should have the right to receive information from other agencies when the information directly concerns members or employees of the Army or where a direct threat against the Army is evident.

(4) The military should be prohibited from gathering and maintaining information on the political and social, educational and economic affairs of civilians and the organizations to which they belong and the military should be prohibited from obtaining such information from any source.

(5) Because so many military intelligence activities in the past were initiated by junior officers and civilians misinterpreting, reinterpreting or exceeding the scope of directives, legislation should provide for strict accountability from those few who may violate its provisions.

(6) Training is a vital part of indoctrinating a new agent and I believe that legislation should direct that an expanded course in civil liberties and the Army's position in American life be presented at all service intelligence schools and that such courses be monitored by civilian attorneys from the Army and/or the Department of Justice. Such a course can hardly be classified and the presence of civilian attorneys will at once emphasize the seriousness and resolve of the government to maintain the traditional civil-military relationship.

(7) Present files must be purged, through legislative requirement, with the right of inspection granted to cleared members of Congress. I have encountered too many incidents of deliberate evasion, continuing right to the present day, to believe that by administrative decree all subordinate commands will comply. As of last November the Army still could not locate all the copies of the Compendium which it desired destroyed.

The need for Congressional supervision cannot be too strongly stressed if we are to safeguard our Constitutional rights. Even when motivated by the best of intentions, the military will always view an issue more narrowly than the general populace of civilians and perceive threats where none exist. The military must protect itself from genuine threats to its security but too often it interprets every sign of dissent as a bugle call summoning enemies to destroy its structure and efficiency.

Although this committee is not meeting to discuss the plans for an all volunteer, professional Army, I am impelled to bring one point out which relates to this issue. Most of the individuals who have come forward to disclose military intelligence activities have been citizen-soldiers. The Army Intelligence Command is not happy about the revelations but I think most concerned Americans are glad the story has been told. In various units, first termers are being excluded from sensitive assignments. This trend probably cannot be continued indefinitely because of manpower shortages. In all volunteer, professional Army, I fear that we will not have men of the caliber of Christopher Pyle and the many other agents, some of whom you will hear during the course of this hearing, all loyal Americans who profess and live by a higher creed and sense of duty than blind obedience with limited insight.

I am grateful to Senator Ervin for having shown such deep interest in this vital matter and for having pursued the issue to the point we have reached today. We now know what is wrong. We cannot stop until we have erected safeguards and effected remedies which will insure privacy for the individual and respect for his First Amendment rights, a renewed commitment to the concept of separation of civil-military relationships with the civil authorities firmly in control, and a paramount concern for the zealous preservation of First Amendment rights. Thank you.

CHILD DEVELOPMENT

Mr. MONDALE. Mr. President, the Minneapolis Tribune printed an editorial recently concerning the critical needs of children during the first few years of life. This editorial, entitled "To Help Children Get a Better Start," is a sensitive report on the need for better and more extensive child development services and day care centers throughout the Nation for both poor and nonpoor children.

Mr. President, I ask unanimous consent that this editorial be printed at this point of my remarks.

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

[From the Minneapolis Tribune, Apr. 26, 1971]

TO HELP CHILDREN GET A BETTER START

Two years ago, Sen. Walter Mondale introduced a "Headstart Child Development Bill." He said then: "We know beyond doubt that

unless infants and young children receive adequate nutrition, health care and intellectual stimulation, their potential is severely compromised and the cycle of poverty is perpetuated." That bill did not pass, but Mondale, still convinced of the need to do more for children, recently proposed a similar but broader program.

Much has been learned in recent years about the importance of assuring health services, proper food, education and a good environment for young children. About 80 percent of their intellectual development occurs by the age of 8, according to experts, and their physical condition in early years can affect health and mental capacity through much of their life. Experience with Headstart has shown the handicaps with which many children start life, the potentials for helping them to develop and the limitations of too-brief and fragmented compensatory programs. White House conferences last year on food and nutrition and on children and youth emphasized that America does have hungry children, neglected children, sick children and ill-educated children. The need for many more day-care centers—for educational and health advantages as well as custodial care—has become increasingly apparent as more women have entered employment.

The "Child Development Act of 1971," sponsored also by Sens. Humphrey and McGovern, puts this all together in a program of services for both poor and non-poor children up to the age of 14. The program would be administered by the Department of Health, Education, and Welfare. The very existence of a new Senate subcommittee on children and youth, headed by Mondale, seems to offer encouragement for such a plan.

Many of the nation's children would be helped also by the administration's welfare reform bill, whose fate still has not been decided by Congress, and by the Nixon health plan. However, a comprehensive child-development program that could fill in gaps, coordinate existing programs and work toward broader goals in services to children is also needed.

CATASTROPHE IN EAST PAKISTAN

Mr. MONDALE. Mr. President, the evidence of catastrophe in East Pakistan continues to gather.

First, there was the warning by a U.N. adviser in the New York Times of May 2—pointing to the disruption of transport and the historical precedent of mass starvation in similar conditions in 1943.

Now there is an eyewitness report by Mort Rosenblum of the Associated Press, telling us once more that "millions face starvation from famine and from halted relief distribution."

And there are other, equally alarming reports—of the silence of the United States in the face of this tragedy, and the refusal of the West Pakistan authorities to accept badly needed emergency relief from the United Nations.

How much longer will our Government remain paralyzed?

Will the United States—with our economic aid supporting West Pakistan's occupation of the East—be a silent partner in the destruction of a people?

If the administration does not answer that question clearly and soon, the Congress must.

I ask unanimous consent that certain newspaper articles be printed at this point in the RECORD.

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

[From the New York Times, May 2, 1971]

BENGAL: A THREAT OF FAMINE

To the Editor:

The exclusion of the foreign press and observers from East Pakistan has meant the loss of vital information on the course of events there and will deprive us of the dramatic facts that rouse individuals and governments to action. But there is enough conclusive evidence from the past and recent history to predict the result of the present conflict on the food position of the province.

The food grains that sustain a large part of the Bengali population come from abroad. Their distribution depends on the effective functioning of the port of Chittagong and on internal transportation and administrative services.

East Pakistan, with a population of more than seventy million, expected 2.5 million tons of imported food grains this year. That is about one-sixth of the total food requirements for the province, enough to feed twelve million people. However, a far greater number is actually affected by an interruption in the steady flow of food. For the 50 per cent of the population, living barely at subsistence level, these supplies maintain the balance between life and death.

Bengal has always been extremely susceptible to famine. The last such disaster occurred in 1943 when food expected from Burma did not arrive because of the Japanese occupation of that country. At that time military demands on the Indian transportation system prevented the timely distribution of the food that was available. The food deficit that year was 6 per cent; this year it is 16 per cent. Deaths in 1943 numbered 1.5 million, and the famine left social problems from which Bengal has yet to recover fully.

A crisis was imminent in 1965 when the Indo-Pakistani war stopped imports. It was avoided when the great powers used their influence to bring that conflict to a speedy close. Recovery was aided by normal internal supply activities, which had been unaffected by the war.

Today, in contrast, not only has the import of food been cut off, but the internal administrative and transport services have ceased to function normally. In addition, military action at planting time will reduce the coming harvest.

The regular import of food has been interrupted since February. Even if the conflict were to end today, the months required to return the system to normal would probably exceed the time during which the food reserves could sustain the population. The factors that determine mass famine are irreversible after a certain point.

When the first stories and photographs of starving families are published, it will be too late to protect thousands of others. International action, immediate and strong, is perhaps the only defense the people of East Bengal now have.

DANIEL C. DUNHAM.

NEW YORK, *April 20, 1971.*

[From the Washington Post, May 13, 1971]

(The following dispatch was filed from Bangkok, to avoid Pakistan censorship by Mort Rosenblum, an Associated Press reporter who was one of six correspondents admitted to East Pakistan after a five-week period during which foreign newsmen were barred from visiting the region.)

DACCA, EAST PAKISTAN.—A civil war of staggering butchery and hatred has left the 23-year-old nation of Pakistan on the brink of economic and political ruin.

Though broke, Pakistan, is spending more than $2 million daily to support the army that shelled and machine-gunned this province of 75 million into submissive inactivity.

Some estimates of the number of deaths since the war started on March 25 go above the 400,000 killed in the cyclone that hit East Pakistan last November. This time, each death means a family's lasting bitterness.

Killing was indiscriminate. Bengalis bent on a separate East Pakistan nation slaughtered many of the region's 6 million non-Bengalis. When the army moved in, it settled the score, aided by non-Bengalis seeking revenge.

Markets were razed and flattened, towns were devastated, road and rail links were cut at a dozen major points.

LOSSES ENORMOUS

Losses to industry and to commerce between the two wings of Pakistan are enormous, as are the effects of stalled development. The 55 mills that turn out jute, East Pakistan's chief money-maker, are working at 15 to 20 per cent of capacity.

Reporters touring East Pakistan found that millions face starvation from famine and from halted relief distribution.

In many areas, food supply is a critical problem. The key port, Chittagong, is choked with 400,000 tons of goods, 100,000 tons more than it handles in a normal month.

Before, river craft carried only a fourth of Chittagong cargo into the interior. Now they must carry it all, perhaps for months. Even when roads and rail were open, shippers say, 10 river craft carried food stocks. Now, they say, the army allots to the food supply operation only four boats.

Politically, the problems are as great. In December, Bengalis voted 167 of the East Pakistan's 169 National Assembly seats to Sheik Mujibur Rahman's Awami League. Now Mujibur is in jail and the party is banned.

President Yahya Kahn maintains that he wants politicians to take back the government.

But the betting is that Yahya won't last the year as President, and that the army won't find anyone who thinks their way and who can still walk unescorted through the streets of East Pakistan.

CONFIDENCE SHATTERED

Confidence is shattered among Bengalis, West Pakistanis and Indian migrants who settled here at partitian in 1947.

At a Chittagong jute mill, where Bengalis evidently killed 180 women and children, only 20 of 7,500 workers have dared to return.

Non-Bengali officers and officials refuse to even admit that there are Bengali widows and orphans in need.

Hindu Bengalis make up 12 per cent of the population. They chose to remain here although West Bengal, in India, is largely Hindu and East Bengal in East Pakistan is mostly Moselm.

Radical Moslem students rejected the religion that bound them to West Pakistan, espousing instead Hinduism and "Calcutta culture." Hindus were widely blamed for fomenting the conditions leading to war.

As a result, the army singled out Hindus. Their shops and homes were smashed and burned. Undamaged shops in otherwise devastated Hindu areas sometimes bear signs in English and Urdu, the Western tongue, proclaiming the owner is a Moslem.

Often being a Moslem—or showing a Pakistani flag—didn't help.

EFFECTS FELT IN WEST

The effects are felt hard 1,000 miles across India in West Pakistan.

"After all," said one businessman, "we've lost a colony."

Sixty per cent of the goods made in West Pakistan were sold in East Pakistan. Not a single bale of West Pakistan cotton has come to the East since the crisis, stalling a normal year West Pakistan's total annual exports to the East have been about $300 million.

The job of rebuilding what the army and rebels burned and battered down will take massive human and financial resources.

YAHYA TELLS THANT RELIEF AID IS NOT NEEDED NOW

(By Kathleen Teltsch)

UNITED NATIONS, N.Y.—President Agha Mohammad Yaha Khan has told Secretary General Thant that United Nations emergency help for East Pakistan is not needed now but he left open the possibility of accepting international aid in the future.

In a letter, the President also complained that news accounts of widespread casualities and destruction in East Pakistan were "highly exaggerated—if not altogether tendentious."

Meanwhile, India charged that military forces from West Pakistan had carried out "wild destruction of life and property" in a drive to crush the East Pakistani movement. Pakistan in turn accused India of encouraging and aiding the separatists in hopes of breaking up Pakistan.

President Yahya's response to Mr. Thant's April 22 offer of humanitarian assistance was not regarded here as a refusal of all help in the future and United Nations authorities said that Mr. Thant was continuing to explore the possibilities of assistance.

The Pakistani President told Mr. Thant that there were adequate supplies of medicines and food in East Pakistan, that authorities there saw "no cause for concern" and that rehabilitation and reconstruction were moving ahead.

"As for international help," if and when required, "it will be administered by Pakistan's own relief agencies," the President said.

During the debate in the Economic and Social Council's Social Committee, touched off by India's charges, Mrs. Rita Hauser of the United States expressed hope that Pakistan would agree to make "early and full use" of the Secretary General's offer.

She said the United States and other governments were consulting Pakistan on the form of help. She added that Washington had allocated $2.5-million to help East Pakistani refugees in India.

Samar Sen of India said there was a need for international aid for the refugees. He said they numbered 2,000,000 and warned of the danger of famine and epidemic.

Agha Shahi of Pakistan three times interrupted the Indian delegate and disputed his version of the causes and consequences of the East Pakistani conflict. He charged that India had taken every step short of war to help the secessionists.

[From the Wall Street Journal, May 12, 1971]

BANGLA DESH: A PRAGMATIC SILENCE

(By Peter R. Kann)

CALCUTTA.—Consider this scenario for an American intervention.

Our ally: the 75 million Bengalis of East Pakistan who, with considerable justification, consider themselves victims of two decades of political and economic exploitation by the Punjabs of West Pakistan. Bengali leader Sheikh Mujibur Rahman and his moderate, generally pro-Western Awami League recently won national elections in Pakistan. The Bengalis were then savagely attacked by the Punjabi controlled Pakistan army. Many Bengalis are now determined to fight for an independent Bengal nation (Bangla Desh) but they lack the military knowhow and means with which to fight.

Our enemy: the 70,000 or so West Pakistani troops seeking to suppress the Bengali freedom movement and reoccupy East Pakistan. They are fighting for an autocratic military regime that has close relations with China. They have virtually no support among the Bengalis they seek to rule. They are fighting more than 1,000 miles from home, dependent solely on sea and air supply routes, without the economic resources required for a long and costly war.

An interventionist's dream. First some strong words from Washington, then a few destroyers assigned to cruise the East Pakistan coast. Some dramatic overflights by American jets. If necessary, a naval blockade to cut off Pakistan army supplies. Perhaps some air-dropped American carbines for the Bengalis. Only as a last resort some air strikes on Pakistan army bases in East Pakistan. After that, it's only a matter of passing out miracle rice seed to the happy liberated peasants of Bangla Desh—that new pro-Western bastion astride the strategic crossroads where East and Central Asia meet.

If only Vietnam had been East Pakistan.

A NATURAL VICTIM

As it happened, of course, Bangla Desh did not even rate weak words of support or sympathy from Washington. Presumably the last thing America needs these days is another war, even a winnable one in a worthy cause. And even if Uncle Sam still considered himself the world's policeman, it's doubtful that he would arrest West Pakistan for assault and battery against the Bengalis. East Pakistan is simply one of those parts of the world that fails to provoke foreign passions. Overpopulated and impoverished, it encroaches on the world's consciousness only when striken by a calamity of Biblical proportions, like last fall's fearful flood that claimed up to half a million lives. An East Pakistan earthquake that killed only 10,000 would probably rate less attention than a three-car collision on the Jersey Turnpike. East Pakistan is one of the world's natural victims.

All this is only to say the obvious: that American foreign policy doesn't follow moral imperatives. Neither does any other nation's. When the cause of Bangla Desh finally forced its way to the attention of the world's great powers they all reacted with what's called cynicism among men but passes for pragmatism among nations.

The politics of the Indian subcontinent were complicated enough before the cause of Bangla Desh came along. India and Pakistan have been enemies since they were carved out of the subcontinent's communal conflicts in 1947. Russia has edged close to India in recent years. China, for national rather than ideological reasons, is tied to Pakistan. Russia and China, of course, are at odds. America, worried over Soviet influence in India and Chinese influence in Pakistan, has tried to remain friendly with both.

What, then, are the politics of pragmatism of those nations involved with the Bangla Desh cause and of those that have sought to stay uninvolved?

For Pakistan there are several choices: To let democracy have its way, which would have meant a united Pakistan led, for the first time, by the Bengali majority rather than the Punjabi minority. To grant East Pakistan independence and seek good relations with the new sister state of Bangla Desh. To forcibly resubjugate East Pakistan, Pakistan opted for the third solution. Its army moved rapidly and ruthlessly, with tactics that included not only wanton slaughter but also systematic slaying of the Bengali middle class: politicians, professional men, students and civil servants. These are precisely the people needed to keep an admininstration and an economy functioning, in a conquered territory or a new nation.

In the short run the Pakistan army may well be able to maintain control of East Pakistan—now a hostile, occupied territory. But how to patch up the East Pakistan economy? How to support the cost of the occupation army? How, in the long run, to avoid being bled by a guerrilla war?

Perhaps even the Pakistanis are doubtful about their long-term prospects. But if they suspect that they will have to pull out of East Pakistan some year soon, why should they worry about killing off moderate Bengali leadership, about the Bangla Desh movement thus falling into militant leftist hands? Pakistan could then at least leave a chaotic, Communist-veering Bangla Desh as a permanent plague on neighboring India. Or so the Indians fear.

A SYMPATHETIC INDIA

For many reasons, India has been openly sympathetic with the Bangla Desh cause. Pakistan is an enemy, and half an enemy is better than a whole one. An independent Bengal nation, under moderate leadership, might even be friendly to India. As a democracy, India is subject to public pressures, and articulate segments of that public, particularly in West Bengal, have demanded intervention. The sooner India provides support—arms, training, border sanctuaries—for a Bangla Desh liberation army, the more likely it is that the Bangla Desh movement will remain under moderate leadership. Some such aid is already being given. And if a more active Indian role risks war with Pakistan, it would suit some aggressive Indian army commanders just fine.

Yet India failed to extend diplomatic recognition to Bangla Desh and has moved only slowly and cautiously in giving military assistance. Why? Bangla Desh would have had to have been recognized very quickly, because once the Pakistan army began moving the liberation army collapsed. Only a month after the civil war began, on March 25, the provisional government of Bangla Desh could venture no further into East Pakistan than a mango grove 300 meters from the India border. Indian policy makers, whatever their virtues, are not noted for quick decision-making. By late April India would have been recognizing what amounted to a government in exile. And no other countries would have followed suit.

The poor performance of the Bangla Desh leaders and their makeshift liberation movement was a disappointment even to strong Indian sympathizers. Some of them realized that channelling aid to this movement would be far from simple. Giving guns would not be enough. Training and organization are needed. And the Indian army is no great repository of wisdom on the waging of guerrilla wars.

What even of the simple problems, like insuring that guns given to the liberation army don't end up in Communist hands?

Then too, the risk of a full-scale war with Pakistan, which large-scale Indian military assistance might entail, is not to be taken lightly. India probably would win such a war, but it would divert Indian resources from the monumental domestic problems that Prime Minister Indira Ghandi was just re-elected to try to solve. And then there's China, which might support Pakistan with more than words. India's mountain passes along the Chinese border may be much better defended now than at the time of the 1962 Sino-Indian border war, but few sane Indians seek a rematch. (Nor, probably, does domestic-oriented China.)

Finally, some Indians are concerned that a new ethnic state of Bangla Desh would provide a potent impetus for independence movements, among the many ethnic groups in the patchwork Indian nation.

Red China, the proponent and patron of liberation wars, chose to side verbally with West Pakistan's decidedly unrevolutionary military regime in its suppression of a popular revolution. An outrageous reversal of revolutionary doctrine, or is it? To Chairman Mao, liberation wars are not won by the likes of Sheikh Mujibur and the bourgeois bureaucrats of his Awami League who have led the Bangla Desh movement to date. Why not let the Pakistan army kill off these bourgeois nationalists, the sooner to see them replaced by leftist militants and a "people's war" that follows the gospel of Chairman Mao? That may be a long time coming, for East Pakistan's Communists are still a small force and Peking's policy is to

let even approved revolutionaries help themselves. But China is nothing if not patient.

In the meantime China has cemented its friendship with West Pakistan, a valuable national ally as a counterbalance to India (with its Soviet ties) and as a solid link in Peking's chain of contacts with the rest of the noncommunist underdeveloped world. China has given Pakistan large amounts of economic and military assistance over the years, including a $200 million loan late last year, and Peking, like other nations, does not lightly write off such investments.

So China, in the short run, has backed an old friend and picked a winner in the process. And China's longer run options are still open. By the time China is ready to commit itself to a Communist insurgency in East Pakistan the West Pakistanis may already have decided to abandon the area.

The Soviets were openly critical of West Pakistan's actions in East Pakistan and called for an end to the bloodshed. But the reasons probably have much more to do with Soviet friendship with India and hostility to China than with any sense of brotherhood with the Bengalis. And Soviet sympathies have not been so strongly expressed as to ruin relations with West Pakistan.

WHILE FROM THE UNITED STATES

From the United States, silence. And in a situation like this, silence naturally supports the status quo—which is not a Bengal nation. There are probably several reasons: the simple wish to avoid any new foreign entanglements, a fear of reducing U.S. influence in West Pakistan and thus increasing that of the Chinese, a tendency to stick with a country in which the U.S., too, has invested much military and economic aid. Perhaps there's also another, somewhat subliminal, reason. The West Pakistanis, in addition to being a known quantity, are a rather compatible one for U.S. policy makers. Military men with handlebar mustaches and Sandhurst accents run a superficially efficient regime with clear lines of authority.

It is a nation that can use American dollars to build impressive dams, train its soldiers to use American weapons and teach its farmers to grow miracle wheat. It's not a mysterious corner of Asia teeming with little black people. When American VIPs go to Pakistan, it's to see parades in Islamabad (in the West), not to see poverty in Dacca (in the East). Lyndon Johnson invited a West Pakistan camel driver to the White House, not a Bengali rickshaw puller.

It's several years too soon to say whether or not America, China, Russia, India or Pakistan made the right moves in the spring of 1971. But it's at least a reasonable bet that some kind of new nation will evolve in the years to come. When that happens, ambassadors from Washington, Peking, Moscow and Delhi will be standing at attention in Dacca for the singing of the Bangla Desh national anthem, "My Golden Bangla Desh, I Love You." And some ambassadors, of course, will be in better favor than others.

[From the Baltimore Sun, May 13, 1971]

UNITED STATES ASKED NOT TO AID PAKISTAN

WASHINGTON.—Any American economic aid to Pakistan "will leave cash in their hands to pay their French arms bill and to step up arms purchases in the open market," a spokesman for the East Pakistani rebels charged today.

The United States should give no aid, except for relief to be dispensed by international agencies, according to Rahman Sobhan, the Bengali spokesman.

Mr. Sobhan, an adviser to the imprisoned Bengali leader, Sheikh Mujibur Rahman, said any other aid "would simply prolong the conflict at tremendous cost in direct deaths from military operations as well as deaths from the pending famine."

SEEKS SUPPORT

Mr. Sobhan, who fled East Pakistan in April after fighting began March 25, is in Washington seeking support on Capitol Hill and elsewhere for Bangla Desh, as he and other Bengalis call the independent state they have proclaimed. State Department personnel have been ordered not to see him.

In an interview, he challenged the claims of M. M. Ahmed, a senior Pakistan government official now in Washington on an aid-seeking mission, that central government control of East Pakistan has permitted the resumption of normal administration.

"The government simply does not have the administrative control over Bangla Desh to run an aid program," he said contending that in 16 out of 17 administrative districts higher local officials had sided with the independence movement and lesser officials were still in hiding.

POLITICAL TOOL

He charged that the central government wants to use relief as a political tool and for "coercion" not for humanitarian reasons. It is seeking boats, he said, not because there was any shortage of them in East Pakistan, but in order to provide assault landing craft for the Army. He said some of them had already been secured from Turkey—"U.S.-supplied, inevitably."

And while the Pakistan government is talking about seeking reconciliation and turning over power to a civilian regime, said Mr. Sobhan, this should not be taken seriously. "Murderers of 200,000 people do not know the meaning of good faith," he said.

OUTRIGHT LIE

He said Mr. Ahmed is telling officials here that about 70 officials of Sheikh Mujib's Awami League are ready to co-operate with the government. This is "an outright lie," he said, adding that only one elected official has thrown in with the central government.

The Dacca University economics professor said if Mr. Ahmed does not get the economic aid and postponement of debt payments he is seeking, continued military operations against the Bengalis would become economically unbearable for West Pakistan.

"The major economic demands," he said, "are for commodity assistance to keep industry afloat. They are geared to supplies from the West." He said the suggestion that China might meet these needs is false because "the Chinese are in no position" to supply Western materials.

"The U.S. has to make up its mind," he said, "whether it wants to underwrite a military adventure with no conceivable policy solution at the end of it." He suggested the government here tell the Pakistan government "If you want to do it, you foot the bill."

BUSINESS WEEK SAYS ADMINISTRATION FAILS IN EFFORT TO CONTROL PRICES AND PROFITS IN CONSTRUCTION INDUSTRY

Mr. EAGLETON. Mr. President, back on March 29, 1971, the White House very proudly announced that the suspension of the Davis-Bacon Act had been lifted and that a system had been worked out to control both wages and prices in the construction industry. That system entailed the setting up of two boards—one to control wage increases and the other to restrain increases in prices and product costs.

Two months have passed and there has been some opportunity to at least watch the progress that has been made. A report on the program appeared in the Washington Outlook column of Business Week of May 15, 1971, and states:

President Nixon's program for stabilizing wages and prices in the construction industry is going to be only half-size. The Administration appears to have given up any serious effort to rein in prices, profits, and executive salaries.

This statement shows that the fears some of us had when the program was announced were justified. It seemed then that there was one standard for employers and another for employees. I believe that this country must treat all of its citizens equally. Runaway inflation has hurt all of us, but to place the entire blame on the workers in one segment of the economy is to be blind to reality. If the President wants to control wages, he must also be willing to control prices and profits. It is not the construction workers that are causing the economic difficulties that this country is undergoing and it is wrong of the administration to try to make them the scapegoat.

Mr. President, I ask unanimous consent that the article referred to from Business Week magazine be printed at this point in the RECORD.

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

WASHINGTON OUTLOOK

CONSTRUCTION PRICE CURBS GET STICKY

President Nixon's program for stabilizing wages and prices in the construction industry is going to be only half-size. The Administration appears to have given up any serious effort to rein in prices, profits, and executive salaries.

So far, the wage side of the machinery is still functioning. Unions are cooperating, reluctantly, with the Construction Industry Stabilization Committee.

But the price and profit side of the equation is giving trouble. Seven weeks ago, Nixon handed the problem to an Interagency Committee for Stabilization of Construction Prices. A committee spokesman now concedes privately that there seems little the Administration can realistically do.

Nixon rejected outright wage-price controls. So there is no machinery to police contractors. Nor is there an excess profits tax to help restrain prices.

The best idea the committee has been able to come up with is a self-enforced contract certification program. Washington would issue price standards; contractors would certify that they were complying.

The main goal of the committee is simple: to lean on management hard enough so that labor leaders will continue to cooperate.

LATEST ADVICE ON WEAPONS: PROFITS CAN WAIT

A new approach to profits in negotiated contracts is bubbling up within the Pentagon: Forget about them for a while.

A career Navy procurement specialist, Gordon W. Rule, is urging his chiefs to stop trying to set profits in advance on major high-risk development contracts. Instead, he suggests, initial agreements should just cover costs. Profits—if any—could be fixed after weapons have been delivered and tested.

The idea will get serious consideration by a government-industry committee studying profit policies. The procedure has been used in a limited way by both the Navy and NASA, but never on a major weapons program.

The approach has potential snags. Evaluation boards that would determine profits would have to do so partly on a subjective basis. And troubles with complex defense equipment often do not crop up for two years or so.

CAPITAL WRAPUP: RAILROAD RATES, NIXON CAMPAIGN

The Administration is getting set to propose looser federal regulation of ground transportation. Legislation being drafted in the Transportation Dept. would give railroads more flexibility in setting rates and would make it easier for new operators to get into the trucking business.

Attorney General John N. Mitchell insists publicly that he doesn't want to leave the Cabinet to run Nixon's reelection campaign, but Justice Dept. officials say the transition already has begun: Mitchell is beginning to hand off departmental reins to Deputy Attorney General Richard G. Kleindienst.

Speech of the week: Representative Andrew Jacobs (D-Ind.) this week delivered in the House the following address, quoted in its entirety: "Mr. Speaker, after careful investigation I have concluded that the current Administration has not been soft on communism. However it has been hard on capitalism."

MRS. INGA QUIST: TEACHER

Mr. MONDALE. Mr. President, in taking the broad view of the Nation's needs, we sometimes overlook the importance of individual contribution to a particular effort. Such is the case in the field of education, where the individual teacher remains the unsung hero and heroine.

Anyone who has had good teachers much consider himself truly fortunate. Having had many, I certainly consider myself very lucky. One of the excellent teachers to whom I am especially grateful is Mrs. Inga Quist, my third grade teacher at Heron Lake in Minnesota.

Mrs. Quist is about to retire after teaching in Hopkins, Minn., for the last 29 years—a fact that prompted the Hopkins Sun and other Sun newspapers to pay tribute to her distinguished career. Because the newspaper article gives a glimpse of this wonderful woman and because it illustrates that there can be no good education without dedicated teachers like Mrs. Quist, 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:

RETIRING TEACHER HAS 100 SICK DAYS COMING: SHE MAY SEE THE "SMOKIES" IN FALL

(By Virginia Moll)

Mrs. Inga Quist, fourth grade teacher at Katherine Curren Elementary School, has always wanted to go to the "Smokies" in October, but she has always been in school.

This year Mrs. Quist will have the opportunity to take the trip. This June, she retires after teaching 29 years in the Hopkins School District. She has taught at Katherine Curren since the school opened.

If kids were giving out the grades, they would probably give her a big, shiny "A" for a near perfect attendance record and for 45 years of dedication to the teaching profession.

As Mrs. Quist tells it, after she graduated from high school in Madison, Minn., she and five of her high school "gang" decided to teach country school in the Ortonville, Minn. area.

They taught for two years and then all went to St. Cloud Teachers' College. Mrs. Quist graduated from St. Cloud and began her teaching career in earnest.

"I've never really been out of the school room any year since I was in first grade," Mrs. Quist pointed out. "I never stopped teaching to raise a family, travel or such, I either went to school or taught."

From St. Cloud she went to Louisburg, Minn., where she taught the first four grades for two years and then on to Heron Lake, where she taught third and fourth grades for 12 years.

At Heron Lake, one of Mrs. Quist's third grade students was U.S. Senator Walter F. Mondale. "We called him Fritz," Mrs. Quist recalls. "I also had his brother Clarence—their father was a minister in Heron Lake at the time."

From Heron Lake Mrs. Quist came to Hopkins. "I've taught in Hopkins 29 years. I just can't believe it."

When Mrs. Quist arrived, the school district had a staff of 34 and two buildings. Kindergarten, the elementary grades and junior high were in what is now a much enlarged South Junior High. The senior high students were in the high school, known now as "The Annex."

Mrs. Quist is proud of her near perfect attendance record. When she taught in Heron Lake, she didn't miss a day of school for 11 years and then only missed one-half day for the funeral of a very close friend.

When she leaves Hopkins, she will still have over 100 days of sick leave coming. "I probably should have taken some days but I always felt I should be here," she said. "My sister says I am disgustingly healthy."

Looking back, Mrs. Quist recalls that she was paid $85 per month to teach country school and that her room and board was $16, even though she went home every weekend.

"In those days, you would never think of going far away, like Denver, Colo., to teach. You just didn't go and leave your family."

Mrs. Quist thinks the kids today aren't different in many ways but they are more hyperactive, more knowledgeable and certainly have traveled more.

Mrs. Quist believes children have gained much knowledge from television but she also thinks some stay up too late watching and some watch the wrong kind of show. "I usually try to suggest programs such as Wild Kingdom and Animal World. I can tell when they stay up too late—they are sleepy and yawn in class."

Although there have been many changes in teaching over the years, Mrs. Quist said "I still go for the old basics. I still think that in the lower elementary, reading is the most important. If they can read, they can spell, they can go on."

With a lot of free time to look forward to, Mrs. Quist has many things she would like to do besides going to the "Smokies."

"If I weren't afraid to fly, I'd like to go to Norway since I am a full blooded Norwegian and one of my grandparents came from there."

She thinks she may get up the nerve yet. Her hobbies also include collecting recipes, "loves antiques and loves to play bridge."

"What I am going to appreciate the most though," she concluded, "is not having to get up and get the car started and warmed up on those dark, cold winter mornings."

The faculty of Smith School will host a tea for Mrs. Quist from 3:30 to 5 p.m. next Thursday at the school. Friends and former students are invited. For further information, call Mrs. Jean Shonka, school secretary, at 935-2166.

THE MENNONITE COMMUNITY IN KANSAS

Mr. DOLE. Mr. President, the State of Kansas has many great natural and human resources. In addition, our State prides itself on being a great area for the cultivation and growth of many varieties of crops, numerous shades of opinion, and diverse styles of life and worship.

One of the most unique and valuable resources possessed by the State of Kansas is its small but extremely vigorous and industrious Mennonite community. The members of this community have, over the years since it was established, contributed immensely to the prosperity and productivity of agriculture in Kansas, the well-being of their fellow Kansans, and the spiritual richness of their own heritage.

An interesting article on the Kansas Mennonites appeared in the May 16 Washington Post and, for the benefit of those who might not have seen it, 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:

THE PARADOX OF THE KANSAS MENNONITES

(By Kent Ruth)

HALSTEAD, KANS.—The houses are big, the barns are carefully worked, the fence rows clean. The animals are sleek and well cared for. The people themselves are sturdy of build, their dress neat and on the clean-plain side. Their manner is open and friendly, if somewhat reserved.

But easy comparisons end here between Pennsylvania's productive Lancaster County and agriculturally rich Harvey County in south-central Kansas.

Both areas have an unmistakeable Mennonite stamp . . . in history, development and culture. But the familiar horse-and-buggy image of Mennonitism undergoes a sharp metamorphosis as it moves from the land settled in the late 18th century at the invitation of William Penn to the one-time "Great American Desert" occupied in the late 18th century at the behest (and with the cooperation) of the Santa Fe Railroad.

Lancaster County Mennonites—the Amish, Pennsylvania Dutch, or "queer people," as you will—have long been discovered by the travel world. In fact, some observers (and some Mennonites) are beginning to worry about the effects of tourism-spurred commercialism and development on their heretofore quiet, secluded way of life in Pennsylvania.

Mennonites in Harvey and several adjoining counties, meanwhile—representing three distinct groups within the tiny sect—go about their soil-oriented businesses with a minimum of fanfare and, to judge by appearances, a good bit of material success.

Tiny Hesston (Pop. 1,103), for example, boasts the sprawling buildings of Hesston Corp. on its north side. In the past decade or so the Mennonite-founded firm has grown from a farm-shop operation to a multi-million-dollar manufacturer of farm machinery distributed around the world.

Yet a few blocks away, on the south edge of the village, new buildings of Hesston College show that Kansas Mennonites are not wedded solely to agriculture. And Hesston College is but one of three the area supports, one for each of the three sects. (To their credit, the three schools have recently begun to share facilities and resources.)

All of which is by way of pointing out that travelers—particularly those who may have enjoyed Pennsylvania's Amishland—may well find something new, even reassuring, amid Kansas Mennonites. For though they are conservative in many ways, they are progressive in others. And the resulting contrasts will not be lost upon the observant visitor.

Along U.S. 50 just west of Newton (Pop. 14,877), the Harvey County seat, a neat roadside shield alerts the motorist to a left turn onto the Hertzler Memorial Highway. Around the top of the emblem are the words "Horse and Buggy Doctor." Across the center is the silhouette of the horse and buggy. The shield tells much about the area.

The "highway" itself runs something less than two miles south to the Mayo-like clinic

and hospital that makes the pleasantly little tree-shaded village of Halstead (Pop. 1,596) one of Kansas' best-known towns. So respected has the institution become over the years for example, that in many parts of Kansas and Oklahoma to "go to Halstead" is synonymous with having a thorough medical check-up.

Dr. Arthur E. Hertzler was born, a Mennonite, in 1870. He came to Halstead to practice medicine before the turn of the century. He lived long enough to see his one-room practice grow into a sprawling, highly regarded clinic-hospital facility . . . and to record, with acerbic wit, his thoughts and experiences in the best-selling "Horse and Buggy Doctor."

He did indeed make his first sick calls in a buggy. But his medical facility was thoroughly modern, as was his thinking. And in this he parallels the development of the Mennonites in Kansas, many of whom are already planning to celebrate the centennial of their arrival from the steppes of Southern Russia.

These Mennonite immigrants, as is widely known, brought with them some of the hardy "Turkey red" winter wheat that had served them well in the Ukraine. They were not mistaken in believing it would serve them equally well on the Great Plains. To use their wheat, of course, they built mills. And so they helped to establish Kansas as one of the nation's leading milling centers.

Never "locked in" by the religious scruples against most modern inventions, as are their Amish brothers, they have always shifted easily to the new and improved, whether in soil and moisture conservation techniques, or, as in the caes of Hesston Corp., with innovative farm equipment. The result, so far as the urban traveler is concerned, is a predominantly agriculture oriented region that still manages to offer some interesting and unusual sights—and a few satisfying different things to do.

Into the latter category must fall a visit to the annual smorgasbord of the Halstead church. A November event that success in past years has limited (for the convenience of everyone concerned) to three successive hour-long servings of 250 ticket-bearers each, it regularly draws happy dinners from across the state.

German-Mennonite influences frequently appear in other area activities, particularly those centered around the colleges. From time to time Bethel, at North Newton, sponsors a Mennonite Folk Festival, which plays the entire cultural spectrum from foods to the arts, from old-style hog butchering to one-act "dramas" in low German that one can enjoy (as the writer discovered, to his great surprise) without knowing more than a word or two.

Bethel College, incidentally, also maintains an excellent historical library for the visitor who might care to pursue his study of Menno Simons' followers beyond the dinner table. And a museum that contains, with a notable stuffed-animal collection and considerable historical material, much that is both interesting and enlightening on Mennonite culture.

One of the more dramatic creations the eastern visitor is likely to remember is the one-room hut of the pioneer sod-buster. Spartan-like in appearance, as were most dwellings on the virgin prairies, it is nevertheless warmed by decorative touches here and there that served to remind the weary immigrants of their homeland.

But one can capture the feel of the Mennonite culture without eating *verenika pluma mos*, or *borscht*. And without visiting a museum. (The state, by the way, maintains the Kansas Health Museum at Halstead, also a tribute to Dr. Hertzler.)

One need only drive about, almost aimlessly, to see striking indications of this culture. Just to the east of the one-time Bernard Warkentin flour mill in Halstead, for example, still stands the old Warkentin home—its large white house and sprawling, cupola-adorned barns faithful reproductions of the "old country" structures their builders left behind them.

There's a similar vintage stamp on the "new" mill he built when he moved his flouring operation to nearby Newton. No longer used, the structure manages to maintain a certain dignity, even in abandonment—buoyed perhaps by the knowledge it has been declared a national historical landmark.

Ironically, Warkentin was accidentally shot and killed in his railroad compartment while on a return visit to his Russian homeland—but not before he had built a gingerbreaded Victorian monument to his success in his new homeland. (The home, preserved in its original condition with much of the furniture and furnishings, is now open to visitors on a limited basis.)

To the north lies Hillsboro, with Tabor College and yet another historical-cultural museum. It, too, contains large churches, comfortable homes . . . and, stretching away in all direction as far as the eye can reach, the flat, fertile farmlands of central Kansas that make it all possible.

The Mennonites way of life, is slowly disappearing here. But the "quiet people" just don't change rapidly. Even the relatively modernminded ones that live in South-Central Kansas.

NEEDS OF THE FARMER

Mr. MONDALE. Mr. President, May 7 was Salute to Agriculture Day at the White House.

A few days before, in a nationwide radio address President Nixon praised the success story of American agriculture.

The attention suddenly being devoted to our long-neglected farmers is encouraging.

Inviting a few farmers to the White House is nice. But putting a few more dollars into the pockets of several million farm families would be even nicer.

The President managed to get through his address without once mentioning parity—the key to farm income.

During his campaign for the Presidency he mentioned it:

> Seventy-four percent of parity is intolerable in my book; farmers are entitled to better, and I pledge that in my Administration they will have better.

Parity now is at 69 percent—about the lowest level since the great depression.

The farmer works the longest hours for the lowest wages and receives the poorest return on investment of any segment of the American economy.

In the last decade, prices received by the farmer increased 10 percent.

At the same time:

Total operating costs were increasing by 50 percent.

Capital investment costs were increasing by 79 percent.

Fertilizer costs were increasing by 64 percent.

The result is not surprising: discounting for inflation, farm income declined by 25 percent between 1950 and 1970.

Now, we have reached rock bottom—the average farm family which works 60 hours per week receives about two-thirds the income it would be eligible to receive on welfare in New York City. One of every farm people living in rural areas is poor.

Something could be said for the low prices received by farmers if they were passed on to the consumer. But this has not happened.

In the 1960's, while prices received by farmers went up by 10 percent, food prices went up by 33 percent. In 1970, 95 percent of the increase in food prices went to the middle men—food processors, distributors, and retailers. As a result the farm-retail spread for food prices increased by 7 percent.

We are paying a heavy price for our neglect of the farmer. We have lost 23 million of them since World War II—an annual rate of 600,000.

Those who leave the farms end up in the cities. It is estimated that 20 percent of the growth of big cities in the last 15 years is due to migration from rural areas. And in the cities the new arrivals add their problems to the urban crisis.

In the face of these difficulties, the administration has adopted a policy of unbenign neglect. That means continued declines in farm income.

Take the dairy farmers. We continue to purchase little or no cheese for the school lunch program—even though the Agriculture Department has estimated that some 80 million pounds of cheese could be used. The President's fiscal 1972 budget again includes no money for the special milk program.

The budget also sharply cuts payments in the wheat, feed grain, and cotton programs $700 million.

The simple truth is this: The budget—based on the provisions of the Agricultural Act of 1970—will result in less support to farmers. This means lower farm income in fiscal 1972.

This is intolerable.

I call on the President to act now to raise farm income by increasing price and income supports.

Moreover, I hope the President will unfreeze funds that were appropriated by the Congress but have been "frozen" by the Office of Management and Budget.

On Sunday, the President said he would increase insured loans for water and sewer projects. What about the $56 million in water and sewer grant money, that has been held up by the adminstration?

What about the $20 million of rural electric and telephone loan funds "frozen" until recently by the administration?

What about the $46 million for the rural environmental assistance program which is being held up?

These funds are a critical part of building up our rural communities. They should be released and we should appropriate larger sums next year.

For the rural environmental assistance program, the President's fiscal 1972 request is $55 million less than Congress appropriated this year. That means a substantial cut in this type of rural conservation program so essential to our rural environment.

For rural electrification, the administration wants to spend $345 million—roughly the same amount as we have spent every year since 1965.

This is not enough. There is an enormous backlog of unmet rural electric loans. A recent survey showed the loan demand at over $800 million.

Our Nation is currently facing a critical power supply and power delivery crisis. This is surely not the time to hold back on rural electric loan funds.

What we need is good programs to revitalize our rural areas.

We do not need a dismantling of the Agriculture Department. At a time when the problems are getting worse, we have to face up to them, not avoid them through structural reorganization.

We do not need efforts to disguise the decline in farm income—new ratios calculated on a 1967 base period instead of the 1910–14 base period.

We do need a greatly expanded rural development effort. As a result of declining farm income, more and more farmers are being forced off the farms and are migrating to already overcrowded cities. We need to encourage job-creating opportunities in rural areas, to foster a policy of urban-rural balance.

We need to help farmers to obtain needed farm equipment. Recently, I introduced a bill to grant a 7-percent credit on the first $25,000 of investment.

We need a new Farm Credit Act to modernize our credit programs and make more credit available in rural areas.

We need to give farmers greater market power. My National Agricultural Bargaining Act would enable farmer-elected marketing committees to bargain and negotiate with processors and other buyers for decent prices. I understand that the Farm Bureau is also working on a bill.

But more than anything, we need to raise farm income by increasing price and income supports. Anything less will insure the continued and disastrous exodus of people from our farm communities.

A NEW RAY OF HOPE ON THE POW QUESTION

Mr. DOLE. Mr. President, for the thousands of American whose husbands, sons, and fathers are missing in action and held as prisoners of war in North Vietnam, Laos, and Cambodia, these are sad and anxious times. In many cases years have now past since word was heard from or about their loved ones, and in every case the apprehension and concern for the safety and well-being of these brave men has been a never-ceasing element of these people's daily lives.

Often in the past the hopes of the families of the prisoners and missing have been raised by indications that North Vietnam might be inclining toward compliance with the Geneva Conventions relative to the treatment of prisoners of war. All too often, however, these hopes have been dashed by the cynical and unfeeling policies of Hanoi.

Recently, though, a small sign of hope has come from Hanoi's agreement to accept the return of 570 prisoners held by the South Vietnamese Government. North Vietnam has previously refused even to admit that the South Vietnamese even held any of its forces, because it maintains that it has no forces in South Vietnam.

Of course, the United States has been urging the full repatriation of all prisoners of war by all parties to the Indochina conflict or in the alternative internment of prisoners in a neutral country. But it is at least a sign of some small degree of change in policy by North Vietnam when they agree to accept the return of some of their own men.

An editorial in the May 16 Washington Star dealt with this new small ray of hope for all Americans who look forward to the safe return of our men who are prisoners and missing.

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

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

HOPE FOR WAR PRISONERS

Just possibly it could be the beginning of a breakthrough, Hanoi's formal acceptance of an offer to return 570 invalid North Vietnamese prisoners of war held in the South at the very least marks a significant departure from past Communist behavior on the prisoner issue.

For the first time, the North Vietnamese have virtually admitted that they have troops fighting in South Vietnam. Not in so many words, of course. So far as Hanoi is concerned the prisoners are "patriots illegally arrested and detained" by the Saigon government. But at least the North Vietnamese admit they want them back. And here again, for the first time, the Communists are openly showing some concern for the thousands of war prisoners in South Vietnamese stockades.

Saigon has released many prisoners in the past and so, on occasion, has Hanoi. But the exchange has been made with a minimum fanfare and no official acknowledgment from North Vietnam. This time, for reasons uncertain, the transfer has been publicly announced by the official Communist news agency. Under Hanoi's conditions, furthermore, it will be a rather elaborate affair, taking place at sea off the 17th parallel, dividing North and South Vietnam, involving ships flying Red Cross flags.

Probably one should not read too much into the move. In accepting the return of these war prisoners, Hanoi pointedly ignored another South Vietnamese offer to send 1,200 other prisoners held for four years or more to a neutral country. A similar offer, applying to all prisoners, was made at the Paris peace talks by the United States. The North Vietnamese have not replied to these proposals.

Nevertheless, their willingness to take back sick and wounded prisoners implies a trade, hopefully including some of the American POWs held in North Vietnam. Certainly, the delegation in Paris should press hard for a reciprocal deal. For the first time it seems possible that a real break may be in the offing.

ADDRESS BY SENATOR DOLE AT TESTIMONIAL DINNER FOR SENATOR MARGARET CHASE SMITH

Mr. GRIFFIN. Mr. President, I ask unanimous consent to have printed in the RECORD the text of the address delivered by the Senator from Kansas (Mr. DOLE) at the testimonial dinner for the Senator from Maine (Mrs. SMITH) at Skowhegan, Maine, on Saturday, May 15, 1971.

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

REMARKS OF SENATOR BOB DOLE

Someone once commented on one of the problems of our Government in America by saying that there are too many Democrat and Republican Senators and not enough United States Senators.

As a purely practical matter, I am afraid I cannot agree with the contention that there are too many Republican Senators. But the point is well taken, and it reflects a fact about Margaret Chase Smith. She is a *United States* Senator.

Men and women in politics are faced every day with the necessity of making difficult decisions.

But what is right may not always be what is popular.

What is popular may not always be what is expedient.

What is expedient may not always be right.

Sometimes, however, popularity and expediency cannot be reconciled with what is right. In this situation, when faced with the really hard decisions, some choose to put aside personal standards of integrity for the moment, and practice a curious exercise known as "rising above principle."

Some might rise above principle to get elected or to gain certain advantages for constituents or to maintain the favor of other party members. Some might rise above principle for any number of reasons.

But rising above principle is a dangerous business for those who must govern America. It is a dangerous business, because it involves self delusions. It involves pretending that the pertinent thing is, in fact, something above principle, something higher than one's own principle.

Senator Smith does not indulge in self delusions. She does not pretend. She does not rise above principle. She stands on her principles and that is why her name has become synonymous with bed-rock integrity in the United States Senate.

THE LADY FROM MAINE

As you know, most people in the government—most people in the nation in fact—think of her and refer to her as the "lady from Maine."

I have never been sure whether that reference is to be taken as a tribute to her femininity, or as a tribute to the great state she represents so ably. While she may disagree, I think it is a tribute to both.

And among those privileged to know her, I think there would be broad agreement that Maine could not ask for or receive any higher tribute than close identification with this most gracious lady: the United States Senator from Maine.

RESPECT FOR SENATOR SMITH

As a junior member of the Senate, I have had the privilege of working with Senator Smith for more than two years now. I have seen firsthand, in this short time, how valuable she is to the Senate and to her state and to the nation. Her wisdom and experience are held in highest regard by all of her colleagues, particularly her fellow Republicans.

I have come to share the universal admiration every Senator has for Senator Smith. As an American, and especially as a Kansan, I admire Senator Smith, because she liked Ike. And she stood by him through thick and thin. I remember—and you here in Maine remember—how she defended President Eisenhower after the U–2 incident and how she refuted the false and vicious attacks on him in the Senate—which were alleged to reflect the "grass roots" thinking of the people in Maine.

As a member of the Senate Air and Water Pollution Subcommittee, I have special ad-

miration for Senator Smith as a leader in the fight to preserve and restore the beauty and value of our great natural resources. Today there are many so-called leaders in the anti-pollution crusade. But how many of them were around in 1945—some 26 years ago—when Margaret Chase Smith introduced legislation in Congress to establish a division of water pollution control and public health service?

We all respect Senator Smith for these reasons, but most of all, I respect Margaret Chase Smith, because she is a national leader of courage, intelligence and integrity—the kind that we need more of in the United States Senate today—and because she is a lady in the true sense of the word.

VICTORY IN 1972

And just as Senator Smith has done an outstanding job of representing her state, so I believe she will help us to keep Maine in the vanguard of victory in November of 1972.

For Richard Nixon has given America the same kind of quality leadership that Senator Smith has given Maine.

And he has done so against overwhelming odds—against tremendous burdens he inherited from his predecessors in office—burdens of a tragic war, growing violence, and a runaway inflation.

I am confident that President Nixon can and will win again, here in Maine and across the nation. But I am convinced that winning will require a nationwide grass roots effort involving all of us—one that must begin today and keep on building with each passing week, all the way to November of '72.

AMERICA'S FUTURE AT STAKE

Doing this will not be easy, but it will be worth it, for at stake is the very basic issue of what kind of country our children and grandchildren are going to inherit.

I believe—and I think that most Americans, regardless of party, believe—that the way to a better future is through the kind of leadership and reform that President Nixon has given America.

Ending American involvement and American casualties in Vietnam; bringing full health and vigor back into the American economy; reforming a wasteful and disastrous welfare system; giving the states and cities new financial resources for coping with their problems through Revenue Sharing; cleaning up the environment; reforming the Postal System; standing firm for public order and respect for the law—each of these things must be a part of a better life for America, and Richard Nixon has already made tremendous progress in each of these areas.

It is up to us to see that he has the second term and the Congressional support he will need to complete the work of this positive, progressive, and peaceful "New American Revolution."

CONSIDERATION FOR SURVIVAL

Each of these goals is important. Each of them deserves the support of all of us. Each of them can and will be achieved. But in a world that is still made up of friendly and unfriendly powers—some of which have the military potential for total destruction—there are other considerations we cannot afford to lose sight of, if we are to survive as a free nation.

President Nixon's goals are a generation of peace, a generation of prosperity, and a generation of progress.

But we can only have peace, prosperity and progress as long as we maintain the strength and the will to protect ourselves from those who would see America weakened or even destroyed.

STRENGTH TO AVOID CRISES

And, even as the President is successfully winding down the war in Vietnam, there are signs that some politicians are seeking to deprive America of the strength and international credibility it will need, if we are to avoid future crises of a similiar or even graver nature.

Only recently we have seen powerful politicians, including the Majority Leader of the United States Senate, call for a unilateral, fifty percent reduction in American forces in Europe.

Now, on the face of it, this proposal may sound sensible. It is argued that more than a generation has passed since the end of the Second World War; that Soviet intentions have "mellowed"; and that it is time for our European allies to take up more of the burden for their own defense.

NEW THREAT TO PEACE

And there is a measure of truth in each of these assertions. The Second World War has been over for a quarter of a century—but the crushing of Nazi aggression left the world faced with a new and even more powerful totalitarian threat from the Soviet Union—as the millions of conquered peoples of Hungary, Czechoslovakia and the other Russian satellite states can attest to.

As for Soviet intentions mellowing, this may or may not be true. What is certain is that a unilateral American reduction in Europe would encourage a harder, not a softer, line from the Russians. It would leave them with all of the cards in their hands, and leave western Europe vulnerable to military blackmail. This, in turn, could well lay the groundwork for nuclear confrontation. And that is the grim prospect that American policy and American statesmen should seek to prevent.

All of us remember President John Kennedy's visit to the free city of Berlin. He said that he, too, was a Berliner in the sense that free men everywhere are part of what that city stands for, as an island of freedom, surrounded by communist tyranny.

And, more recently, we remember Richard Nixon's successful visit to Berlin, one of several he has made over the years, when the people of Berlin turned out by the millions to cheer an American President who symbolized to them the hopes and dreams of future freedom.

POTENTIAL TRAGEDY

What a tragedy it would be—and what a blow to freedom and the hopes for future peace—if short-sighted politicians in the United States Senate were to succeed in undercutting this nation's commitment to the men, women and children of free Europe and free Berlin and—yes—free America.

What a mockery it would make of President Kennedy's words of hope in 1960, and of President Nixon's reaffirmation of our country's determination to stay true to its trust.

And what a Pandora's box of future demands and confrontations it would open up with the Soviet Union.

EASY POLITICAL COURSE

The easy political course today, with the American people war-weary and tired of international affairs, is to preach a pull-back; to join the bug-out brigade and pretend that, like the ostrich all we have to do to solve world problems is to forget about them—to close our eyes and bury our heads in the sands of an American beachhead. That might be the popular course to take today. But President Nixon is concerned about tomorrow, and what it would hold for an America that abandoned its allies and encouraged its enemies to new demands. The peace he seeks, he has reminded us, is not alone for our generation but also for their generation—the generation our children and grandchildren represent.

WEAKENS CHANCES FOR SOVIET AGREEMENT

This last week, the Soviet Union has suggested that it might be willing to discuss a mutual pull-back of troops in Europe. How easy it would be for them to withdraw that offer if they thought that American politicians at home were going to force a one-sided pullout of our troops that would not be tied to Russian withdrawal. Given this new Russian interest in negotiating mutual action, the worst thing the Senate could do would be to undercut the President's options.

NATO FOSTERS STABILITY

One reason that Russia has shown a willingness to tone down its behavior in recent years has been because—not in spite of—our strong military presence in Europe. The existence of a credible NATO deterrent has been concurrent with the so-called mellowing of Russian foreign policy.

The presence of U.S. forces in western European countries under NATO has kept traditional rivals like England, Germany, Italy, Belgium and the Netherlands working together, with a unified defense that has withstood communist pressures from without, and discouraged communist agitation from within.

EUROPEAN CONTRIBUTION

While we rightly seek greater participation by European members of NATO, the fact is that non-American members of the alliance spent more than $24 billion for defense in 1967. They maintain more than two million men under arms in Europe and Turkey. Yes, they can do more—but they already are doing a great deal.

For us to undercut their efforts at defense, instead of encouraging them, would be to demoralize the forces of freedom in Western Europe, and that would set the stage for increased Russian pressure and growing alienation of America from our friends around the world.

NIXON GOAL IS PEACE

Our goal is peace—and that goal is served by reaching a mutual agreement with our allies and the Soviet Union, not—as some politicians would have it—by leaving a tempting power vacuum for the Soviet Union to fill.

This is an error that President Nixon will never be guilty of—and we should support his forthright, intelligent stand on this matter, for it could be the key to future peace and security not just in Europe, but in a global context.

PLEDGES STRONG DEFENSE

It is with this same concern for future peace and security in mind that his Administration has pledged itself to maintaining a strong national defense.

The only way this nation can live free from fear is to remain militarily strong, remain, if you will, number one. When we reach the point when we are clearly number two to a nation with world domination as its aim, we will be in no position to try harder. We will be a people living in fear.

And yet there are those who do not recognize this, or will not admit it or do not care about it.

In recent weeks a group of persons both in and out of Congress has begun to slash away at the proposed Defense Budget for FY 1972. Not a week goes by but a panel announces results of some new investigation which purportedly shows that defense funds are being gravely misspent. Now, nobody approves of waste, and I am sure that in some cases it may be that a program could be improved or a tighter rein could be held over costs. Yet, the fact is that when the members of this group are not for the most part concerned with improving a single program or even with offering constructive suggestions for developing our defense capabilities, but rather are launching an across-the-board attack on each and every new or projected military program, we can rightly question the overall aim.

THRIFT NEEDED IN OTHER FIELDS

In any government spending program, not just in defense, there is a constant struggle to keep the cost in line but I do not recall any member of this bipartisan group launching an attack on cost overruns in a welfare program or demanding across-the-board cutbacks in domestic spending.

A close look also shows that this organized attack on our defense budget is also an attack on the Committee system. It is an attack on the manner in which Congress has organized itself to do business. Congress cannot function if every item of business is to be subjected to an extra-legal attack by an organized minority. Every program in the Defense budget is subjected to the scrutiny of the distinguished Members of the Senate Armed Forces Committee. Every penny that is spent for these programs is scrutinized by the distinguished Members of the Senate Appropriations Committee. And I think that a fair examination of the rosters of these Committees will show no discernible bias or collective philosophical bent. Both Committees have a wide spectrum of members of every philosophical persuasion and I cannot believe that they are so lacking in objectivity that their work has to be reexamined and undermined by a self-appointed ad hoc group. Who is more apt to come up with a responsible approach to the problems of oversight on military spending—a group chosen by the Rules of the Senate and through the balanced working of political forces? Or a hastily-assembled, part-time committee lacking the resources of the committee experts and interpreting every fact through the prism of their particular political vision? It is certainly proper for the recommendations of the committees to be carefully scrutinized and to be debated on the Floors of Congress, but I am wary of and I see nothing but trouble coming out of an organized "shadow-committee" system which is mounting the debate in press conferences and media presentations.

DEFENSE A FIRST PRIORITY

Under the press of domestic considerations and demands perhaps it is not easy to accept the fact that national defense must be our first priority if we are to be able to adopt a plausible stance in our bargaining with the Soviet Union. In recent weeks. Defense Secretary Melvin Laird has clearly outlined the strategic problems which this Nation faces. He has pointed out that the Strategy of Realistic Deterrence adopted by this Administration is based on four realities: a strategic reality; a fiscal reality; a manpower reality; and a political reality. The Secretary's discussion of those realities leads me to this expression of grave concern over our future defense policy and capability.

In his recent remarks, the Secretary assessed the strategic reality as the "most pressing" one. That reality stems, primarily, from "the tremendous growth in Soviet military strength in recent years," the Secretary said. He added that it also includes "an emerging nuclear capability on the part of the People's Republic of China."

ADVOCATES OF WEAKNESS AT HOME

What concerns me deeply is that, in the face of this growing threat, the primary factors with which the Secretary must concern himself as regards the fiscal and political realities are the heavy pressure from anti-defense groups in Congress as well as from certain elements of the domestic political enemy is abroad, yet it appears that much of the battle must be fought at home.

I cannot understand those who appear to think that once we are out of Vietnam we can forget about defense needs entirely and concentrate both our attention and our vast new resources—released from the defense budget—on domestic problems.

Such a concept is totally lacking in realism, if viewed in the context of the Soviet and Chinese military growth posture outlined by the Secretary and by the Blue Ribbon Defense Panel appointed by the President and Secretary of Defense in July 1969.

RUSSIA BOOSTS DEFENSE EFFORT

Let's look at the bare facts. The impact of inflation is such that, in terms of buying power, our defense budget is today virtually the same as it was in 1964 when we sent the first observers to Vietnam. Yet the Russians have increased their defense spending in absolute terms, approximately 25 percent per year over the same period of time.

Military pay and related costs in the Fiscal Year 1972 Budget will claim some 52 percent of the total defense budget if the recommended pay increases are adopted. It will cost us almost $18 billion more than it did in 1964 for 133,000 fewer people—and without any consideration for the inflation factor. The Russians on the other hand spend about 25 percent of their defense funds on their 3.3 million man armed force.

U.S. COSTS RISE

Costs of virtually every piece of military equipment we purchase are substantially greater now than in the past—and I do not buy the demagogic argument that this is due to gross "waste" and "mismanagement." These are highly sophisticated weapons necessary to meet the new technology of the enemy. The F–14 and F–15 fighter planes which today cost $12 million apiece replace fighters that cost $3 million in 1961 and $53,000 in World War II.

The Navy's newest destroyers now cost $90 million each and replace World War II vintage vessels that originally cost $6.5 million to build. The World War II era M–4 tank cost about $70,000. Today's Main Battle Tank will cost us at least $600,000.

The same story is true for any other new weapon system, submarines, bombers, carriers, etc.

And the cost of all these conventional weapon systems if rather insignificant if compared with the strategic systems and space military technology.

SOVIET MISSILE BUILD-UP

In December and January the reports reached us that the Soviet Union had slowed down its rate of missile deployment after having reached a level of approximately 1,450 land-based ICBM's or about 400 more than the comparable U.S. number. But recent evidence seems to indicate an extensive build-up of newer and even larger missiles.

On top of that, new evidence shows that Moscow has speeded up testing of new ABM missiles and associated advanced radar equipment. They seemed to have resumed the construction and expansion of their ABM defense system around Moscow, after a halt of some three years.

The same situation appears in the area of submarine-based missile power. While we apparently still have some advantage in Polaris and Poseidon class vessels today, the USSR is rapidly closing that gap with an energetic construction program that continues far ahead of our present level of effort and anything we could practically match in the immediate future.

In space, the Russians are making substantial progress toward a system of space ship "hunters" with a capability for inspecting and possibly destroying U.S. space vehicles—a project which in this country was abandoned over the objection of the Air Force a decade ago.

STRENGTH FOR PEACE

In the face of all these developments it should be amply clear that the Soviet purpose of decisive superiority in military hardware has not diminished and that more than ever our hopes for a generation of peace must be grounded in an adequate defense system.

To fail to provide for an adequate defense for tomorrow because we are winding down an unpopular war today, is to fail the substantial majority of today's Americans and all her future generations.

What rational explanation will any of us have for that failure, and who will be willing to accept that explanation if a misguided few succeed in turning the President's hopes for a generation of peace into the abyss of a century of fear?

Fortunately, these hopes for America can be saved—but they can only be saved if we continue to support leaders like Richard Nixon and Margaret Chase Smith. I believe that the people of Maine realize this, and that the people of America realize this. In the coming months we must keep their awareness of these vital issues, and their commitment, alive and growing.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ORDER FOR ADJOURNMENT FROM WEDNESDAY UNTIL 10 A.M. ON THURSDAY AND FROM THURSDAY UNTIL 10 A.M. ON FRIDAY

Mr. MANSFIELD. I ask unanimous consent that when the Senate completes its business on Wednesday and Thursday, it stand in adjournment, and that the Senate convene on Thursday and Friday at 10 a.m.

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

Mr. MANSFIELD. Is my understanding correct, Mr. President, that an agreement has already been reached to come in at 9 o'clock tomorrow morning?

The PRESIDING OFFICER. The Senator is correct.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

THE MILITARY SELECTIVE SERVICE ACT

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the unfinished business, which the clerk will state by title.

The assistant legislative clerk read the bill by title, as follows:

H.R. 6531, a bill to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The pending question is on agreeing to the Nelson

amendment to the Mansfield amendment to H.R. 6531.

Mr. AIKEN. Mr. President, as Senator MANSFIELD suggests, it is now high time that the Congress go on record as favoring a significant reduction of our military presence in Europe.

Or, alternatively, if the Europeans prefer to have our police forces there, they should take the responsibility for their payment in the one clear and simple way open to them, namely, by revaluing their currencies in terms of the dollar.

I had hoped, and I am sure Senator MANSFIELD did also, that our allies might have chosen to take the step of revaluation during the recent international financial crisis.

Suppose, for example, some European statesman had risen to the occasion and cast the decision in terms of repayment of the Marshall plan grants.

After all, today's exchange rates were set, basically, at a time when Western Europe was prostrate in the wake of war.

A realinement of exchange rates now could be a noble repayment of a noble investment.

Perhaps the opportunity will come again.

I think it would more likely come if Congress made clear now its feeling, that after 20 years. Western Europe should decide to accept the burdens of its own defense.

This does not imply a unilateral action by the United States.

On the contrary, it asks European allies to make decisions themselves.

I confess a lack of understanding of the President's evident desire to postpone such a happening.

I thought the Nixon doctrine envisaged predicating our actions more on the willingness of others to take responsibility themselves, and less on a unilateral assumption of responsibility on our part.

I thought this was the heart of the President's policy in Southeast Asia, a policy I have supported and will continue to support.

Yet here we see the President mobilizing old advocates of old causes, not to buttress his actions in Southeast Asia where he so badly needs support, but to champion the status quo in Europe for which these same advocates planted the seeds nearly a generation ago.

I wonder if this makes the new foreign policy more believable or whether it will create a new wave of disbelief in our Government pronouncements.

Many years ago, a very close adviser to the President recognized that the question of how many troops we keep in Europe is less a matter of negotiations between ourselves and Russia than it is between ourselves and our allies in Western Europe.

This very close adviser wrote at that time:

> The European refusal to assign a meaningful military mission to conventional forces in Europe is incompatible with the indefinite retention of large United States forces there . . . If the Europeans want to insist on an automatic nuclear response, a reconsideration of our conventional deployment on the Continent will become inevitable. Refusal to face these facts will guarantee a perpetuation of present disputes and increasing disarray within NATO.

That was written in 1965 in a book called, very aptly, "The Troubled Partnership," by Henry A. Kissinger.

Since we in Congress are not favored with Mr. Kissinger's appearance before committees, I would like at this time to congratulate him on his foresight of 1965.

It is more true today than when Mr. Kissinger wrote that the question of how many troops we should keep in Europe is first and foremost a matter of negotiation between ourselves and our allies.

The Russians for almost a year now have expressed interest in talking to NATO about force levels in Europe.

The significant thing now is that President Nixon chose this moment to reply affirmatively to their suggestion.

However, let us not mistake the real position of the Soviet Union.

The Russians have to station their forces on the territories of their allies—Czechoslovakia and Poland particularly—in order to keep those countries within the Soviet sphere.

At no time has the existence of our troops in Europe had the slightest influence on Soviet strategy or tactics in these matters; for, without the armed intervention of the Russians, some of the countries of Eastern Europe would have left the Soviet orbit years ago.

Reducing our troop strength there can only make the obvious more plain, that Russia must use force to keep its allies in line.

As for the Western Europeans, they have to decide how they will cope with their own defense in these circumstances.

They may decide, as General de Gaulle did, that they have to have a nuclear deterrent of their own.

They may decide to pay us to keep our troops in place while they make up their minds.

If surplus dollars are really an embarrassment to our friends in Europe, we might ask them to consider spending more of them this way.

They may decide to replace our conventional forces with more of their own.

Or they may decide to do nothing, the worst alternative from both their interest and ours.

But in any case, we cannot make the decision for them, nor can we any longer afford to relieve them from making a decision.

This is why I think it is time that Congress went on record as favoring a significant reduction of our troop strength in Europe.

The amount of the reduction and its timinig are less important than a declaration of policy.

Although I am a cosponsor of the Mansfield amendment, I do not favor trying to tie the President's hands with congressional deadlines, whether they be for troop withdrawals in Vietnam or in Europe.

We now have more troops in Europe than we have in Vietnam.

A cynic might ask whether Western Europe is in more danger of a Communist takeover than South Vietnam.

Enough troops should be left, no doubt, to serve as an expression of our intent to stand with our European allies should they be attacked from the East.

And enough should be left, no doubt, to serve notice that we have a vital interest in maintaining a balance of power between Israel and the Arab world—a subject to which NATO could well address itself.

The North Atlantic Treaty, of course, remains a basic cornerstone of our foreign policy, but the NATO organization is something else again.

The usefulness of this organization has to be reexamined again and again.

More than enough American troops are in Europe to serve our objectives, unless, of course, our allies wish to pay for their continued presence.

A declaration by Congress on this matter, coming at a time when it seems that the British may finally be joining Europe in the Common Market, should give to that historic decision a dimension more fitting to its real importance than any neat calculation of economic benefits and costs.

I assume that the Common Market aspires to be more than an association of grocers.

I assume it is a step toward Western Europe resuming responsibility for its own defense and for its own collective and distinct contribution to a better and safer world.

This is what we had hoped for when we launched the Marshall plan.

This is what we had in mind when we used to talk of a United States of Europe.

The time has come to see if yesterday's hopes were justified or not.

I think they were, and that, by curtailing our responsibilities and tailoring our actions more to the willingness of others to take more responsibility, we will prove the validity of those hopes.

The withdrawal of our forces from Europe should, of course, be more gradual than the Mansfield amendment calls for; but to take the position that no withdrawal at all should be made is definitely not in the interest of the present and future generations.

I am advised that the French have a saying that it is sometimes wise to step back in order to better advance.

Up in New England we say that it is better to back up to get a start.

If the Nixon doctrine does not embrace this bit of wisdom, then I fear, as I expressed last February in talking about Southeast Asia, that it will only breed a new isolationism.

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

Mr. AIKEN. I yield.

Mr. MANSFIELD. Mr. President, as always, the distinguished Senator from Vermont, the dean of the Republicans in this body, has said in a few words what it takes the rest of us to say, if we can, in many words. He has been brief and to the point. No words have been wasted. The position of the Senator is, as always, clear; and I was interested in a number of statements he made in the course of his speech. The last sentence, for example:

> If the Nixon doctrine does not embrace this bit of wisdom—

In other words, to fall back to move forward—

Then I fear, as I expressed last February in talking about Southeast Asia, that it will only breed a new isolationism.

May I say that, in my opinion, we have in effect created for ourselves a form of isolated internationalism; and we have not awakened to the fact that it takes more than one to dance; and that people who do have to work in tandem.

On page 2, the Senator mentions the Nixon doctrine for the first time and states:

I thought the Nixon doctrine envisaged predicating our actions more on the willingness of others to take responsibility themselves, and less on a unilateral assumption of responsibility on our part.

The Senator is absolutely correct. That is what the doctrine meant, based on the Declaration of Guam. That is what a lot of us hope is what the doctrine still means. It not only envisages responsibility on the part of other nations in looking after their own defenses and looking to their own future, but it also calls for a "low profile." I put the words "low profile" in quotes.

So far as we are concerned, our profile in Western Europe has not been lowered. If anything, it has been raised. The situation there has not been affected one whit by the Nixon doctrine which I approve, even though the Nixon doctrine is supposed to apply on a world-wide basis.

The Senator states further,

I thought this—

Meaning the Nixon doctrine—

was the heart of the President's policy in Southeast Asia, a policy I have supported and will continue to support.

Well, the Nixon doctrine has been put into effect in Southeast Asia and the Western Pacific. It has drawn down troop personnel in Japan, in Okinawa, in the Philippines, in Thailand, and in South Vietnam, where I understand the withdrawal rate is in excess of 10,000 beyond what the President envisaged at this date, and the total is down to approximately 262,000 out of something on the order of 540,000 when President Nixon assumed office on January 20, 1969.

So, it must be stated for the record that much more than half the troops who were in Vietnam at the time the President took office are now out of Vietnam.

Then the Senator makes another cogent comment in referring to a close adviser to the President, Dr. Henry Kissinger, a man of great intellect, that while the question of negotiations between ourselves and the Soviet is very important, perhaps more important is the question of negotiations between the United States and our allies in Western Europe, in this instance, and elsewhere, generally speaking.

I think it is interesting to note that in that same book, entitled "The Troubled Partnership," written in 1965 by Mr. Kissinger—and there are several items that I call to the attention of the Senate but one will suffice—he has the following to say on pages 232 and 233:

If we insist on remaining the sole trustee of policy everywhere, including Europe, the strain on our resources and ingenuity may well be too great. The day will come when we will consider a measure of autonomy in Europe a blessing rather than an irritant.

I agree wholeheartedly with the distinguished Dr. Henry Kissinger. Many of us have been stating time and time again in relation to this statement, for example, that so far as our population is concerned, it is limited—perhaps 203 million at the present time; and so far as our resources are concerned, they are not unlimited. Furthermore, we are not the policeman of the world. We cannot be, we do not want to be and, the people would not allow us to be. We have taken on a great many responsibilities. We have mutual security agreements with 42 or 43 countries at the present time, and we have taken unto ourselves a position which is quite contrary to the American position through the decades and the centuries. Of course, the world has changed. We have to change ourselves, at the same time, but I do not believe that we should change too much. I do not think that we should take unto ourselves the responsibility for the entire world, patrolling all the oceans, having bases on all the continents, and having troops stationed in all parts of the globe.

This is all done at a tremendous cost to the American people and at a tremendous price so far as this country's relations with the rest of the world are concerned.

The Senator also states:

The Russians for almost a year now have expressed interest in talking to NATO about force levels in Europe.

The Senator is correct, but I do not know what kind of burr we would have to put under the saddle to achieve a reaction which would make this proposal something more than words.

Almost a year ago—I think, last March—the suggestion was repeated. Now when we are considering the pending amendment—which has a good deal of support in this body—and only when Mr. Brezhnev, Chairman of the Communist Party of the U.S.S.R., speaking in Tiflis, Ga., refers to the subject in an obscure part of the speech, do we indicate an interest in negotiations with the Soviet Union.

Well, may I say that those negotiations can be carried on just as capably with 150,000 military American personnel in Europe as it can with 325,000, as is the case at the present time.

I am delighted that under instructions from this administration, specifically from Secretary of State Rogers, our Ambassador to the Soviet Union, Mr. Jacob D. Beam, met yesterday with Mr. Gromyko, the Foreign Minister of the Soviet Union, and I think is meeting with him today. Hopefully, out of these meetings will come a clear understanding of how the wine tastes and what the label on the bottle means.

Furthermore, we are aware of the fact that on June 3 and 4, I believe, there will be a meeting of the Foreign Ministers in Lisbon; and in the following week, in June, I believe I am correct that there will be a meeting of the NATO Defense Ministers in Brussels.

It would be my hope that at these two meetings the subject of Mr. Brezhnev's suggestion will be brought up. It would be my further hope that the Foreign Ministers—and they should take precedence over the Defense Ministers in this world of ours—would give not only serious consideration and study to and show interest in what Mr. Brezhnev said, but also lay the groundwork for a formal offer to be made in the affirmative, so that a meeting, perhaps in the middle of next month, certainly not beyond the latter part of June, could be arranged for the beginning of talks seeking to enter into negotiations between the NATO countries and the Soviet Union.

May I say that relations between all the NATO countries and the Soviet Union are excellent—first rate. Trade is good in the Eastern European countries. I think our trade amounts to $300 million and that of Western Europe amounts to $3 billion. Their trade with the Soviet Union is in excellent shape. Not only that, but the Germans and the Belgians and others formed a consortium about 3 years ago to build in Western China a $150 million steel rolling mill. Thus, the contacts are good, economically, culturally, and socially. But it is an odd fact that every time a proposal is made in the U.S. Senate to bring about a reduction of U.S. military personnel and dependents in Western Europe, it is denounced by the Old Guard, by the oldtimers, by the people who had a vested interest in the creation of NATO.

May I say that the distinguished Senator from Vermont and I also had an interest in the creation of NATO, because it was not made by those who live downtown. It was made on the floor of the U.S. Senate; so was the increase from two to six divisions made here on the basis of rollcall votes.

I was not in the Senate at that time. I was in the House, and my recollection is that over there it passed on a voice vote. But the record itself is here as to what the Senate did and what it considered in the way of amendments, and how the Members of the Senate at that time voted.

It is said that this country must not make a unilateral reduction because it would shake, if not loosen, the foundations of NATO. But NATO's foundations were not shaken or loosened when De Gaulle withdrew France from NATO, even though the French still maintained two divisions, about 60,000 men, in southern Germany.

The foundations of NATO were not shaken or loosened when the Prime Minister of Canada, Pierre Elliott Trudeau, who is now visiting Moscow on an official state visit, withdrew one-third of the Canadians assigned to NATO, and will very likely withdraw more.

The foundations of NATO were not shaken or loosened when the Portuguese sent some 60,000 of their troops to Portuguese Guinea, Mozambique, and Angola.

The foundations of NATO were not shaken or loosened when Great Britain did away with conscription entirely. Nor were they shaken or loosened when Norway, I believe, Denmark, Belgium, Holland, and I think, Germany as well, reduced their periods of conscription below the 2-year limitation.

France, I think, still maintains a conscription for that period. But the United States maintains a conscription policy which goes far beyond the 2 years as far as the obligations and responsibilities of draftees are concerned. However, whenever we try to do something unilaterally, the reaction would make one think that the world was going to shake to its very foundation. But as Mr. Kissinger implied in that well-thought-out book of his—which I enjoyed reading—though he did not state specifically, we only have so many people. We only have so much in the way of resources; and I think we have to recognize that we just cannot fall back on policies which were good a decade or two decades or a quarter of a century ago.

It is most unusual, Mr. President, for a foreign army—I hesitate to use the word "occupation"—for a foreign army to be in Western Europe for more than a quarter of a century after the Second World War.

Most of our population today is under the age of 30. What is their reaction to what the elder statesmen said downtown? What is their reaction to maintaining all these forces in Europe for all these years, more than a quarter of a century?

I do not think they are too much interested in the past, and do not have the vested interest that some of our elder statesmen and old guardsmen have. They do not have that interest because many of them were not even born when this policy went into effect.

What these people are interested in is not looking over their shoulders at what might have been good 2 or 3 decades ago. They are interested in today—today. Today means that they are interested in realities of the present and not shadows of the past.

Not only are they interested in today, but they are looking forward to tomorrow with some hope. And I would hope that the Senate of the United States would give them a beacon to which they could look with anticipation and with hope, because our responsibility is a great one, individually and collectively.

I do not denigrate the President's responsibility, for his is a greater one than ours because of the office which he holds. I have great sympathy with any President, because I know of the difficulties and the burdens which are the President's. I wonder sometimes, incidentally, why anyone wants to run for the presidency. It is such a burden. It is such a responsibility. It is reaching the stage where, really, no one man can encompass all those responsibilities in the decisions which he is called upon to make.

So, I would hope that during the 1970's—and this is an aside—that the constitutional amendment offered by the distinguished Senator from Vermont and me, seeking to limit the President to one 6-year term, would be given the consideration it deserves and would, in fact, become a part of the Constitution.

The Senator says further:

Enough troops should be left, no doubt, to serve as an expression of our intent to stand with our European allies should they be attacked from the east.

Mr. President, I would not argue with that proposition because both the Senator from Vermont and I believe in NATO explicitly and devoutly, but not as that organization, as the Senator has pointed out, has developed, because we are carrying too much of the burden. We are paying too much of the cost, and we are taking unto ourselves too much of the responsibilities.

Why, for example, is it necessary that an American general always be the commander in chief of NATO? Well, I think the answer is that they want to keep us there and they want to keep our troops there.

I would like to see this spread around so that other members of NATO could have as a commander in chief one of their outstanding generals. They could follow well in the line of succession made by such outstanding leaders as General Eisenhower—who incidentally thought one American division would be enough to take care of our needs in Europe and serve as an earnest of our intent—General Lemnitzer, General Norstad, General Ridgway—one of the very best generals that this country has produced—and now General Goodpaster, who, in addition to being a sound military man, also is, I understand, the holder of a Ph. D.

But the Commander in Chief of NATO should not be an American monopoly. We ought to spread that authority and that responsibility around. I understand that once in awhile the Deputy Commander in Chief has been a European, but I believe that is rare.

Then, the Senator states:

And enough should be left, no doubt, to serve notice that we have a vital interest in maintaining a balance of power between Israel and the Arab world—a subject to which NATO could well address itself.

Mr. President, may I say "Amen." It is a subject to which NATO could well address itself, if for no other reason, because of the geographical closeness of the Middle East to the NATO countries. But what has NATO done; what has the membership of NATO done, outside of this country primarily, with some incidental help, and very little, from France and England, to try to achieve stability in the Middle East? The answer is nothing. So there again, the responsibility unilaterally, if you please, Mr. President, is placed upon us.

I must say in all candor that I thoroughly approve the policy of President Nixon and Secretary Rogers insofar as the Middle East is concerned. I have nothing but words of praise for the Secretary's explanation to the Senate some weeks ago, and for the encouraging results—at least they seem so to be up to this moment—of his recent trip to the Far East. What he is trying to do is to keep out of a physical involvement and I am all for him. What he is trying to do is to walk a tightrope, a line between the Israelis and the Arabs in an attempt to bring them together so that there could be negotiations and there could be possibly a settlement in this tinderbox area of the world.

I have said more than I intended to say, but all I want to say in conclusion is that there is no man in the Senate for whom I have greater respect or affection than the Senator from Vermont. I want to say again what I have said many times before, that anything to which he attaches his name becomes instantly a badge of respectability and integrity. I commend the distinguished Senator.

Mr. AIKEN. Mr. President, of course, I want to thank the majority leader for his concluding remarks.

As something of an anticlimax to his convincing and expressive comments, I would like to read into the RECORD the observations of Dr. Kissinger relative to the economic recovery of Europe and the organization of the military establishment there, if I may have not over 2 minutes.

Mr. MANSFIELD. The Senator may have all the time he desires.

Mr. AIKEN. I quote from chapter 4 of Dr. Kissinger's book, "The Troubled Partnership." Chapter 4 is entitled "The Nature of the Strategic Debate," and the material I will quote is on pages 94 and 95:

When the United States gave economic assistance to Europe after World War II, it tried to induce its European Allies to assume responsibility for developing a joint program and a system for dividing up the total available aid. Though United States representatives played an active and important advisory role, the basic scheme was European. This cooperative effort spawned the Schuman Plan and later the Common Market. It encouraged the emergence of a responsible group of European leaders, dedicated to Atlantic partnership and experienced in working with the United States. The Atlantic Alliance owes a great deal to the habits of cooperation and mutual respect developed during the Marshall Plan.

Then, he goes on to say in another tone of voice:

In the military field, by contrast, the United States never encouraged the emergence of a specifically European point of view. It made no effort to stimulate European institutions comparable to those it fostered in the economic sphere. The Western European Union (WEU), which originally had been expected to play that role, has remained dormant. Thus NATO strategy has always been based on more or less unilateral American conceptions. The consultative role of our European Allies has been confined in effect to the technical implementation of American views. No specifically European concept of defense—and no real European sense of responsibility—has developed.

Mr. President, that is not my comment; that is the observation of Dr. Henry Kissinger. I believe those observations are entirely correct and that they cannot be questioned in any way.

NATO to this day, as the majority leader said, has been under the command of Americans. It has been, in effect, a unilateral American operation and, in my opinion, that is the reason that France decided to withdraw, because the French are a proud people and they did not want to serve under Americans forever; but they have not withdrawn from agreeing to the defense of Europe, should the necessity arise.

There are many other quotations in the book to which I have referred. I suggest that Senators would find Dr. Kissinger's book very informative reading. I think Members of the Senate would

want to read this book. I think it completely refutes the rumors that Dr. Kissinger formulates the international policies of the United States, because no responsible citizen could change his mind in the short time which elapsed between the publication of this book and the present day.

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

Mr. AIKEN. I yield.

Mr. MANSFIELD. I agree with what the Senator from Vermont just said. I am sure the Senate will be the beneficiary of these pearls of wisdom which are being resurrected on the floor of the Senate today.

I have never for a moment believed that Dr. Kissinger made the policy of this country, because I think the President and the Secretary of State are responsible enough, intelligent enough, and knowledgeable enough to be able to know what they were and are doing.

Of course, Dr. Kissinger is a valued adviser, who is a man of great intellectual capacity, who has a splendid reputation, and who writes books which we are willing to read with avid interest from time to time because of their merit and because of the philosophy and the thought entailed in them.

But the Senator is correct in pointing out that we have done lots of things unilaterally and apparently it is all right in some instances, but not in this instance.

The Senator has emphasized the fact that many of our allies have done many things unilaterally. We have not raised our hands in horror; we have just gone ahead, kept our troop levels up, kept on sending our dependents over there, and, in effect, became the country with the white hat, if a country can wear a white hat, in the affairs of Western Europe—the steady boy, the old boy, and the dependable boy.

We did all these things and we are doing all these things. Our friends and allies know it. Of course they are not taking advantage of us; they are just not living up to their obligations. When they feel a little heat, when they get in the kitchen, lo and behold, as they did last year, they come up with $1 billion which they are going to spend to reinforce and strengthen NATO over the next 5 years. As a matter of fact, it is less than $1 billion, and it comes to less than $200 million a year—in their own defense, in their own security. And some of our people tell us what a great job the Europeans are doing in carrying their end of the stick and looking after their share of the responsibility and shouldering their share of the burden.

I would express the hope, if I may, that while I thoroughly approve of the proposal which Mr. Brezhnev made in Tiflis, Georgia, last week, that while I thoroughly approve of the statements made by the administration that they are interested and are studying the proposal, and that while I thoroughly approve of the fact that, under orders of Secretary Rogers yesterday, Ambassador Jacob Beam meet with Mr. Gromyko, Foreign Minister of the Soviet Union, I must say I will look forward with interest to see just how far these very small beginnings go, just what is done in the way of bringing the opposite sides together, just what is contemplated in facing up to the question of mutual troop reductions, which we are suddenly developing an interest in after almost a year and three proposals, because I want to assure the Senate that, as far as the question of U.S. troops and dependents in Europe is concerned, it is not, and it will not be, a dead letter.

Mr. AIKEN. Chronologically speaking, the Russians' first offer to discuss troop reductions in Europe was made on June 27, 1970. It was responded to by the United States in December of the same year. The Russians again offered, during the Brezhnev speech on March 30, 1971, to the Party Congress, to consider troop reductions in Europe. On May 14 of this year—that is only last week—Brezhnev made stronger his invitation to the North Atlantic Alliance to open negotiations in Central Europe relative to troop reductions.

The White House promptly picked up this May 14 offer as support of its position against the Mansfield amendment and generally made quite a big thing out of it, whereas before, the offer had been played down, as seen by the fact that there was nothing in the way of a formal reply between June 27, 1970, and last December.

Secretary Rogers on Sunday said that Mr. Brezhnev's statement of May 14 was a little vague, but the State Department had instructed the U.S. Ambassador, Jacob Beam, to obtain certain clarifications. I hope they mean troop reductions in Europe, and I hope they meet with the intention of doing something about it, and not initiate another series of talks that will run over the years while we continue the status quo and the honorable gentlemen of a generation ago still insist that they were right, that the status quo of those days must be maintained now and forever. I hope this time, when we say we will meet with them regarding troop reductions, that we mean what we say, and I hope the Russians do, too.

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

Mr. AIKEN. I yield.

Mr. MANSFIELD. As I recall, Mr. Brezhnev, in Tiflis, Georgia, made some reference to the wine in the bottle and the label on the bottle. I would suggest that we taste the wine to see whether it is sweet or sour, dry, or whatever else it is supposed to be. I would also suggest, as he suggested, that we read the label on the wine bottle, and if we have any specific questions to ask them, to ask them and to ask them now.

Mr. AIKEN. But if we do not take the cork out of the bottle, we will never know the taste.

Mr. GRAVEL. If the Senator will yield, I think we can wonder if the bottle was ever delivered.

Will the Senator yield?

Mr. AIKEN. I yield.

Mr. GRAVEL. I would like to join the distinguished majority leader in his remarks about what I think was a fine, cogent, precise statement, and certainly is equal to the words of 2 days.

I would like to go to one point the Senator from Vermont raised on page 6 of his statement, where he briefly referred to the fact that NATO is not participating appreciably in the problems of the Middle East. The need for this is demonstrated by the fact that 75 percent of all the energy source of Western Europe comes from the Middle East. So, were a conflagration to take place in the Middle East, which would deny Western Europe its fuel, the wheels of NATO would grind to an immediate halt. Since we would have all these people there, not only American troops, but the troop forces of Western Europe itself, they would be totally incapacitated without fuel.

The point I wish to raise, besides emphasizing that point, is that if we had x number of troops in Germany, and if Germany, at the height of a crisis in the Middle East, felt it was not in its interest to permit American troops to move from Germany to the Middle East, is there not some situation where the host government in whose country our troops were stationed could have a say-so as to where those troops could go and where those airplanes could fly; for example, whether airplanes at the Air Force Base at Securis could be used in the Middle East?

Could the Senator from Montana and the Senator from Vermont, being on the Foreign Relations Committee and knowing more about this than I do—and I confess I do not know the answer to this question—comment on whether the host country would have some power to impair our ability to function in a global capacity, not just in Western Europe, if we have our troops there?

Mr. AIKEN. There is no question that countries where we have troops stationed—and I believe there are about 60 of them in all—would have the ability to impair our operations in the event of an international crisis. I do not think the countries of Western Europe would undertake to do that. I think they should be more concerned with the Middle East than they appear to be. Many people think the United States is dependent on Middle Eastern oil. That simply is not so, and we should never get to be dependent on Middle Eastern oil. We now use only 2 percent of it.

I want to say, with the Senator from Montana, that Secretary Rogers and his associate, Mr. Sisco, and those who have been working there, have done an excellent job, for which Western Europe should be very grateful. That is another reason why they should be willing to take some of the load off our back in that part of the world, and not expect us to continue as a unilateral military defense action.

Mr. GRAVEL. I interpret the Senator's answer to my question to mean that it could impair.

Mr. AIKEN. The United States has fought against and with virtually every one of the larger nations of the world during its history. I do not expect human nature to change, although fear has played a great part in preventing a wider war than we have been engaged in up to this time.

Mr. GRAVEL. I would just like to state that I think that is a very important point, because obviously the oil comes from the Arab countries, and the interests of this country——

Mr. AIKEN. I was not advocating exclusive use of Alaskan oil when I said we should not depend on the Middle East.

Mr. GRAVEL. I would be happy to take that as an endorsement of the pipeline, which, of course, may be the subject of some future debate.

On page 4 of the Senator's statement, he says:

> At no time has the existence of our troops in Europe had the slightest influence on Soviet strategy or tactics in these matters; for, without the armed intervention of the Russians, some of the countries of Eastern Europe would have left the Soviet Orbit years ago.

We heard on this floor one of the basic thrusts of the administration argument stated by the Senator from New York (Mr. JAVITS). Unfortunately, he did not have time to stay here for this colloquy. I think the Senator from New York made an important point when he stated that when the concept of Ostpolitik first emerged, the silence in this country was deafening. Of course, I have heard rumors, and I am sure the Senators on the Foreign Relations Committee also heard rumors, that not only was there silence, but there was underhanded maneuvering to discourage people from embracing this concept of Ostpolitik. I believe the major thrust came to this floor in the statement by the Senator from New York that if we cut our forces in Europe, it will drive Western Europe east.

I have difficulty in understanding why one area which is economically more viable should now become the slave of another area which is less economically viable. But, my understanding aside, the Senator seems to indicate here that a movement east, essentially the Ostpolitik, if we were to encourage it, which we have not, but if we were able to bring about a greater rapprochement, or bring about the Europeanization of NATO, there might be a drift to the West.

I ask my distinguished colleague if the benefit would not be the easternization of the Western bloc nations by this effort, which would be more in our interest and the interest of Europe, to look toward the East, and that this would have a beneficial effect on Eastern Europe and not a denigrating effect upon our world defense posture.

That is what I read into this brief cogent paragraph. I wonder if my colleague would correct me if I read too much or read too little.

Mr. AIKEN. Let me say that the Western European countries have been moving east at a very considerable rate in the economic and financial fields. Very heavy Western European investments are now being made in Rumania, in spite of the fact that the Rumanian Government retains, I believe, 51 percent of the stock in the enterprise. A large share of this investment has come from Western Germany into the eastern countries.

We, ourselves, have done quite a lot of business with the East. In fact, when we had to give up, in complying with an edict of the United Nations, trade with Rhodesia in chromium, we transferred our purchases largely to Russia, and that is east of east, if I might say so. Russia only increased the price about 70 percent, and Rhodesia put their chromium on the open world market.

Mr. GRAVEL. If I could only add to the statements of my colleague——

Mr. AIKEN. But they are moving east, and the countries in Eastern Europe have shown a tendency and a desire to do more business with the Western world and have less dependency on Russia. That was demonstrated only a few years ago in Czechoslovakia, in that the military strength of Russia was necessary to keep Czechoslovakia in the Soviet orbit.

Mr. GRAVEL. So it would seem, and I believe I am in agreement with my colleague, that this is a beneficial development. And if these troop reductions were to bring about a rapprochement between Eastern and Western Europe, the effect would be, not to undermine our position, but to enhance the peaceful prospects of the whole world.

I think it is just an example of normal economics at work that there are investors in West Germany who invest in companies in East Germany, who take a prime contract as a West German firm and then farm out a subcontract to an East German firm, that they now own East German industries and develop trade, and we, of course, sit here as the fool in all of this, and pay the exorbitant prices. We could go on and on in that regard.

Mr. AIKEN. I think the West German businessman will go after the almighty deutsche mark wherever he can find it, and also the almighty dollar.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I think there is now about $50 billion in West Germany. I read, in an editorial in Life just yesterday, where German banks cashed 1 billion U.S. dollars in 1 hour, and then they stopped.

Mr. AIKEN. That is right.

Mr. MANSFIELD. But that $50 billion, redeemable in Western Europe, mostly in Germany, stands against the $10 billion to $11 billion in gold we have in the vaults in Fort Knox, Ky.; and the run is not on the deutsche mark, which is floating; the run is not on the Dutch guilder, which is floating; the run is not on the Swiss franc or the Austrian shilling, which have been revalued upward. They are not members of NATO. The run has not been on the ruble, but the run has been and is on the dollar.

This is a great way to be repaid for what this country did under the Marshall Plan and since—a plan which I voted for, and for which I have no regrets, which helped to bring about the rehabilitation and reconstruction of Western Europe, which was money well spent in my judgment.

I, frankly, am not looking for love nor admiration from the countries of Western Europe or their peoples, nor from any other countries or peoples, but I am interested in respect for my own country and respect for my own people.

Mr. AIKEN. The people of Western Europe, not only Germany but the other countries, are exceptionally good businessmen, and if we give them the opportunity to let us carry the load for them, I do not think we will gain their respect for it. I think they would respect us more if we took a firm stand in the interests of our own people and our own country.

Mr. MANSFIELD. And I think our own people would respect us more, too.

Mr. AIKEN. I am sure of that.

Mr. GRAVEL. Mr. President, if the Senator would yield so that I could ask a further question—or I would be happy to take the floor and propound the question.

Mr. AIKEN. Why not do that?

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. GRAVEL. Mr. President, I should like to pose a question. Obviously, under the rules, my colleagues need not answer, but I think with the opportunity of having the Republican dean of the Senate and the majority leader of the Senate present, if I could push the parameters of this colloquy out a little bit, it might benefit all of us more junior Members. I wish to speak, precisely, about the problem of recognition.

I noted in the press recently that 28 countries have recognized Eastern Germany. If the Europeanization of NATO were to bring about a rapprochement between Eastern Europe and Western Europe, and this would bring about a situation of recognition of East Germany, would that not be a beneficial direction for our policy to move toward? That would be a development of an approach to universalism, that we could recognize East Germany and at the same time seek to effect the membership of both East and West Germany in the United Nations. Would my colleague at this point wish to elaborate on the problems with respect to recognition of East Germany by this country?

Mr. AIKEN. No; I think we should let other countries make their own decisions before we go barging into the East versus West Germany controversy. We should give them opportunity to settle their own differences. We have made too many suggestions in some parts of the world already and have been rather insistent on them. I think we had better let the European countries settle their own affairs. I think they are perfectly capable of doing it. It may take some time because, after all, a great deal of face saving is involved in these differences. So I think we had better keep our hands rather clear, although I believe we are on record, and have been for the last 25 years, in favor of a united Germany. But we have not insisted on enforcing our position.

Mr. GRAVEL. I thank the Senator.

I should like to add that the concept of a united Germany, of course, is one that is wrought with many difficulties at this point. It might seem that if a change in policy in that regard would bring about a recognition of the status quo, of what exists in West Germany and in East Germany, this recognition alone might bring about a diffusion of our difficulties in Europe. I do appreciate the polarization that has taken place between economic

systems. But I do want to suggest the possibility of what would happen, and it was something that came to me when I was in West Berlin, listening to the mayor of West Berlin speak.

It occurred to me that the heart of the matter, the heart of our difficulties in Western Europe, does rest on the linchpin of recognition; that if we were to alter our policy into an acceptance that there are two Germanies and that there may well be two Germanies for a hundred years, and that that is the price that has been paid and may continue to be paid for the holocaust of the Second World War, it may alter our present polarized situation with the Soviet world.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I have listened with great interest to the Senator from Vermont and the Senator from Montana. I am one of those who owe a great deal to the Senator from Vermont over the years we have served in the Senate together, including the first few years of my service in the Senate.

One of the questions on which I have looked to him for guidance, particularly in those years—along with some others, of course—was the very question of NATO. The Senator from Vermont was always constructive and helpful about it, as was the Senator from Montana after he came to the Senate shortly thereafter.

I have looked to the Senator from Vermont and the Senator from Montana and others over the years, as this problem has developed, to keep up with the subject matter, which they have done. I do not think there is any great fundamental difference of opinion among us about the need for NATO and what it has done.

I say, with great respect, that it seems to me that the Senator from Vermont and the Senator from Montana and others might have overemphasized in their minds, for the time being, some figures about the cost of our troops being kept there, and have been concerned about the balance of payments and other matters that are collateral. Therefore, this has an overemphasis now on an immediate 50-percent drawdown.

We want to save money wherever we can, and I will mention some other places where I think we can save it. I hope we are getting started to do so, and I believe we are. But I am afraid that we lose sight of the main point here: What has the 25 years we have been talking about done? One thing has been a unity of living together without arming against each other in all of Western Europe that is unparalleled, without precedent for several hundred years.

I do not want the Senator from Montana to be referring to people as elder statesmen and pointing to me. I am not an elder statesman. I am not elder. I recall the beginning of World War II, and I know what has happened since then, and I have a little knowledge of history prior to this. I think the big thing that happened is not the number of troops or who has been commander, or just who voted for what or how much we are going to save by bringing the troops home. The big thing is that we have this united Europe, united to the extent that they are not militarily at each other's throats.

I believe that NATO played a tremendous part in bringing that about. I do not believe they are altogether over the hill as yet. But if NATO should break up, I believe that would prove how effective it has been in this field, because we would see a change.

Another feature is the great advancement they have made in an economic way, the multitude of nations in that relatively small area of the world—how they have joined to form the economic alliance of the Common Market, or whatever it may be called, which erases some of the barriers between them for trade and development, constructive economic development. That is without parallel among those nations for centuries and centuries. There is no modern parallel.

That is a big plus, a big development, that benefits not only us. Of course, it does benefit us to a great extent. I think it far outweighs arguments we might get into over a relatively few million dollars.

Those things are outstanding, and they have made me more content to go on and furnish what we are doing militarily, without trying to put a microscope on whether or not it is our part or a little more than our part. I think we have to keep our eye on the things that really count. Instead of having military competition, we have a military unit force there among all these nations—not to fight one another but to protect each other—and that was impossible before.

That is the biggest item about NATO. Let us look at the mountains and structures that are constructive and look to the future, the features that have kept the peace among those nations and have protected them from others, before we start falling out here and splitting up and going off in all directions, cutting each other up and voting against each other, when we are basically friends of NATO.

The Senator from Montana said that he had a reverence for it. I believe he said he believed in it devoutly, and I know that he meant exactly what he said. There will be time to make any adjustment that we think might be wise. We have to have the President of the United States in on these things. I do not care who is President, who has been President, or who the future President may be. We have to have the Chief Executive in on these matters, just as they have to have their Chief Executive in on whatever they do.

Mr. AIKEN. Mr. President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. I am happy to yield to the Senator from Vermont.

Mr. AIKEN. Senator MANSFIELD and I have both said that we do not want to dismember the NATO military organization. We believe we have a definite part to play there. I am just wondering, since it has been under U.S. command since its inception, suppose the high command of NATO was under the Germans, a Dutchman, or a Belgian, would the Senator then feel that we should maintain our present strength and participation? The charge is that it is a unilateral military action on our part. I fully believe that is why the French withdrew because they could not stand the thought of being under American command.

Mr. STENNIS. That is a solid question the Senator asks and I am glad to answer it.

My recollection is, Senator, that if this was classified in 1951 it is certainly unclassified now in 1971. There was a great deal of thought given in this Chamber and in the cloakrooms, when we went into this thing, in fact that we wanted the United States to be the Commander in Chief. We had a man ready, and that was General Eisenhower, of course.

Mr. AIKEN. We need him now.

Mr. STENNIS. Yes. I remember, and I stated here on the floor the other day, that I was the newest member of the Armed Services Committee when the committee listened to his testimony in favor of going into NATO, when he said:

> I am willing to stake my place in history on the success of this venture.

There was doubt here, a great deal of doubt. We were not jubilant about going in until it was more readily explained, more completely explained. But General Eisenhower said he was willing to risk his place in history on the success of that venture, so that is the way it started off.

Now, with proper caution and selection, I think we could approve someone else as Commander in Chief.

I do not know why the French behaved as they did.

Mr. AIKEN. The Eisenhower years look better every day that history continues. I think, particularly interesting now, is what he said in an interview for the Saturday Evening Post on October 26, 1963, and I quote from General Eisenhower:

> Though for eight years in the White House I believed and announed to my associates that a reduction of American strength in Europe should be initiated as soon as European economies were restored, the matter was then considered too delicate a political question to raise. I believe the time has now come when we should start withdrawing some of these troops. . . . One American division in Europe can "show the flag" as definitely as can several.

That was General Eisenhower's statement on October 26, 1963. Even though some of his old associates did not change their minds about anything, the General showed that he realized conditions change and that he could keep up with changing times.

Mr. STENNIS. I appreciate that statement and I respect it. That was after General Eisenhower had moved on beyond his most active years. But times have changed a lot since 1963. What would President Eisenhower say today? That is the question; 1963 was a long long time ago in missile development, in missile superiority, as to who has the clear advantage. I do not think we are running any poor second, understand.

Mr. AIKEN. No.

Mr. STENNIS. But as to the shifting of the clear superiority, Czechoslovakia has happened since 1963 and a great number of other things, so that we would

value very highly today knowing what General Eisenhower would think under present conditions.

With great deference to the Senator from Vermont, I do not believe that he would recommend a precipitate reduction and an abrupt withdrawal, so much and so fast that there would not be a chance properly to fill the vacant places with seasoned soldiers. So I appreciate the Senator's comments in bringing that up.

Relevant to the facts I was talking about, what had been accomplished and what is at issue here as to this Nation's responsibility, let us not overlook the fact that our allies in Western Europe are collectively doing something. Instead of being at each other's throats, they are contributing somewhere in the neighborhood of $24 billion a year toward their common defense. They have a total number of men under arms, in round numbers, of about 2 million. I think that is more than a pittance. Of course it is.

Mr. President, I want to add one word about my personal thought on this matter. Since having the privilege of serving as chairman of the Armed Services Committee, I have gotten deeper into various facets of the military picture than before. Although I heartily approve of the President's way of looking at things and cutting down on the number of bases around the world, and the extensive implication of what our commitments are—I have always thought they were too much—but as the whole picture has developed clearly to me, and having gotten deeper and deeper into the problems carrying the responsibility of the committee chairmanship and managing some of the bills on the floor of the Senate, I have thought more and more about NATO and have been more and more pleased with its accomplishments and our contribution to it.

I have also been more and more pleased with the contribution of our allies there which cannot be measured just in dollars. I have been more and more satisfied that that is, after all, one of the best possible investments we are making in all our military expenditures. I want us to draw down some of this manpower. We have an amendment in the bill to do it. It was offered by me after consultation, of course, with a number of the membership. As I recall, it was unanimously adopted. We might say it is not enough. Well, that is a matter of judgment. It is in keeping with the idea most of us on the committee believe, that this thing cannot be done abruptly. I am talking about a reduction of the whole number—that we still have a fighting war going on that we hope will wind down, but adjustments cannot be made overnight. And if this proposed reduction that has been introduced is sustained, it will open the pathways and the doorways for other longer range constructive developments and drawdowns in our total output.

I am interested in finding better ways in which to train our men. We have spent too much time and money. Something like one million men a year pass through our training areas. That requires some 200,000 men, perhaps, to do the training. I do not remember the exact figures on that. My recollection is that it is above 200,000. For those who administer or supervise the bases, it is 150,000 for that alone. However, we are not just going to do that overnight, either.

I do not believe that the hope here of just having a volunteer army will be that easy, either. Anyway, we can gradually change that picture, and that in itself will save a lot of money.

I have no fault to find with anyone who wants to reduce some of these troops in Europe. However, as far as the cost savings is concerned, I believe we would be greatly surprised and disappointed. And so far as the contributions that our drawdown might make to the balance of payments, I am afraid that we would be disappointed there, too. But I can see where this is a kind of sore spot. It kind of makes a person's skin itch a little politically. It bothers the people back home. It makes me feel that I have not tried to emphasize enough from month to month the good things we are doing and the things that we have contributed to, and that the other people have contributed to.

Here is a point that I know has not been explained enough. We have gotten this thing built up now to where we are not so dependent upon nuclear weapons. That is a very healthy thing, indeed.

I never did think we could use just small tactical nuclear weapons without setting off a big nuclear war. That is something to lose sleep over. There was a time when, if there had been an arms rush in Western Europe, that would have been about the only way to stop it perhaps.

We have moved further than that now. We have these conventional forces, and that is a tremendous factor on the plus side.

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

Mr. STENNIS. I yield.

Mr. AIKEN. Mr. President, I think the reason that the United States insisted upon taking overall command of the NATO forces was on account of the many nuclear weapons we had installed over there. I thought it was something of a fallacy at the time because, after all, the Germans knew how to use our nuclear weapons. We simply stored them in one place and said, "Don't touch them unless we say you can." But that was a legitimate reason at the time. We stored many short-range and long-range nuclear weapons in Western Europe. The Senator is so correct when he says that it would only take one little nuclear weapon to start the big ones flying through the air.

The threat of nuclear war has been quite instrumental in preventing small wars from getting bigger.

Mr. STENNIS. Mr. President, I agree with the Senator from Vermont. I agree that this matter of nuclear weapons was a big factor when we went into NATO. It was a hush-hush matter then. But, as the Senator openly mentions the fact on the floor, I think that shows how much it has come out into the open.

Mr. President, a part of my thinking is that, whichever route one may take, I come back to this proposition. Whatever we can do over there effectively must be done primarily through the President of the United States. This is just one thing that is for the President to do. I am jealous of the powers of the Congress, the prerogatives, the duties, and the responsibilities of the Congress.

I have just been trying to do something to revive that plain mandate in the Constitution that says "The Congress shall have the power to declare war."

On matters of this kind, if they are worth going into, it is an instance where the President of the United States has to be the lead hawk, the lead mule. He must have that front place and that advantage. Advantage to whom? Not to him or to the executive branch at the expense of the Congress, but to the advantage of this Nation. That is whom he is speaking for. And I think we have to wave aside some of our differences of opinion and not stand too rigidly upon what we as individuals might think.

I say that with emphasis because the President made that statement last December. Whether I would have made it or not is not the issue. That is not the question. He made it. And I think he is capable of standing on it. I want to back him up on it.

Mr. AIKEN. Mr. President, I notice that when the Senator from Mississippi was referring to the fact that the President should be the lead mule, the Senator from Alaska (Mr. GRAVEL) was smiling. He was thinking perhaps that the President should also be the lead sled dog.

Mr. STENNIS. I agree. We may have to go back to the sled dogs in a way.

Mr. President, I have some more formally prepared remarks here. I have been speaking of the points mainly brought to my mind by the very fine remarks of the Senator from Vermont and the Senator from Montana, who I ask to remain and hear me in the event that he might want to answer what I say. However, the Senator from Montana had other urgent matters that he had to attend to.

For over 20 years we have viewed a strong cohesive NATO supported by U.S. forces in Europe as essential to the fulfillment of basic U.S. objectives. In this speech I shall evaluate the need for these forces and the strategic and economic consequences of withdrawing approximately half of them—150,000 men—over the next 6 months, as proposed by the distinguished majority leader.

In December 1970 the President informed the North Atlantic Council that:

> Given a similar approach by our Allies, the United States would maintain its forces in Europe and not reduce them without reciprocal action by the Soviet Union and its Warsaw Pact Allies.

As reported in the U.S. foreign policy message, this decision was based on the following stategic assessment:

> Our substantial contribution of U.S. forces—about 25 percent of NATO's peacetime capabilities in Central Europe—enables us to found Alliance defense on something other than reliance on the threat of strategic nuclear war.
>
> In the conditions of today's new strategic equation, nuclear retaliation in defense of

NATO can no longer be the sole basis for Allied deterrence. Today, nuclear destruction would be mutual—and sole reliance on nuclear forces might lead inevitably and unnecessarily to the very widespread devastation we should be trying to prevent.

We and our Allies have therefore reaffirmed our consensus that we must have forces able to deter and defend below the threshold of general nuclear war.

Mr. President, I wish to emphasize the point that was made by the Senator from Vermont. I have never believed that it would be possible in Western Europe to use for any appreciable length of time the so-called tactical nuclear weapons without setting off a holocaust that could destroy great parts of the world.

As a result of the President's initiative, we and our European allies reached agreement in the December NATO ministerial meeting on the broad principles of a plan to improve NATO's conventional capabilities. The allies pledged a commitment of about $1 billion in improvements as an initial step. The overall objective, accepted by the entire alliance, is to enhance the strategy of flexible response by making NATO conventional forces a more credible deterrent, and thus not have to rely so much on nuclear weapons.

It is often argued that deliberate aggression is not likely in Europe. Nevertheless severe crises have occurred in Europe since World War II and may occur again. War in Europe could result from such events as a miscalculation over Berlin, an uprising in some Eastern Europe country, or even a Middle East crisis.

Three years ago we had the invasion of Czechoslovakia. I happened to be over there just a few weeks thereafter. One did not have to ask a lot of questions about whether or not it was considered serious. It could be felt in the atmosphere. One did not have to ask the people whether they felt secure. One could feel just the contrary. The uncertainty was compounded.

There is another illustration, another incident concerning troops in West Germany. When has the world ever had a situation like Berlin in all these 25 years? It was a most unusual condition that left possibilities festering and that could produce an outbreak of hostilities. That fine city in the middle of a Communist country is surrounded by hostility. A part of that city is divided among the English, the Americans, and the French. That, within itself, requires our presence in something more than just a symbolic force. We have that condition that we have never cleared up.

We will not desert it and I am not advocating we desert it now but our policy on Berlin alone demands our presence over there and the integrity of our actions, with no precipitate withdrawal.

The President would then face a choice among three major alternatives:

Use of conventional forces to stabilize the situation and bring about a negotiated settlement;

Early use of nuclear weapons, or

Capitulation.

At present, NATO has the option of using conventional forces in Europe and thus would not be compelled to use nuclear weapons immediately or to capitulate. The Warsaw Pact forces do, however, have a marginal numerical advantage over NATO, and thus would be substantially increased by a U.S. withdrawal.

Of course it would. We said when France withdrew that was not a calamitous thing to NATO. If the United States withdraws, Mr. President, you will see what will happen. There will be calamitous consequences in the course of time.

The distinguished Senator from Alaska has stated that we are outnumbered 3 to 1 in Europe. He has even gone on to say that our forces there are merely hostages and that those who do not agree with him do not understand troop movements. The Senator has made a very fundamental error in assuming that we are outnumbered 3 to 1 in Europe. This error was made, it must be admitted, by a number of distinguished public spokesmen for a number of years. But in the last several years Defense Department analysts have learned that the earlier estimates were grossly in error and have corrected them. The new analysis has been widely reported and was the basis of the President's assessment in his foreign policy statement that "NATO's active forces in peacetime are roughly comparable to those of the Warsaw Pact."

That is the latest analysis of the President. We know, of course, he had all the sources of information that were available to any man living and we know he tried to use that information, and we know this is what he believes the situation to be.

As our intelligence has improved, a very simple fact has come to be understood and has been widely reported: the word "division" does not mean the same thing in all armies. Many of the so-called Soviet divisions in Europe are cadre divisions—divisions not yet filled with men. Others are considerably smaller than NATO divisions, often half the size.

Right now, NATO has only slightly fewer men in ground forces along the vital Center Region—the German-Czech border—than the Warsaw Pact. Both sides have around three-quarters of a million men. A U.S. reduction of 150,000 would leave NATO at a significant disadvantage along this vital front.

Moreover, the effects of withdrawals on the conventional balance would be further accentuated for several reasons.

First, the Warsaw Pact has the significant advantage of being able to mobilize its reserves and reinforce more rapidly than NATO.

Second, the United States faces real difficulties in rapidly deploying forces to Europe within the period required by the Warsaw Pact for its own mobilization and reinforcement. For this reason, a reduction in forward-deployed forces cannot be completely compensated for by rapid reinforcement from the U.S. Deactivation of the withdrawn forces would aggravate this problem.

Third, the conventional balance in Europe would shift substantially to the advantage of the Warsaw Pact, particularly if the Warsaw Pact should gain a mobilization lead over NATO.

Finally, our allies could not readily fill the quantitative gap left by U.S. withdrawals and also make up for the loss of quality. A quick U.S. withdrawal would not lead our allies to improve their own conventional forces but rather to reduce them on the grounds that a conventional defense would then be impossible.

This is very serious business. We are assigned a certain sector in West Germany. Other nations have their sectors. We are given one sector in particular. The decision was made to have it that way rather than to have all the countries mixed up. So we are assigned a certain sector of that front. If we were to precipitately withdraw one-half of the forces we have there across that front—I will find out how many miles it is; I do not have the figure now—and do all that in a 6-month period so that they must all be gone by December 31, 1971, it is just commonsense that, on such short notice, our allies in Western Europe will not be able to replace the men that fast. They will not be able to replace the quality, the caliber, the training, the talent, and the ability that is required to keep that gap filled.

Let us be realistic about this. If we are going to make reductions, it has to be done in view of what the military threat is, what the conditions of adjustment are, and what would have to be done, if done, in a logical way only after long notice and a long period of time—long enough to have men there to replace ours as we withdrew.

I do not have to be a member of the Armed Services Committee or be informed or have a briefing, or anything else, to know that. That is just commonsense. I tell you, Mr. President, we are flirting with a dangerous thing here when we just pick a figure out of thin air and say we are just going to cut it off here, regardless, and reduce our force to that extent.

Therefore, a major U.S. reduction would cause a significant shift in the European balance of power. In strategic terms, the NATO alliance would have no immediate alternative but to abandon flexible response and turn back to a degree to a nuclear strategy at the moment when nuclear parity has been reached, or has just about been reached, by the Soviet Union. A major reduction would call into question the reliability of the United States as an ally and gravely affect our interests in a number of related areas.

We cannot afford to let that happen. I believe that would be one of the results. We cannot afford to let that happen. We must not take a chance on it. As I have said before about weaponry, to have enough we have to have more than enough; and to be on the safe side in a sensitive area like this, if we mean what we say when we are standing with the free Western World, we cannot cut this slice too thin and do it in such a drastically short time.

Major reductions would destroy any chance for serious negotiations on reciprocal force reductions at the very time when the Soviets, in a speech by Party Secretary Brezhnev last Friday, have shown renewed interest in such negotiations.

A Soviet conclusion that we are unilaterally dismembering our military posture will indirectly reduce incentives for other negotiations.

That is what negotiations are about for reductions, each giving the other incentives. If we make this reduction now, we will not have any negotiating ground.

In SALT, the Berlin talks, and in the Middle East, Moscow would have much less reason to bargain seriously with us. The Europeans, with their confidence in collective security eroded—some of them; I do not say all of them, but some of them—would have little choice but to consider accommodation with the Soviets. This would further diminish Soviet incentives to deal with us.

I remember that in the early 1950's I was in Western Europe. One evening after dinner in one of those little countries, I walked down on the lakeside near where we had been entertained at dinner that night with a gentleman in the government of that country. There in the moonlight, in a very graphic way, he pointed toward another country and told me that, up until a few years ago, "We always looked to that country for leadership, for guidance, for help, for financing, for banking," and a great many other things" that he named, but he said, "Now we have changed directions." He turned in the direction of America, with a very dramatic gesture, and said, "Now we look to you."

"Well, I was a little suspicious at the time. I thought perhaps he was just being dramatic and just given to rhetoric. But, as I have understood things better, I see he was speaking not only for his people but for a great many others. I feel flattered that our country does have that role and that we have lived up to it, I think.

To think our commitment to NATO and our European allies we make substantial expenditures for the support of U.S. forces in Europe and U.S. reinforcements based outside Europe. The maintenance of U.S. forces based in Europe also involves a dollar outflow that contributes to our adverse balance of payments.

I have been here a good number of years, and I have seen these budgets come and go. We have voted on a great number of bills, and we have had a constant outpouring of military dollars especially in support of the free nations in Europe. I do not regret any part of that. I think it was one of the most effective, biggest things any nation ever has done, particularly as there was a base in Europe to build on.

NATO has been outstanding in its success. NATO has held the Western World together. The military line we are talking about trying to back away from, in part, has held Western Europe together. It has made the difference between failure and success. I think perhaps we have done more than our part, but it has paid off in the fact that they are getting together on an economic basis, and have gone a quarter of a century without any war, which is something new for that part of the world. They have done better than we have in that regard in the quarter of a century. But they are breaking out of their narrow confines geographically and they are breaking out of what had been narrow political thought. They are getting unified economically, in the Common Market, and they are getting unified under the military pact we are talking about here. They are making progress toward the common goal of peace and putting up, largely, their share as we go along.

I think that is a new era for the Western World. It is a new era for that part of the world, which has the technology, the know-how, the financing, when working together, to make a go of it in these modern times.

I think it is the strongest alliance, by far, in the whole world. It does, to a large measure, pull together the Western World. They are countries that come nearer to us than any other in having a common basis in spiritual values, that come nearer in having a common basis in economic values, that come nearer in having a common basis with us in military technique and ability and technology. And they have proved in these 25 years that they were able to throw aside a great part of their contentions and wars among and between themselves, and from a common goal, march under, not a common flag, but now more and more in a common economy, and march with us in a large way.

I tell you right now, you remove from this world influence those countries in Western Europe, and the influence of an American presence there, and there will be a fruit basket turnover mighty quick, and mighty fast. I think we have to remember those things. We have to remember those things when we try to put down the value of the dollar, and say it is not worth that much to us.

Maybe we said we would do more than our share. Suppose we do do a little more than our share; I think we have more at stake. We have more at stake than any other major nation. So far it has been worth what it has cost.

We spend about $3 billion per year to maintain our 320,000-man force in Europe, thereby providing about one-quarter of NATO's peacetime capabilities. By comparison, our NATO Allies spend about $17 billion per year to provide the remaining three-quarters of NATO's peacetime capabilities. This represents 4.4 percent of their GNP. By comparison we spend 0.3 percent of our GNP on U.S. forces in Europe, and 7 percent on our overall defense needs.

I do not claim to be an expert in any field, but I do have, by contact with them over a period of years, some knowledge of our military expenditures around the world. With all deference to everyone, we get far more by way of return for these dollars that we spend on NATO and the men we keep over there—and I speak with all deference to other nations—we get far more return there than for any other military dollar that we spend.

Therefore, the direct cost of U.S. forces in Europe, though significant, is not overwhelming, either absolutely or relative to our European Allies' expenditures in support of NATO's forces. Moreover, it is unlikely that even substantial withdrawals of U.S. forces from Europe would reduce the cost of meeting our NATO commitment in any appreciable degree.

This is true because we would incur very substantial costs in moving units to bases in the United States, maintaining sufficient mobility forces to allow their rapid return, and prepositioning equipment in Europe for their use. While precise estimates are not available, these costs could mount to over $1.2 billion in additional defense expenditures.

For these reasons, it is reasonable to believe that a substantial withdrawal of U.S. forces from Europe would not result in a substantial reduction in our force structure if the United States is to meet its responsibilities in the years ahead. Under these circumstances, withdrawals from Europe would lead logically to increased—not reduced—defense expenditures.

Now, that may be a debatable question, but there is nothing I am more firm in believing about any of our military expenditures—and I want to reduce them as much as possible, and stand for that, and have—there is nothing, I think, that we get a greater value for in the way of a military dollar, than for these funds we have spent in Western Europe. If we withdraw there too much—I want to reduce our expenditures there, but I think the President of the United States is on the right track that if this amendment should pass and become law, and have to be carried out between now and December 31, with great respect I say we would rue the day, and I believe we would have to increase military expenditures beyond their present level.

I want to reduce those expenditures not only every billion dollars we can and every million dollars we can, but even every thousand dollars we can.

Apart from this budgetary cost, the annual dollar outflow attributable to U.S. forces and their dependents in all of Europe is about $1.7 billion a year. But the net dollar outflow directly attributable to U.S. forces in Europe was less than this—about $1 billion. This is true because in 1970 the outflow has been offset by directly linked German purchases and investments in the United States of $400 to $800 million, depending on whether fiscal or calendar year data are used.

While U.S. forces in Europe do contribute to the balance of payments effect, it does not follow that even substantial reductions would solve this problem.

This is true because reducing U.S. forces by 50 percent would not necessarily produce equivalent total balance-of-payments savings. The size of the savings would depend on base closures and reductions in foreign personnel as well as in reductions of U.S. personnel and dependents. Compared to the present dollar outflow of $1.7 billion, we might expect a future outflow of about $1.1 billion.

Most importantly, the net impact of a reduction of the U.S. balance-of-payments deficit is critically dependent on the West German reaction. With substantial reductions in U.S. forces in Europe, it is likely that the Germans would reduce their offset support for U.S. forces, not increase it, as we are cur-

rently hoping to achieve in negotiations with them.

Mr. President, no one can be a true prophet with reference to the matters I have just discussed briefly. But we are creating an additional problem for ourselves should we go into this drastic, summary, rapid reduction. I believe we are now traveling in the right direction toward getting some of these reductions made, based upon a solid foundation, and that is exactly what I stand for. That is what I want us to do, and that is what I have been pulling for and trying to accomplish.

But I am totally opposed to mandatory, demanding reductions of this kind, that throw the Chief Executive of the United States on the defense in his negotiations about these and related matters.

That is why I am so concerned about this matter, and why I feel that we are treading on dangerous ground, and I so warn and advise my colleagues with all the power at my command.

We may not agree with the President at every turn about this matter or other matters, but he is President of the United States. He is clothed with the executive power of this Government, and we must back him to a degree. I do not say absolutely, but we must back him to a degree as he wrestles with this problem, which I believe he is doing, and I am hopeful that he will get some results.

I am not standing with those who might say, "Do not give an inch." I will give more than an inch in this direction. But it will have to be based on what I believe is the right way to do it and the leadership that can come from the President of the United States, the Chief Executive. I am not trying to put any of my responsibilities on his shoulders. I believe that he is traveling in the right direction. I believe there are good prospects—we may be disappointed again—that something along the lines of reductions can and will be worked out. And I believe that we will get the benefit, without increasing the chance or the probability—or whatever term would most aptly apply—of worsening our position and having to go back and pick up more of the pieces.

In summary, Mr. President, we have two broad alternatives before us.

We could adopt the Mansfield resolution and unilaterally reduce U.S. forces in Europe by half during the next 6 months. That is what it amounts to. By the time this bill becomes law, no more than 6 months will remain. This course would substantially lower the nuclear threshold for deterrance in Europe, end possibilities for negotiations on conventional force reductions with the Soviet Union, and probably lead to a substantial reduction in our allies' defense efforts and their confidence in the United States as an ally. I do not predict that, but I am afraid it would happen. I think that to do precipitately would tend to undermine their confidence in the United States as an ally. We have done a great deal. I think that what we have done since World War II is unparalleled in history. I would not want to do anything precipitately, so abruptly that it would be misunderstood, much less give them a reason for any lack of confidence, as an ally. If it just appears to them to be without a proper basis, we would be undermining the confidence they have in us as an ally. The budgetary and balance-of-payments savings would be small and could be easily offset by the additional expenses incurred by basing our forces in the United States and the adverse reactions of our allies to this rapid unilateral reduction. I think we have to remember always that under no consideration, if we withdrew all our troops from Western Europe, could we dispense with all those men and save all that money.

On the other hand, we can maintain strong U.S. forces in Europe, making some gradual reductions as these can be negotiated, first with our adversaries and then with our allies. This course would preserve our allies' confidence in the United States and create an atmosphere in which they would continue to improve their own forces as they have done this last year, with the $1 billion commitment to improve their aircraft carrier capability, their numbers of close support aircraft, their airfield shelters, and their communications. That will be presented in greater detail for the information of the Senate before this debate has concluded. But right there is a product of negotiations and debate that has been going on for considerably more than a year, about these very matters.

On balance, it is clear that the United States has nothing to gain and much to lose by a large unilateral reduction of its forces in Europe at this time. For this reason, I think Congress undoubtedly should reject the amendment offered by our beloved and highly esteemed and valuable leader, the Senator from Montana.

I have been interested during these years in making such reductions there as we reasonably could. As I said earlier, I have now learned that the money saving part is nothing like what it appears to be on the surface, that the balance-of-payments effect is going to be a disappointment to many, I am sure.

I was in the Senate, but I do not claim any credit for having helped put the NATO pact together; the late General Eisenhower convinced me of the need for it and the probable worth of it. I think that it has paid off with the greatest possible returns, first for the nations in Western Europe and then for the entire free world. It has been the successful pact that we have had since 1945. I do not want us to do anything that might jeopardize it, because it is symbolic of a free world alliance. Nothing similar to it in modern history has been so effective and has survived so long. It has been a tremendous factor in world affairs.

Like it or not, the whole world is looking to us for the leadership, the stability, the resources, and the backing of this free world pact. We have made our share of mistakes in the course of our history, but the things we have done have not all been mistakes, by any means. This is our first venture in modern world affairs, and I think it has proved wise and has paid dividends. If we should let it slip or even stumble, much less fall, the free world will pay a tremendous price, and I am afraid that we will pay more than anyone else.

Whatever the future course of our policy in this field may be, I hope it will not be done in a precipitate fashion or abruptly, but that we will work with the Chief Executive and with our allies who are willing to stand with us. In that way, we really will be in a position of world leadership, and we will be the chief beneficiary.

Mr. President, I yield the floor.

Mr. GRAVEL. Mr. President (Mr. GAMBRELL), I should like to address one question to the Senator from Mississippi—of course, I could be in error in my statement—concerning the troop levels of Warsaw Pact nations and the NATO forces. I wonder whether the Senator might have some tables from the Defense Department which could be placed in the RECORD and which we could both make use of for comparison purposes, as to what our best intelligence tells us the Warsaw Pact levels are, the Soviet Union troop levels are, and what the NATO force levels are. If we could share such tables it might be enlightening, because if I am wrong in some of the figures I use, I will reresearch them and assure my colleague that if my sources are inaccurate I will be the first to let him know that they are inaccurate.

Mr. STENNIS. The NATO Pact force figures are classified but they would be open to the Senator for complete perusal, so far as I am concerned. They may want to put some limitation on the Senator's use of the accurate figures.

Mr. GRAVEL. If I could make this point clearer: I do not want to be able to get any secret information and then have my hands bound by not being able to use it publicly.

I have here the U.S. News & World Report which publishes a map outlining where the troops are around the world In Korea 52,000; in the Philippines, 20,000; in Okinawa 52,000. If I could have figures like those in the U.S. News & World Report, I would not want to be bound by any secrecy when I am engaging in a broad debate with the American people. I would like to be candid with the American people. I do not want the precise locations of everyone in NATO, but for the record we should have a tool to work with in round figures.

Mr. STENNIS. I can advise the Senator, based on experience, that it is a mistake to go by figures in a magazine, to assume that those figures are correct, and I say that with all deference to the U.S. News & World Report. I made that mistake here during the first few years I was in the Senate, using figures like that. I got in trouble with my colleagues and with editorial writers and others. But as a Member of this body I think the Senator is entitled to the figures and I will recommend that he be given anything——

Mr. GRAVEL. I would hope that my colleague would recommend that the figures be general enough that I not be

bound by any secrecy, because I would hope to use those figures on the floor of the Senate in debate and be able to apply them in my arguments.

Mr. STENNIS. The Senator is a Senator and I am not withholding anything from the Senator from Alaska. But, I do not control that department of the Government and I am not going to try to substitute for someone else. That is a matter of judgment and belongs with the executive branch.

Mr. GRAVEL. I will take it that way at this point, but I want the record to be abundantly clear that I, as a U.S. Senator, on the floor of the Senate today, would like to see entered in the RECORD, for all the Nation to read, in basic and general terms, what the troop levels are in NATO, what the troop levels are in the Warsaw Pact, what the Soviet Union troops number, and what U.S. troop levels are. Then we would have something that we could all hang on to, and debate this issue intelligently.

I can say that U.S. News & World Report is not a magazine that would make an argument on my behalf. But in taking one document, one page from the October 1970 issue, I see an interesting figure—almost an astounding one—because the article tries to prove that we are falling behind the Soviet Union. The message is that something drastic should be done to improve our capabilities. The figure is what they call in the financial world the bottom line, and it is most interesting. It shows that U.S. Army manpower forces, from 1965 to now—I just checked these figures and they are accurate with respect to the United States—I do not know about the Soviet Union, but with respect to the U.S. Army, in 1965, the level was 967,000 troops and is today around the level of 1,300,000. Also, on this interesting bottom line, it states that Russia, in 1965, went from 2,300,000 troops to 2 million troops today.

So, in essence, what has happened is a unilateral de-escalation by the Soviet Union of their army manpower. Yet we hear people on the floor of the Senate suggesting that we cannot do anything unilaterally in Europe because it might cause Europe to fall apart.

When in a journal that has some reputation—in fact, I am fond of U.S. News & World Report because of the tables it publishes, as they always bring their information into precise focus—I see something like that, I begin to wonder about our national policy and our relationship with the Soviet Union. Again I want to underscore that I am asking officially that the general troop level figures be made a part of the RECORD so that we in the Senate, and of course the people of this country, can make some judgment in regard to the millions and millions of dollars that have been spent, and the policy that has developed as a result.

Mr. STENNIS. The Senator will understand that I am casting no aspersions on U.S. News & World Report, but that was the very magazine I was quoting when I ran afoul of the rules. I refer the Senator now, as a Member of the Senate, to the executive branch in the Government. So far as I am concerned, I want the Senator to be informed on it.

Mr. GRAVEL. My colleague from Mississippi misunderstands me. I am not interested in being referred and getting on a treadmill, because I have been on one before. I know that my colleague from Mississippi can speak to the Department of Defense because there are those over there who tremble when he does. I would only ask my colleague to step forward as chairman of the Armed Services Committee and ask that he be provided with the figures, so they can be placed in the RECORD. I do not want to have to call up the Secretary of Defense or anyone else over there. This is a responsibility of the Armed Services Committee. These are troop levels we are talking of. I do not want to be faced with the situation, a week or 2 weeks from now, if someone waves a classified document and says, "This is the gospel." No one reads the gospel. The gospel is sometimes not visible for all to see and refer to. Many of us are not privy to it and are at a sore disadvantage to try to argue the policy of this Nation as a result.

Mr. STENNIS. The Senator has access to the same information I have. I know better than to try to speak on a subject like that. The Senator has my blessing in getting the information he deserves as a member of this body, but I am not going to say what will happen if someone more versed than I am thinks it would be of benefit to the enemy. I do not subscribe to this idea that the public is entitled to know. I think that is a blind slogan. We cannot advise the public about everything without also advising our adversaries. We know the Soviets have a tremendous number of troops on their borders other than European borders, all around their perimeter. They also have a Chinese border and other problems of that kind. But the department of government responsible for that will explain that to the Senator.

Mr. GRAVEL. I do want to restate this again, because I disagree most respectfully with my colleague from Mississippi. I do not have the same ability he has. I cite one instance with reference to the Atomic Energy Commission in which it took me 9 months to get what is called the "Pitzer Report." Only because the distinguished chairman of the Committee on Foreign Relations decided to hold a hearing on it did they gave me the report. What made it more insulting, was that I was at a cocktail party with the distinguished Dr. Foster, who is the head of R. & D. in the Department of Defense, and when I asked him about it, he said:

I have it on my desk. It is not classified. I will get it to you tomorrow morning.

Well, his secretary told my secretary next morning that he could not get it to me, because it would be imperiling our policy, and I, MIKE GRAVEL, as a Senator, was not to see that document. So it was withheld from me for 8 months.

If we are going through this charade again in arguing national policy based on troop levels, and I am told to go find out from the administration, let me say that I have been through that before. It has been futile. I do not want to make a futile effort again. If it is going to be futile, I want to give public notice that the Senator from Mississippi has access to figures, whereas I must make do with those from the U.S. News & World Report magazine. If that is all I have, then I will fight with all I have.

Mr. STENNIS. I will reply to the Senator in this way: I have heard these points raised here many times. I am not one who is drunk on secret information and want to know everything that might be possible in all the world. I do not operate in that way. As a Member of the Senate, though, I am willing for the Senator from Alaska to have anything that I have. However, I am not the one to say just where the line is. That is about all I can say. I do not think the Senator is at any disadvantage at all.

Mr. GRAVEL. I would respectfully hope that over the ensuing week, and if not, over the ensuing months, my friend, the Senator from Mississippi, would use his influence to help us get the information. I want to emphasize that I do not want any secret information. I want information in general terms, as general as appeared in an article in the U.S. News & World Report on December 28, 1970, which talked of 1 million servicemen abroad. It goes into detail as to where these people are.

If we can get something as good as this from the Defense Department, that would be satisfactory. We do not want to know the specifics. We do not want to give the secrets away.

We want this information so that we can discuss the matter in an informed and intelligent way. This deals with broad, general policies. I think it would be most significant.

I note, since I have this article in my hand, that there is a tabulation on page 22 which shows the number of troops abroad. It is interesting that we go from 1,100,000 troops abroad in 1953, at the peak of the Korean war, to a peak in 1968, during the Vietnam war, of 1,300,000.

If the Senator notices the scale on this page, he can take a period of years, let us say, from 1956 to 1966 and get what appears to be the average troop level abroad. That apparently did not impair our defense posture during that period of time. And that level seems to be about 600,000 troops.

I can say, not capriciously or arbitrarily, that we can determine the average for a 10-year period. Let us take a 10-year period from 1956 to 1966. They came and went. We can see that in that period we had a troop level abroad of 600,000 troops. Then in 1970 we had about 1 million troops abroad. That is a difference of 400,000 men.

They have enough men to take care of any possible need in calendar year 1972 without the draft. I think we will make a case that we can satisfy our needs without the draft. We do not need it this year. However, based upon the needs that this Nation has, we will not need the draft 2 years from now.

I wanted to make that point.

Mr. STENNIS. Mr. President, I have been through this matter before about

classified information. I am experienced in going through these questions and having them raised. I know that my answer is, as I have already said to the Senator: as a U.S. Senator, I think he is entitled to the facts. However, that is an Executive function. I have learned better than to rely upon news reports.

I am advised that the Senator referred last Friday to the Warsaw Pact against NATO, and I was referring today to his statement that there was a 3-to-1 Warsaw Pact advantage based on the division of troops alone. I believe the Senator refers here to all Soviet troops.

Mr. GRAVEL. Mr. President, if I can correct the Senator——

Mr. STENNIS. I cannot see where there is much issue at stake, with all due deference to the Senator, about these matters. We are over there for the purposes that we know about, and this argument here is just over the level of troops.

Mr. GRAVEL. Mr. President, if I could just add to this point very briefly and very simply. I point out that the reference I made—and I will amplify it and get the source and have it printed in the RECORD—was based upon a NATO official who said that the strength of the Warsaw Pact was three times that of NATO. If my statement in the RECORD was not that precise, I make it precise at this point.

I will not hesitate in the future to correct myself, because I am prepared to admit that I can be right and I can be wrong. That is the reason I asked that the chairman of the Armed Services Committee get for the RECORD the general picture of where we are so that we have something to hang onto.

It has been said that I should get a classified briefing. I would then have to stand here silent. I will not ask for a classified briefing. I think this is something that should be debated publicly so that all the American people can take part in the dialog.

Mr. STENNIS. Mr. President, on page 15135 of the RECORD of May 14, 1971, the Senator from Alaska said:

> SHAPE, our headquarters, estimates that, in addition, the Warsaw Pact has three times as many divisions as we have in NATO. So the Warsaw Pact alone out-numbers NATO 3 to 1, and the Soviet Union, in the East European countries of East Germany, Czechoslovakia, Hungary, and Poland, has 800,000 troops.

That is the quotation of the Senator to which I referred.

Mr. GRAVEL. I will stand by that quotation until someone comes up from the administration and inserts in the RECORD what the administration says is the truth. Otherwise, we have the word of any Member who stands up with their sources. I confess that my source is the manual of the troop levels of the Government. I am asking for the chairmen to put this matter to rest for future purposes by coming forward with a total delineation of where the troops are.

Mr. STENNIS. Mr. President, I do not put in the RECORD anything that is classified.

Mr. FULBRIGHT. Mr. President, I wish to make a few remarks about the Mansfield amendment. I would like to say, relevant to the exchange between the Senator from Mississippi and the Senator from Alaska, that my own experience is similar to that of the Senator from Alaska.

The system of classification is utterly irrational. There is no reason whatever why the figures about the number of troops should not be on the record in public. I am quite sure the Russians know all about it. So do the others.

This practice of trying to make things secret whenever debate arises is an old game which has been grossly overworked.

I am glad the Senator from Alaska raised the matter. I am quite sure that the Senator's figures are about as accurate as he would get from the Defense Department or anywhere else.

Mr. NELSON. Mr. President, would the Senator yield for a brief comment?

Mr. FULBRIGHT. Mr. President, I yield 3 minutes to the Senator from Wisconsin.

Mr. NELSON. Mr. President, I wanted to say to the Senator from Alaska, if I may have his attention for a moment, that on this matter of a classification, I can recite a little example of how preposterous the system is. The project Sanguine is a naval proposal to put a grid system in northern Wisconsin for a worldwide communications system.

Mr. FULBRIGHT. I heard about that.

Mr. NELSON. I had a briefing from them several times. On the first occasion I had a briefing from them I knew they had been in northern Wisconsin presenting the case to the press, the weekly editors and businessmen. I asked the Navy if they would please supply me with the news clippings from all the papers that carried the stories in northern Wisconsin. They sent me about 100 news clippings, which had already been printed on the front pages of weekly and daily newspapers all across northern Wisconsin, and across the face of each was stamped "Classified." So what had been printed on the front pages of newspapers in northern Wisconsin I could not use or I would be breaking the classification. I wrote a note to the Navy and they did declassify it quickly, but that is a good example of what the Senator from Arkansas commented about with respect to the Russians.

If the Senator will have his administrative assistant call the Russian Embassy they will tell you how many troops we have in all parts of the world. The Russians know; there is no mistake about that.

MODIFICATION OF AMENDMENT NO. 8

Mr. President, I wish to offer a modification of my amendment 96 to the Mansfield amendment, which amendment is the pending business. Is that not correct?

The PRESIDING OFFICER (Mr. GAMBRELL). Does the Senator yield for that purpose?

Mr. FULBRIGHT. I yield for that purpose.

The PRESIDING OFFICER. Will the Senator send his modification of the amendment to the desk?

Mr. NELSON. I would prefer, if I may, to read the modification. Is that all right with the Senator from Arkansas?

Mr. FULBRIGHT. Yes.

Mr. NELSON. Mr. President, amendment No. 96 is the pending business, is it not?

The PRESIDING OFFICER. That is correct.

Mr. NELSON. Mr. President, I offer a modification to my amendment. It is this: We would leave the Mansfield amendment stand as is, with an addition to it. So the Mansfield amendment, with my amendment will read, as the Mansfield amendment was introduced, with this modification providing two subsections:

> (c) It is the sense of the Congress that the President should enter into negotiations at the earliest practicable date to seek a mutual and balanced reduction of forces and armaments of the United States and the Soviet Union, and other members of the North Atlantic Treaty Organization and Warsaw Pact, in Europe.
>
> (c) The provisions of subsection (b) of this section shall become inoperative if prior to September 30, 1971, representatives of the North Atlantic Treaty Organization and representatives of the Warsaw Pact countries have entered into negotiations, or have entered into formal discussions, regarding a mutual reduction by such organizations of their military forces stationed in Europe, or if, prior to such date, the United States and the Soviet Union have entered into negotiations regarding a mutual reduction of their respective military forces stationed in Europe.

Mr. President, this would retain the Mansfield amendment with all of its force and effect and if the United States and the Soviet Union, or NATO and the Warsaw Pact nations enter into negotiations, then the operative effect of the Mansfield amendment would not go into effect; but if they do not enter into negotiations by September 30, 1971, the Mansfield amendment would go into effect and one-half of the troops would have to be withdrawn by December 31 of this year.

That gives the opportunity for negotiation but it forces the hand of the administration to show good faith in what they say they want to do, anyway; and it might answer some questions raised by the Senator from Arkansas yesterday relative to the desire of the administration to reduce troops in Europe.

Mr. FULBRIGHT. Mr. President, if I may respond, it impresses me favorably. I always say that I have to wait until I read the fine print. It sounds to me like an improvement. It retains the Mansfield amendment but gives the administration, if they are acting in good faith, an opportunity to begin the negotiations by September 30. They could have the opportunity to proceed. I am inclined to think, offhand, that it would be a very useful compromise, especially in view of what we read is taking place in the lobbying effort around this town. It might be that some compromise of this kind would be useful.

The PRESIDING OFFICER. If the Senator will permit an interruption, the amendment will be stated.

The amendment was read, as follows:

> At the end of such amendment add the following new subsections:
>
> "(c) It is the sense of the Congress that the President should enter into negotiations at the earliest practicable date to seek a mutual and balanced reduction of forces and

armaments of the United States and the Soviet Union, and other members of the North Atlantic Treaty Organization and Warsaw Pact, in Europe.

"(d) The provisions of subsection (b) of this section shall become inoperative if prior to September 30, 1971, representatives of the North Atlantic Treaty Organization and representatives of the Warsaw Pact countries have entered into negotiations, or have entered into formal discussions, regarding a mutual reduction by such organizations of their military forces stationed in Europe, or if, prior to such date, the United States and the Soviet Union have entered into negotiations regarding a mutual reduction of their respective military forces stationed in Europe."

Mr. FULBRIGHT. Mr. President, in spite of that, and I am favorable to it, I wish to make a few remarks about the Mansfield amendment.

Mr. President, the Mansfield amendment calling for a substantial reduction of American troops in Western Europe must be considered in the context of American military involvement throughout the world.

Our Nation, rich as it is and with a population of 200 million has more of its men stationed in foreign countries than any other nation.

We have more bases in foreign countries than any other nation.

We have more naval vessels plying the oceans, more aircraft in bases around the world, and more funds invested in those bases than any other nation in the world.

Indeed, I suspect that the United States has more in the way of men, bases, and military investments outside its own boundaries than any other nation or combination of nations—including the other nations in NATO and those in the Warsaw Pact.

This should give us pause. It is this situation which gives substance to the charge that the United States has taken on the role of world policeman.

We have assumed these burdens even in NATO. Not including the United States, the NATO nations have a greater population than the United States—some 250 million in contrast to our just over 200 million.

Of all the NATO nations, it is the United States which puts more of its annual gross national product into military spending than any other NATO country. In 1969, our defense expenditures were 9.2 percent of our gross national product. Most NATO countries spend less than 5 percent of their GNP on defense. Incidentally, I also mention Japan, which is less than 1 percent, I believe.

Measured by annual per capita defense expenditures, the same pattern emerges. In 1969, the annual per capita defense expenditure in the United States was $391. All NATO countries but one—France—spent less than $100 per capita. That is almost four times per capita that we spend. This is one explanation of what recently happened in Europe when they, in effect, devalued the dollar. And going back to 1965, before the time of our heavy involvement in Vietnam, the American citizen was spending $266 per year on defense, while all the NATO countries except France and the United Kingdom were spending less than $100.

It is against this general background that one must approach a decision as to how to vote on the Mansfield amendment.

As Senator SYMINGTON discovered during the 22-month investigation of the Subcommittee on U.S. Security Agreements and Commitments Abroad, the troop and base structure in Europe seems to have acquired a life and momentum of its own, impervious both to improvements in our military capability and to significant changes in the basic political situation. It is because this administration, as well as its predecessors, has failed to take the initiative in the past few years in reexamining our European posture in light of these changes that the Congress must provide a forum for consideration of the issues involved.

As the discussion of the Mansfield proposal proceeds, I am not sure that the extent of the American military establishment in Europe is fully appreciated. Unless the facts concerning that establishment are understood, one cannot pierce the rhetorical fog that would lead us to believe that enactment of the Mansfield amendment would be tantamount to withdrawal from Europe.

I doubt that many Americans realize that the United States has accumulated an investment in European installations—including Spain—of almost $1.2 billion, apart from another quarter of a billion dollars invested in the Azores, the Bahamas, and Bermuda. It is not as if a U.S. withdrawal from some of those facilities would leave virtually nothing behind.

I doubt that most Members of Congress realize that we have over 200 major bases in Germany alone—where we have an investment of about $130 million in facilities. Do we really need 24 major bases in North Wuerttemberg? Or 22 in North Bavaria? Furthermore, it should be noted that our involvement extends to more than U.S. troops and their dependents. The United States employs 14,000 U.S. civilians in Western Europe—over 9,000 in Germany—and employs directly or indirectly over 70,000 foreign nationals—60,000 of them in Germany—all paid salaries in dollars extracted from our constituents, many of whom are unemployed.

In addition to the German bases and the 215,000 troops stationed there, together with 134,000 dependents, wives, and children, the United States continues to maintain naval facilities in Iceland which originally cost over $200 million. And last year we spent $31 million for our military forces stationed in that tiny little country of Iceland.

That is $31 million for operations. The original investment was $200 million in an operation whose principal function is of minimal significance, if of any significance.

We have facilities in Greenland which we continue to maintain. They were acquired at a cost of nearly $500 million.

How many Americans know that we continue to maintain facilities in the Balearic Islands, the Seychelles Islands, and on St. Helena, as well as in Malta, Crete, and Sardinia?

Many persons probably do not know where the Balearic Islands are. There is hardly a place on the map where we do not have military facilities.

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

Mr. FULBRIGHT. I yield.

Mr. GRAVEL. I do not want to embarrass my colleague, but does he have any idea where the first group of islands he named is?

Mr. FULBRIGHT. The Balearic Islands are in the Mediterranean. The Seychelles Islands are in the Indian Ocean. Malta is in the Mediterranean.

Mr. GRAVEL. I know where Malta is.

Mr. FULBRIGHT. I may say that in nearly every place which has a nice climate or a good beach it will be found that Americans have a military installation.

[Laughter in the galleries.]

The PRESIDING OFFICER (Mr. GAMBRELL). The galleries will be in order, please.

Mr. FULBRIGHT. An examination of our military spending pattern abroad also raises interesting questions. Do Americans realize that we spent approximately $110 million to maintain troops in Spain and Portugal last year? A quarter of a billion dollars—$250 million—in the United Kingdom? $31 million in Greece and Cyprus? We also spent $3 million in the Bahamas, $20 million in Bermuda, and a full million dollars in the Leeward Islands, all for our military personnel stationed at those places.

The Leeward Islands are a very nice place in the Caribbean, below the Virgin Islands.

The United States has over 2,000 major and minor bases spread across more than 30 foreign countries and areas, and virtually surrounding the Soviet Union and mainland China. The extent of these installations is instructive.

We maintain some 50 major bases in Japan and Okinawa—where we have invested $843 million in facilities.

We have four in Taiwan, 41 in Korea, seven in the Philippines, and eight in the Marianas.

We have 12 major bases in the Canal Zone.

I am referring only to major bases—the places where we have smaller installations and stations reads like a geography book.

I may say that the classification of a major base is 100 acres or more, 250 men or more, and at least an investment of $5 million. That is the breaking point. Below that, it is a minor base. Above that, it is a major base.

Apart from the places I have already mentioned, we have facilities in Australia, Cuba, Ethiopa, Morocco, Pakistan, South Africa, Trinidad and Tobago, Antigua, Barbados, and the Turks and Caicos Islands.

In addition to military bases spread from Iceland to South Africa, we maintain dozens of military advisory missions abroad. We spent some $17 million in Europe for such missions last year. We spent over a quarter of a million

dollars for a military advisory group in Pakistan; a half a million dollars each for similar groups in the Dominican Republic and in Liberia. And these missions are relatively small compared with similar missions in Spain, Greece, Morocco, Turkey, Ethiopia, the Congo, Iran, Saudi Arabia, and Brazil. Does this not reflect a distorted perception of our foreign policy priorities?

Adoption of the Mansfield amendment should not be regarded as an isolated or spiteful act in reaction to the dollar crisis. Neither should the Mansfield amendment be regarded as a retreat from the NATO commitment; it is a reasonable adjustment to take account of changing circumstances too long ignored; an adjustment which I believe any bureaucracy is quite incapable of inaugurating.

The time is never right to close a military base abroad. Can any Member of this body recall a single base that we closed voluntarily over the past 20 years? Did we leave Morocco or Libya voluntarily?

Of course we did not.

Are we leaving Okinawa because we decided the time was ripe, or was it because we were pressured into leaving by political forces in Japan?

Doing what comes naturally, the administration—Republican or Democratic—will never find the time right voluntarily to close a foreign base. If the Congress puts pressure on the administration to cut back on bases in Spain, the argument is made that base reductions should be on a "selective" basis, which means select some other base but not Spain. And so it goes on and on around the world.

Now after more than 3 years of quiet efforts to persuade the administration to take a fresh look at the number of troops we have in Europe, the majority leader is confronted with a massive public relations effort to brand him as irresponsible.

As a matter of fact, when I say 3 years ago, he really raised the question 10 years ago, when we had hearings and there was an effort made 3 years ago to persuade the administration to move in this direction. The organized effort underway seems to me to be the civilian counterpart of the Starbird plan, which was named after General Starbird, to prevent the effort to kill the ABM, with the organization of great resources of all kinds, Government and private.

The administration shows no propensity for discussing the issue on its merits; it shows great initiative in mobilizing a major lobbying effort but not facts.

The Mansfield amendment is no move toward "neoisolationism" or toward fortress America. It is a move to begin to bring some perspective into our relationships not only with Western Europe, but our military relationships elsewhere as well. Unless we manage to bring under some kind of public control the enormous military bureaucracy abroad, we will end up as did the Roman Empire which became so much a slave to its foreign commitments that it died at home.

The Symington Subcommittee of the Committee on Foreign Relations concluded:

In the past, State and Defense have made but limited effort to study the worldwide base situation. It is only to be expected that those in embassies abroad, and also at overseas military facilities, would seek to justify continued operations in their particular areas; otherwise they recommend a reduction in their own position.

Arguments can always be raised to justify keeping almost any facility open. To the military, a contingency use can always be found. To the diplomat, a base closing or reduction can always be at the wrong time in terms of relations with the host country and other nations.

Mr. President, I recommend that reports to those Senators who may have forgotten about it, the report of the Symington subcommittee which was issued on December 21, 1970. It goes into considerable detail in connection with many of the questions about which the Senator from Alaska was talking awhile ago. There is considerable material there, which was developed from official sources in the Pentagon.

Now, Mr. President, with regard to this high-powered lobbying effort being organized by the administration, there are two extraordinarily perceptive articles in today's press on this subject. I ask unanimous consent to have printed in the RECORD an article entitled "Smiting the Mossbacks," written by Tom Wicker and published in this morning's New York Times, and an article entitled "Drowning in Champagne," written by Martin F. Nolan and published in today's Boston Globe. Both of these articles are very astute analyses of the organized campaign being mounted by a collection of men, many of whom were active in the 1940's, at the beginning of NATO, and so on. I can understand their sentimental devotion to it, but I can also understand that they are quite reluctant to recognize changes that have taken place.

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

SMITING THE MOSSBACKS

(By Tom Wicker)

WASHINGTON.—Senator Mike Mansfield of Montana has done us all a service. His proposal to force a 50 per cent reduction in American forces in Europe has made it clear how difficult it is in this country to change a policy that has achieved institutional status, no matter how little sense the policy may have come to make.

Mr. Mansfield's welcome heresy also has exposed the extent to which American foreign policy-making is dependent, not just upon the standards and concerns but even upon the personalities of the past. For not since the Grand Army of the Republic held its last encampment has there been such an ingathering of elders and bygoners as President Nixon has mobilized in support of the proposition that NATO must never—no, never—be reconsidered like any other question of priorities.

Never mind the crumbling and festering American city; never mind the mounting demands for tax dollars for education, health, transportation, welfare, job training; never mind the cost of maintaining a half-million persons, including dependents and 128 generals, as well as 7,000 tactical nuclear weapons in Europe; never mind the international payments deficit to which this endless commitment annually contributes $1.8 billion. Never mind all that; the wisdom of the ages says NATO must go on essentially untouched.

One primary argument against Mr. Mansfield's proposal is that since NATO is an alliance, the United States must not proceed unilaterally but only in concert with the other parties. The record shows, unfortunately, that the French have pulled out, the Portuguese have their forces on duty maintaining their African empire, Britain has eliminated conscription, Canada has cut its European contingent, etc., ad infinitum. Who's unilateral? And who's borne the bulk of the load for two decades, with precious little help in sight?

The other argument is that Mr. Mansfield's proposal would sabotage any effort to follow up Mr. Brezhnev's suggestion that a reduction of forces and armaments in Europe might be negotiated by the NATO and Warsaw Pact countries. Of course, when Mr. Brezhnev said something about like that last year, nothing came of it. And the major reason Washington seems more interested this time around is because the Brezhnev proposal provides a handy argument against Mr. Mansfield's amendment.

In fact, Mr. Nixon has made such a concerted effort—one of the most vigorous of his Administration—to defeat the Mansfield amendment because of the inertial power of a policy long established, particularly when those who established it are still around to defend their handiwork. There is nothing to suggest that, before Mr. Mansfield acted, the Administration had any great plans for negotiating troop reductions, either with the allies or the Soviets; and many of the patriarchs who were rushed into the breach have also opposed other movements in the glacier of East-West relations—say, Chancellor Brandt's efforts to begin Soviet-German reconciliation.

So the truth is that, far from being the disaster pictured at the White House, Mike Mansfield's amendment (which comes 26 years after World War II ended and only after he failed to stir three Administrations with milder proposals) not only shows us something about the viscid sense of priority and reality in Government; it may also force some action at last, even if it is defeated this week.

Having insisted that the Mansfield amendment would kill any chance to negotiate reductions with the Soviets, the Administration can hardly fail now to make a serious effort to get such negotiations going; if it refuses to do so, or if it backs off from any effective agreement, Mr. Mansfield and his supporters will be strengthened in future demands for unilateral reductions.

As the Senator says of his amendment, "If defeated, it will not be dead." That means the issue is going to be forced—which, sadly enough, is about the only way issues ever get dealt with around here, in any Administration.

DROWNING IN CHAMPAGNE

(By Martin F. Nolan)

WASHINGTON.—The attempt to depict Sen. Mike Mansfield as the Abbie Hoffman of NATO appears to be succeeding, but the vote in the Senate may be a Pyrrhic victory for the Administration.

Mansfield's "defeat" can only lead to what he originally wanted: opening up serious questions about American foreign policy and the more fervent participation of citizens and senators in the formulation of that policy.

The questions that will arise are so obvious that the "experts" will consider them childish and certainly annoying. But they have to be answered.

Are Americans strengthening the German mark and weakening the American dollar by supporting a half million Americans in Europe? Do we need 128 generals, one for every 3200 GIs? Is Europe strong enough, after a quarter of a century, to defend itself? What the hell have American Secretaries of State

been talking about at all those NATO Ministers' conferences?

The origin of these questions is also embarrassing. Flickering on to American television screens lately has been a commercial for the U.S. Army, featuring Pete Retzlaff, general manager of the Philadelphia Eagles. Yessir, says Pete, you potential doughboys ought to try the Army's European Option Plan with none of the Vietnam nasties, a 16 month hitch in Europe "with 30 days paid vacation to travel!" That sort of ad can make taxpayers think.

In the current issue of Le Monde, a survey by France's Syndicat de Grandes Marques de Champagne shows that NATO troops in Germany consumed 338,218 cases of champagne last year, more than was drunk in Denmark or Sweden. As those 128 generals might say, vive l'European option!

Two other embarrassing aspects of the Administration's drive against the Mansfield amendment are in its cold-warrior list of advocates. The most effective name has turned out to be one who wasn't even asked: Leonid Brezhnev, who said that the Soviet Union is willing to talk about mutual, troop withdrawals in Europe.

The most striking characteristic shared by the former presidents, ambassadors, generals and diplomats is the dominent theme of their recollections and memoirs. None of them was ever wrong about a major policy decision. They also seem to share an immutable messianic mindset, not only about America's power and responsibility, but about the nature of the strategic threat, i.e. the Red Army marching to the gates of Paris.

The two conspicuous absentees from that bipartisan list of NATO-backers are men who admitted they were wrong about Vietnam: Former Defense Secretary Clark M. Clifford and former U.N. Ambassador Arthur J. Goldberg. Their contribution to American foreign policy has not been as bold and as vivid as the swashbuckling Dean Acheson's. But the virtue of doubt is seldom flamboyant.

Doubt is just what may be needed today. Should we be impressed by a slogan of "leadership for the 1940s" summoned by the Administration? Have we paid our debt to Europe? Is the Russian threat the same as it was 20 years ago? Are we subsidizing our own impoverishment, drowning the dollar in a sea of champagne?

By raising these questions, Sen. Mansfield deserves the debt of gratitude owed an honest man.

Mr. FULBRIGHT. People are always reluctant to recognize that perhaps an idea which was good at one time has become obsolete, which I think to a degree has occurred in this instance. Not that NATO should be abandoned; I have not recommended that and neither has Senator MANSFIELD, but I believe that conditions have so changed, especially here in the United States, that it is time to make a change in NATO.

There is one last comment I wish to make, that I did not cover in my prepared remarks. There have been comments about unilateral changes. What about the French? Was that change unilateral, or not? They withdrew their navy and their armed forces from participation, if I remember, and asked NATO to leave France. That was entirely unilateral. The Canadians withdrew, I believe, half of their forces. They had only 10,000; I forget whether they drew them down from 20,000 to 10,000, or from 10,000 to 5,000, but they withdrew half their forces because of their own judgment as to their own interests at home, although they were not nearly as hard-pressed financially in their own international balance-of-payments situation as we are. But their commonsense told them that they were no longer needed in Europe. And the other countries: Portugal, if I am correct, I do not recall the exact numbers, but Portugal has taken some of its troops formerly allocated to NATO and put them in Angola.

In other words, these countries have all taken unilateral action. But I want to make it clear that if I were a German or a Frenchman, especially a finance minister of any of those countries, so long as the Americans were willing to take up and pay for my defense, of course, I would let them do it. I do not blame them at all.

Our Secretary of State, when he goes abroad, is met with great cordiality, and everybody applauds when he goes up the street. Of course; I would, too. He is the man that pays their bills. If someone would pay my income tax, I assure you I would bow and scrape to him every time I saw him. He would be a great benefactor.

Then the Secretary of State cannot understand, when he comes back here, why the crowds are not so enthusiastic. It is perfectly obvious; these are the poor people who have to pay the bills, many of them in straightened circumstances themselves. So there is no mystery about it.

But these articles describe how, of course, the views of the Old Guard are completely out of date. They have devalued the dollar now. We have all these enormous claims against our resources; we have internal needs—all of these things did not confront the people who built NATO. There was a dollar gap at the beginning of NATO and at the time of the Marshall plan; we had what was described as a dollar gap. We were literally searching for ways to put our dollars out, because many of those countries, our friends and allies, were broke; they had nothing with which to buy the necessities of life in international trade. We had to make available to them the dollars.

At that time, we had $25 billion in gold. We have now siphoned out more than $13 billion of that amount—over half—and also $50 billion in dollars, aside from the $13 billion in gold which we had in the days of the Marshall plan.

I understand why the old guard still think of the world in terms of the dollar gap period of 1948 and 1950. But I submit, as these articles make clear, those days have passed. It is now high time we induce this administration to recognize the facts that have taken place, and to begin to bring some of these troops home.

So I hope the Senate will support the Mansfield amendment.

Mr. GRAVEL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield.

Mr. GRAVEL. The point I wanted to make is, first, the Senator has very ably stated how Canada, France, and other nations have unilaterally withdrawn their troops.

I would like to underscore that by adding that the NATO charter itself, the foundation upon which NATO is built, provides very specifically that the member nations, in their own enlightened self-interest, can do just that, and can make their own unilateral decisions as to what they feel, in the final analysis, should be their commitment.

So I think what we are proposing here is not different from what the charter precisely provides for.

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

Mr. FULBRIGHT. I yield to the Senator from Louisiana.

Mr. LONG. I ask the Senator, if my memory serves me correctly—because it has been many years since I have been a member of either the Committee on Foreign Relations or the Armed Services Committee—is not this correct: As I recall, I looked at one time to see what countries, if any, ever lived up completely to, I think it was the Lisbon goals that were agreed upon at the beginning; and, as I recall, the United States and perhaps West Germany were the only two that ever did. No one else did; we undertook to do what we were supposed to do, and out of all the other countries in that agreement, no one did what the Lisbon goals were supposed to have provided except West Germany.

Mr. FULBRIGHT. I think the Senator is correct. The Germans eventually did. The Germans have done a pretty good job on that, except that I do not think the Germans have paid for as much of the cost of our troops as they ought to. They have been very sticky about it. Even now, there is a lot of double talk about a part of this offset by which the opponents of the Mansfield amendment say the Germans have taken over part of the cost. A part of that offset, at least $400 million, simply represents a purchase of our securities, an amount which we will have to pay back later.

In any event, the Germans are well off, and can afford to do it. There are many other countries, too, whose situations have changed since the days the Senator referred to. But I think he is quite right, none other than the Germans have lived up to the terms they agreed to at that time.

The much more sensible thing to do, as Brezhnev has just suggested, "Let's get together and both of us reduce these forces," because it is a drain on both sides—that is, the Warsaw Pact and ourselves. This is the right way to go. One of the main reasons for the Mansfield amendment is the inducement it offers to go in that direction.

Mr. LONG. Is it not true, however, that we have been told for many years that we ought to keep all these forces over there because we might be able to negotiate with these numbers and negotiate a mutual withdrawal with the Soviet Union? Were we not told that as far back as the first time the issue was brought up, and have they not been telling us that for many years now?

Mr. FULBRIGHT. The Senator is correct. I do not think there is anything serious about it. The truth of the matter is that these military people do no want to get out of Germany or any of these other places. Last year we tried our best in Spain. They do not want to give it up. This is the kind of service that is the

most pleasant of all service in the military.

Mr. LONG. It is interesting; it is pleasant; it has air-conditioned comfort, the best of wines, the best of food, just about everything anyone could ask for, and a vacation with pay.

Mr. FULBRIGHT. I think they have 128 generals over there. They have a general for every 2,000 troops assigned to the European command.

Mr. GRAVEL. A flag officer for every 2,000 troops.

If the Senator will yield, I should like to demonstrate this point categorically. We have an icebreaker called the *Glacier*. This country does not have many icebreakers, but the biggest one we have is not stationed in Alaska, where the ice is. It is stationed in Long Beach, Calif.

The other point is that we have Coast Guard patrol planes that patrol Alaska on air-sea rescue duty. One of those patrol planes, for some unknown reason I cannot fathom, is stationed in Florida; and when it gets ready to do its duty, they fly all the way to Alaska, do their patrol, and go all the way back to Florida.

I want to underscore what the Senators may have felt was a humorous remark, but it is not a humorous remark. It is a fact.

The fact is that we have the biggest and most viable icebreaker under our flag stationed at Long Beach, Calif., where the putting greens are very green and, unfortunately, Alaska does not have any green putting greens.

Mr. FULBRIGHT. That is a great answer for the Senator from California.

Mr. President, I yield the floor.

Mr. CRANSTON. Mr. President, before the Senator from Arkansas leaves the Chamber, I wish to compliment him on the great leadership he has displayed in this effort, as in many others in the Senate. I am in full support of what Senator MANSFIELD has proposed and what he is supporting in regard to NATO, and I am delighted to be associated with the Senator in this endeavor.

Mr. FULBRIGHT. I appreciate the Senator's remarks.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

ANNUAL REPORT OF THE CIVIL SERVICE COMMISSION—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. GRAVEL) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

In accordance with Section 1308(a) of Title V of the United States Code, I hereby transmit to the Congress the Annual Report of the United States Civil Service Commission covering the fiscal year July 1, 1969 to June 30, 1970.

RICHARD NIXON.

THE WHITE HOUSE, *May 18, 1971.*

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. NELSON) laid before the Senate two messages from the President of the United States; one submitting the nomination of Robert W. Fri, of Maryland, to be Deputy Administrator of the Environmental Protection Agency, which was referred to the Committee on Public Works; the other submitting the nomination of John Shaheen, of Illinois, to be a member of the U.S. Advisory Commission on Information, which was referred to the Committee on Foreign Relations.

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. 1399) entitled "An Act to establish within the Department of the Interior the position of an additional Assistant Secretary of the Interior," with an amendment in the nature of a substitute.

The message also announced that the House had passed the bill (S. 1681) entitled "An Act to liberalize eligibility for cost-of-living increases in civil service retirement annuities," with an amendment in the nature of a substitute.

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

H.R. 56. An act to amend the National Environmental Policy Act of 1969, to provide for a National Environmental Data System;

H.R. 6359. An act to amend the Water Resources Planning Act to authorize increased appropriations;

H.R. 2587. An act to establish the National Advisory Committee on the Oceans and Atmosphere;

H.R. 5060. An act to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft;

H.R. 4848. An act to amend the Act of November 26, 1969, to provide for an extension of the date on which the Commission on Government Procurement shall submit its final report;

H.R. 5257. An act to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children;

H.R. 7271. An act to authorize appropriations for the Commission on Civil Rights;

H.R. 7614. An act to amend titles 5, 10, and 32, United States Code, to authorize the waiver of claims of the United States arising out of certain erroneous payments, and for other purposes; and

H.R. 7616. An act to amend section 715 of title 32, United States Code, to authorize the application of local law in determining the effect of contributory negligence on claims involving members of the National Guard.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the following bill, and it was signed by the Acting President pro tempore (Mr. GRAVEL):

S. 1181. A act to remove certain limitations on the granting of relief to owners of lost or stolen bearer securities of the United States, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 56. An act to amend the National Environmental Policy Act of 1969, to provide for a National Environmental Data System; and

H.R. 6359. An act to amend the Water Resources Planning Act to authorize increased appropriations; to the Committee on Interior and Insular Affairs.

H.R. 2587. An act to establish the National Advisory Committee on the Oceans and Atmosphere; and

H.R. 5060. An act to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft; to the Committee on Commerce.

H.R. 4848. An act to amend the act of November 26, 1969, to provide for an extension of the date on which the Commission on Government Procurement shall submit its final report; to the Committee on Government Operations.

H.R. 5257. An act to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children; to the Committee on Agriculture and Forestry.

H.R. 7271. An act to authorize appropriations for the Commission on Civil Rights;

H.R. 7614. An act to amend titles 5, 10, and 32, United States Code, to authorize the waiver of claims of the United States arising out of certain erroneous payments, and for other purposes; and

H.R. 7616. An act to amend section 715 of title 32, United States Code, to authorize the application of local law in determining the effect of contributory negligence on claims involving members of the National Guard; to the Committee on the Judiciary.

THE MILITARY SELECTIVE SERVICE ACT

The Senate continued with the consideration of the bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes.

AMENDMENT NO. 99

(Ordered to be printed and to lie on the table.)

Mr. CRANSTON. Mr. President, on another topic related to matters pending in the Senate, I wish to clarify a matter that is by no means clear to a great many Americans in Washington and outside Washington.

If Congress votes to abolish the draft, the induction into the Armed Forces of young men who do not choose to enlist will not end.

The Military Selective Service Act of 1967 states that with the expiration of the law on July 1 of this year, persons who have previously received deferments are eligible to be inducted for training and service.

The law reads (section 17 C):

Notwithstanding any other provisions of this title, no person shall be inducted for training and service in the Armed Forces after July 1, 1971, except persons now or hereafter deferred under Section 6 of this title after the basis for such deferment ceases to exist.

Even if we were to end the draft, this provision means that the President has

a pool of close to 6 million men who are now holding or have been granted deferments and who could be inducted after the law expires. Even if Congress approves pending amendments to end the draft next month or fails to renew the draft, these men presently deferred from active duty by law can be reclassified and inducted whenever their deferments expire or are ended by reclassification.

The Selective Service System has provided the following estimates of the size of each deferment category:

III–A fatherhood or hardship deferments	4,000,000
II–S student deferments as of Dec. 31, 1970	1,378,000
II–A occupational deferments	313,000
II–C agricultural deferments	19,000
— apprentice occupational deferments	14,000

In June of this year, 400,000 college students who have held II–S deferments will immediately be eligible for induction.

These figures total 5,724,000 men. Based on the selective service experience, at least half of this total of 5,724,000 men would probably pass their induction physical if they were reclassified I–A. This would leave President Nixon or future Presidents with a vast pool of manpower to ship to Southeast Asia or anywhere else in the world without asking congressional approval.

I am today submitting an amendment to H.R. 6531—cosponsored by Senator GRAVEL, who is in the Chamber, and who is providing great national leadership on these matters—which would prevent President Nixon or any future President from drafting the millions of deferred men who could be inducted even if the draft ends. With this exception deleted from the law, all power to induct men will end with it.

I will vigorously support all efforts designed to allow the draft to expire on July 1, 1971, rather than extending it for 2 years, as the committee voted to do.

Mr. President, at the moment when the Senate is considering whether to extend or abolish the draft, we are informed by the Selective Service System that no matter what the outcome of our deliberations or our vote, the draft will continue with an enormous pool of eligible men.

I am finding that it is as hard to end this draft as it is to end the Vietnam war. I find that we cannot kill this monster merely by cutting off its head; we have to chop it up into little pieces or it will continue to destroy and disillusion the youth of our land.

Without this amendment, the Senate is debating an issue that has already been decided by the language of the statute.

I have long advocated an end to our system of military conscription. I believe Congress has a duty to prevent an undemocratic draft from inequitably conscripting men who are then inequitably assigned to Vietnam to bear the major burden of fighting and dying in an immoral war. As of the end of February, there were 75,000 draftees serving in Vietnam. Thousands more will be sent—often against their will—unless we end the draft and institute an all-volunteer force. The Secretary of Defense has said that he expects about 60,000 men to be drafted in the last 6 months of the year.

I submit our amendment today in the hope that Members of the Senate will realize that efforts to end the draft will be in vain unless section 17C is striken from the bill.

I want to stop the draft from inducting these men and from sending them to Vietnam. The only way this goal can be achieved is by truly ending the draft and closing all possibilities for evading the will of Congress.

We would never have gotten into Vietnam in the first place if President Johnson had not had available to him the limitless manpower resources which the draft provides.

Ending the draft will not only help speed our exit from the war, it will also help prevent a repetition of that sad and costly mistake.

I see no reason why millions of young Americans should be eligible for induction after Congress ends the draft. The draft must be ended totally and absolutely. I want to put an end to the present inequitable draft law once and for all.

Mr. President, I ask unanimous consent that my amendment, cosponsored by Senator GRAVEL, be printed in the RECORD.

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

AMENDMENT No. 99

On page 33, between lines 13 and 14, insert the following:

"(33) Section 17(c) is further amended by striking out ', except persons now or hereafter deferred under section 6 of this title after the basis for such deferment ceases to exist'."

Mr. GRAVEL. Mr. President, will the distinguished Senator from California yield?

Mr. CRANSTON. I am delighted to yield to the distinguished Senator from Alaska, whose leadership has been so tremendous in this effort and whose constant presence on the floor has been such a great contribution.

Mr. GRAVEL. I want to thank my colleague for those kind words, but make the point here that this is his initiative. I am merely coming along as a Johnny-come-lately.

I think that this point that has been raised, and so ably stated and defined by my colleague, goes to the root cause of why this administration would ask for an extension of the draft when it already has a sufficient manpower pool. They have the force available to them. But beyond that, from what they tell us the troop levels or the manpower needs of this country are, they have a capacity to supply the forces for what I think could be mischievous acts of a future government—not necessarily this administration alone, as was so ably pointed out—not just the Nixon administration.

I think the core of the problem is simple; namely, if this is a peaceful nation, then we do not need troop levels of the degree that seems to be planned. I said "that seems to be planned" because I know of no other reason why we should want the availability, with all the laws at hand. This goes to the fundamental feature of our democracy, that an individual's rights cannot be impugned, that he should not be pressed into service for transitory political action, or for foreign policy reasons unrelated to the indirect survival of our way of life.

If there is an emergency, I am sure that my colleague would join me, and others, and we would be the first to come forward and ask for a draft and for all necessary manpower needs. But if this Nation is not at war, then there seems to be no reason why we should have a draft as the troop levels can adequately be maintained on a volunteer basis.

I think that correcting this facet of the law is as fundamental as letting the draft expire. Because as my colleague has so ably stated, we would have here an exercise in futility if we did let the draft expire without correcting this deficiency in the law.

I wonder—and certainly the chairman of the Armed Services Committee will have ample time to answer this—whether, in the drafting of this legislation, it was not done purposely, since it does involve so many people. I do not know. I would hope that is not the case. Certainly, I do not think any legislation coming from the Armed Services Committee would be anything but complete and all-encompassing, but it seems that the figure—if I am correct—of 400,000 here slipped out from under the umbrella of congressional jurisdiction, when we thought we had congressional jurisdiction or were applying ourselves to congressional jurisdiction.

Mr. CRANSTON. The total is 5,724,000 men, not just 400,000.

Mr. GRAVEL. I thank my colleague for correcting me. So it is 5 million——

Mr. CRANSTON. Almost 6 million.

Mr. GRAVEL. That this legislation was to be addressing. For some reason, the threat of the drafting of the other 5 million people never crept into the legislation as reported from the Armed Services Committee. I think it is worthy of note that, thanks to the vigilance of the Senator from California, this body will be able to question the wisdom of placing unlimited human beings at the disposal of what could be mischievous acts of government.

I thank my colleague from California.

Mr. CRANSTON. I thank the Senator from Alaska for his generous and helpful comments on the matter I am seeking to draw to the attention of the Senate and the country, and the matter with which the Senator from Alaska and I are, together, seeking to deal through this statement.

The Senator from Alaska made plain that we are not here condemning acts of any one administration. He made very plain that this is a bipartisan effort. We are joining hands across the aisle—Democrats and Republicans alike—with those who have undertaken to end the draft. So far as this particular statute that we are now seeking to correct by the Cranston-Gravel amendment, it was not written by the Nixon administration. It was written by the prior administration then existing through the time that

President Johnson was in the White House. It is not the direct responsibility of the present Armed Services Committee of the Senate that we find this great loophole existing that, unless closed, will mean we will not end the draft even if we vote to end it as of June 30 in the form of amendments that have been discussed heretofore, nor will we end it if we simply then have a vote before June 30 on whether to extend the draft.

The fact is that those who have cried that we would be jeopardizing national security if we do not extend the draft on June 30 for 2 years, as the administration requests and as the committee's bill would require, when they suggest we will jeopardize national security if there is not an extension, they are simply failing to take into account the vast availability of this manpower which will be available for so many years unless the amendment offered by the Senator from Alaska and myself is adopted.

The facts are that 5,724,000 men will still be available for the draft after June 30, if the draft is not renewed after that date.

I should like finally to comment on one other point made by the Senator from Alaska. This effort to control through Congress by its actions, which is its responsibility, as to what manpower shall be available and as to what manpower shall not be available, and under what terms and procedures to the Commander in Chief, is simply an effort to exercise the constitutional responsibilities placed upon Congress.

We have the power and we have the responsibility to exercise that power and to share it with the President to decide whether money is available and whether manpower is available for the waging of war and to what degree it shall be available for national defense purposes.

As the Senator from Alaska has carefully pointed out, if we get rid of the draft by this amendment and by failing to renew the draft or, rather, to insist on not renewing the draft as of June 30, Congress will always be ready, in an emergency, to reconstitute the draft and make available to the Commander in Chief whatever manpower is required in a national emergency. But we will share that responsibility, as we are supposed to do, with the executive branch of our Government.

In the meantime, if the very sensible proposal of presenting to Congress the increase in pay for those in the armed services, and taking other steps along the line of the Gates Commission to make service more desirable among young Americans, we will have adequate manpower for our national needs without resorting to the draft except in time of national emergency.

I, for one, fail to see why a democracy that can meet its manpower needs by voluntary methods should choose the trappings of a dictatorship and use compulsion in the lives of young Americans, when compulsion is not necessary in order to provide for our national security.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TAFT). The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BELLMON. 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. BELLMON. Mr. President, as a candidate for the Senate in 1968 I supported American troop reductions in Europe. I did this believing that more than 25 years after World War II has ended, an agreement should be worked out that substantially reduce troop levels and the funds being spent for their support. I felt that these funds might better be used by all governments concerned in meeting the needs of their citizens through a reduction in troop strength by our allies and potential enemies.

However, Mr. President, I shall have to oppose the amendment H.R. 6531 of the distinguished Senator from Montana.

I shall have to do so because I believe the Nixon doctrine is working and should not be undercut as I am afraid this amendment might do. Also I believe that: Our country's interests in a viable NATO; in the alternative of a conventional defense of the Free World; in a successful SALT; in the launching of an early negotiation on mutual and balanced force reductions; and, in an undiminished capability to support U.S. influence and protect U.S. interests in the Middle East demand it.

We are in NATO because we have tangible interests in free Europe's security. Some of these interests are of longstanding and we have fought and bled to defend them in two World Wars. They have not disappeared. Others are new—related to the role which history and nuclear realities thrust upon us during World War II; to the momentum of a European integration which American administrations of both parties have steadily pursued and to the spectacular expansion of our trade with a still growing European Common Market. In short, because a free and healthy Western Europe contributes to the security and to the economic well being of the American people. NATO's existence thus serves the cause of peace and jobs.

Are we willing to pay the price for these American benefits? Or are we trying to buck the costs to others struggling with more limited resources to deal with the same problems of urbanization and priorities which face us here at home.

It is that we are carrying the Europeans are on our backs—that it is time they did more for themselves. This is a very one-sided view of the realities, in my opinion.

Our allies currently spend some $24 billion annually in the aggregate on their defense. They maintain over 2 million men under arms. The Federal Republic of Germany, where the great bulk of our forces are stationed, offsets roughly 80 percent of the balance-of-payments cost to the United States of our military presence. Our allies pledged just last December, an additional billion dollars over 5 years further to accelerate their force improvements.

Here are some examples of NATO-European force improvements actually in course or in the planning stage.

Our Allies are spending nearly $3 billion a year on major equipment purchases. This provides a very substantial modernization of their forces. They are all reequipping their tank forces and upgrading former infantry divisions and brigades to armored. Great Britain has completely reequipped its forces with the Chieftan tank. Germany has built or is still building more than 2,500 Leopard tanks for its own use and that of Belgium, Netherlands, Italy, and others.

France is continuing its purchases of the AMX–30. The Allies may add as many as 1,000 new tanks in the next 2 to 3 years in addition to those already in the force. The European nations are also planning to add to their antitank capabilities. They are currently developing a second generation of wire-guided antitank missiles comparable to the U.S. Tow and Dragon.

The British have already introduced their Swing Fire antitank missile into their forces in Germany. Our European allies have plans to purchase nearly 700 new aircraft over the next several years replacing the old F–84 and F–100 originally supplied by the United States and other aircraft. They will also begin to replace F–104 Star Fighters with aircraft more appropriate to conventional support roles. Germany, for example, is planning to buy as many as 200 F–4's from the United States. All countries have plans to purchase substantial numbers of antiaircraft guns for protection against low level air attacks.

Allies also have extensive shipbuilding programs including the building of more than 50 escort vessels.

Mr. President, it is obvious that our allies in NATO are not sitting on their hands. They are putting forth a great effort in spending a substantial sum for defense of their countries and to provide American security as well.

The United States, for its part, contributes some 300,000 men at a cost of an estimated $3 billion—fiscal year 1970—to this effort: A large contribution—but one that benefits our allies and ourselves. Mr. President I would like to attempt to correct a wrong impression. The $14 billion cost figure sometimes cited includes the outlay for all other forces earmarked for commitment in Europe in a contingency but meanwhile utilized worldwide in support of other U.S. security interests. To use it to draw comparisons between the U.S. effort and that of our NATO allies infers that they should somehow share the worldwide interests of the United States.

What impact would the proposed reduction have on "Flexible Response"—NATO's agreed strategy? That strategy requires the availability of an effective conventional alternative to nuclear war. American troops in Europe are central to this alternative. They are among NATO's best. They represent capability in being. They are an integral part of a whole which has deterred war in Europe.

To tear half of these forces out of this

fabric would not only mean lowering the nuclear threshold in case of an emergency in Europe unless and until the capability they represent could be made good: It would raise new problems.

The plain fact is that there is no substitute for many aspects of the American military presence.

No European force can testify to this country's continuing will to protect its expanding interests in Europe of independent states.

No European substitute for the 6th Fleet exists or is likely to come into existence in the foreseeable future. Besides: The 6th Fleet serves to protect this country's highly significant non-NATO interests as well.

Britain, France, and Italy are in no position to compensate for withdrawn U.S. capabilities in the near term. That leaves the FRG.

But the further expansion, however hypothetical of the German Armed Forces, raises major political issues both in Europe and in West Germany itself to which we could ill afford to remain indifferent.

Let us examine the implications of the assumptions which underline the proposals to cut U.S. forces in Europe in half.

It is said that we can save $1.5 billion by returning 150,000 men and their dependents to this country. Such a saving could only be realized by disbanding their units. And that would mean that we could not return the capability to Europe for months, if a call for help were sounded. In a major contingency we would have to be ready in days—not months.

Would we save money if we brought the troops home and kept them in the force structure? Probably not. Not only would is cost virtually as much to keep them here—bringing them home would require an expanded capability to transport them back to Europe in an emergency. Their European depots and stocks would have to be supplied in duplicate. And, in the aggregate, the costs would more than compensate for any savings we might achieve.

The proposed unilateral reduction of U.S. forces will, of course, also affect prospects for the eventual negotiation of mutual balanced force reductions—MBFR. NATO expressed its interest in such a negotiation in its Rome and Brussels communiques last year. The Soviet Union returned the signal in Mr. Brezhney's report to the recent Communist Party Congress and in his May 13 Tbilisi speech which contained an invitation to begin negotiations. But why should we expect the Soviet Union to pay a price to obtain the reduction of the U.S. military presence in Europe—a prime Soviet objective of long standing—if Washington seems disposed to move unilaterally in this direction?

In short, in dealing with the legislation before us, we must revalidate President Nixon's pledge to our allies last December that this country will not withdraw its forces from Europe unless our opponents do likewise thus decreasing the threat which underlies our military presence there.

This brings me to SALT. These crucial negotiations represent an immensely important attempt to stabilize the strategic relationship between the great powers. This relationship is a rope of many strands. Who could doubt that a decision by the United States within 6 months to cut its NATO forces in half—and with them the conventional alternatives to nuclear war they represent—would raise new perhaps insuperable obstacles to SALT's success contingent on the preservation of a delicate balance of forces.

It has been asserted finally that the unilateral reduction of U.S. forces called for by the Mansfield amendment will foster detente. This infers that the forces confronting each other in Europe engender tension. But that is not so. It is the tension which brought the soldiers and they must stay until the tensions are reduced by bilateral agreements and actions. NATO's strength and steadfastness which has brought the promise of the era of negotiations and detente must not be destroyed by unilateral, precipitate action on our part.

These reasons, Mr. President, will, in my opinion, prove decisive. They will govern my vote and cause me to vote against the Mansfield amendment.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the Nelson amendment as modified.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

EUROPE AND AMERICA: A COMMON SECURITY

Mr. GRIFFIN. Mr. President, without the benefit of committee hearings, the Senate is being required to vote on the Mansfield proposal as a rider to the draft bill—a proposal of momentous importance to our security and to the security of the free world. At issue is not the draft nor a significant improvement in our balance of payments. At stake is the heart of our postwar policy of alliance with Western Europe.

Let there be no mistake about it. Such a unilateral reduction in our troop strength could not help but weaken the security of Western Europe; and, at the same time, it would contribute very little to a solution of the basic problems of the international monetary system.

If Congress were to enact the Mansfield amendment, we would be forcing an unwilling Commander in Chief to carry out military decisions as to the deployment of troops under his command—the Mansfield amendment would not affect overall troop levels—military decisions that both he and his military and political advisers believe to be disastrous. That is a heavy responsibility to assume, and it is a grave, far-reaching decision which the Senate ought not to make without the benefit of thorough committee hearings and careful deliberation.

I urge the Members of the Senate to look more closely at the arguments of the supporters of this amendment.

This Senator is profoundly disturbed by the damage to American security and to the NATO Alliance that would inevitably flow from adoption of the amendment proposed by the distinguished Senator from Montana. It is the wrong amendment, at the wrong time, and is certain to produce the wrong results.

U.S. troops are not in Europe simply to protect Europeans. They are in Europe to protect vital U.S. security interests. During the lifetime of most of us, the United States has been involved in two world wars which have erupted in Europe.

Today, more than ever, an effective alliance with Western Europe is essential to our security and our economic well-being.

The question posed by Senator MANSFIELD's amendment is not simply whether 150,000 U.S. servicemen are to be returned to this country. It is whether NATO is to survive as a credible alliance to guarantee American and European security in the future as it has in the past. To impose unilaterally a crippling withdrawal of our forces from Europe and from the Mediterranean would be to strike a devastating blow at the most successful effort ever organized in peacetime by free peoples to provide for their common defense. This is the order of the consequences we must ponder as we examine the Mansfield amendment.

Mr. President, the need for a strong, credible NATO force continues.

Russian and other Warsaw Pact forces are still a formidable threat to Europe. While we debate pulling our troops out of Europe, Russia and its allies are steadily strengthening their overall military power.

Nor can we measure the value of our military force in Europe solely as a part of NATO. The United States has vital security interest in the Middle East. Our forces in Europe—and let us never forget that these include the 6th Fleet—enable us to project our influence and power into the Mediterranean and the Middle East. The importance of maintaining a balance of military power—not only as between Israel and the Arabs, but also as between East and West—cannot be overemphasized.

In terms of the prospects of achieving peace in the Middle East, this amendment could not have come at a more inopportune time.

We must keep uppermost in our minds the fact that there is now a rough parity of nuclear capability as between the Soviet Union and the United States. Because the United States no longer enjoys an overwhelming nuclear superiority, it is particularly essential that we have a conventional option that is credible—credible both to our allies and to our potential enemies.

The military leaders of the United States and the military leaders of our allies agree that drastic cuts in U.S. forces in Europe would deprive our flexible response strategy of its credibility. Suddenly, we would be thrown back in the "trip-wire" strategy of the 1950's—

when a nuclear deterrent was credible. Today that advantage is gone.

Some who support the amendment apparently believe that our European allies would step into the breach and replace our reductions. But there is no assurance that will happen. European public opinion would be divided between those who would think the effort futile and those who would conclude that if America can take the risk, so can Europe.

If we should proceed unilaterally to withdraw massive numbers of troops, where is the European—let alone the Russian—who would believe that we have a future commitment to NATO?

Let us not deceive ourselves, a weakening of our forces in Europe is bound to diminish our negotiating strength in the vital negotiations now in progress and planned with Russians. We have heard Brezhnev's latest remarks on mutual and balanced force reductions. Does anyone really believe that the Soviets will be induced to reduce their force levels if we proceed unilaterally as proposed by the Mansfield amendment? That would not be consistent with the history of our past relations with the Soviet Union.

Or take the Berlin negotiations. Or Brandt's efforts to carry out his Ostpolitik. Or our efforts in the SALT talks. Or our efforts for peace in the Middle East. Are any of these efforts likely to be advanced by a massive unilateral American withdrawal from Europe? I submit, Mr. President, that just the opposite is true.

The negotiating stance of the United States would be seriously undercut and undermined. And would it not be tragic if, during the very days that Western Europe is moving toward greater unity, we were to destroy the confidence and the security upon which that movement rests by recklessly, unilaterally withdrawing our support for the NATO Alliance?

Supporters of the amendment have given much weight to the economic costs of our NATO forces. There is no doubt that our share of the NATO defense is costly. But there is no doubt that the cost of maintaining our troops in Europe has been greatly exaggerated in some quarters. It simply is not true that our 300,000 troops in Europe cost $14 billion a year as some have argued. Those forces, including the 6th Fleet in the Mediterranean, actually cost about $3 billion a year. That is only if we include a proportionate share of the cost of the support base in the United States—which would continue even if those forces returned to the Continental United States—and if we add the cost of training and logistical support in the United States, could the figure be raised to $7 or $8 billion.

The $14 billion figure, which has been quoted so frequently, includes the cost of all of our forces that would to committed to action in Europe in the case of hostilities. Most of those forces are in the United States. Some are in other parts of the world. Some are inactive reserve forces. The cost of maintaining such other forces would not be affected by a unilateral reduction in Europe.

The cost of keeping 300,000 men in Europe, in terms of our balance of payments, is about $1.7 billion annually. Moreover, more than half of this, or about $1.1 billion annually, occurs in West Germany. As we know, the West Germans are offsetting this to the tune of over $800 million a year and, accordingly, the real annual balance-of-payments cost for maintaining 300,000 men in Europe is closer to a half billion dollars. That is a substantial cost. But it is not a major factor in the current monetary crisis.

Mr. President, I know very well about the view of many people in and out of Congress that our allies are not bearing enough of the burden for our common defense. I agree that they should bear a greater burden and play a larger role. But let us keep this matter in fair perspective.

Our NATO allies do maintain 2 million men under arms. They provide 75 percent of NATO's airpower and 80 percent of its seapower.

Last year our European allies spent $24 billion for defense, about 4 percent of their total GNP.

Therefore, we should not labor under any assumption that we are doing everything and that our allies are doing nothing.

While we must insist that NATO's burdens be shared equitably, we must not and cannot act unilaterally unless we are ready to dismantle NATO.

Some who support the Mansfield amendment have made repeated references to the monetary turmoil of the past week, linking the Eurodollar crisis to our troop levels in Europe.

But, Mr. President, this is a misreading of the causes of the monetary problems.

Today's Eurodollar difficulties arose for three primary reasons—none related to the number of our troops in Europe.

First, the tremendous recent growth of international business and banking, and its expansion of Eurodollar volume, permits businessmen to shift huge quantities of dollars across national borders very quickly, unhampered by many of the former barriers to capital movements;

Second, dollars have poured into Germany to take advantage of its higher interest rates;

Third, it was widely expected that, as the supply of dollars in West Germany rose, the deutsche mark would be raised in value. Because this was the case, it triggered a speculative exchange of dollars for marks—corporate treasurers and others rushing to get as many marks as possible before the value of the mark went up.

As we contemplate what might be the consequences of precipitous unilateral action, we should not forget that the West Germans, alone, have dollar holdings that almost equal the value of our entire gold reserve. They are holding those dollars, rather than redeeming them, largely because of a cooperative arrangement and association which includes understandings about NATO troop levels. If we should unilaterally withdraw massive numbers of troops from Europe, what would happen then to the pressure on our dollar?

Mr. President, the issues before us are of historic proportions. A decision to cripple our European forces would have reverberations throughout the world.

And the short-term, immediate benefits which are promised by those who advocate this amendment would soon be lost in a cloud of troubles that so ill-advised an action would provoke.

Mr. President, following World War I, a band of willful Senators delivered a stinging blow to President Wilson's effort to build a stable structure of peace on the League of Nations.

The action of the Senate at that time moved the Nation into an era of withdrawal and isolation which led, not to peace but to another world war.

Mr. President, how many times must we learn and relearn the lessons of history?

Mrs. SMITH. Mr. President, the distinguished majority leader has performed a distinct service in his amendment to cut the number of our troops in Europe. For doing so, he deserves the commendation of every Member of this body. By his action, he has rendered an extremely valuable service in more than one respect.

First, he has brought the matter into sharp issue for sharp debate with no holds barred.

Second, he has voiced the concern, the anger, the resentment, the patience's end, and the frustration of millions of Americans.

Third, he has served clear and unmistakable notice on our European allies that Americans are fed up with the shabby treatment we are getting from our European allies as a reward for all that we have done for them and that we are not going to be slapped in the face and have our hands that have fed them bitten indefinitely.

We have carried the brunt of the military liberation and protection of Western Europe for nearly 30 years now. We have done it through the sacrifice of our military personnel and their families and through the billions of our taxpayer dollars.

We lifted Western European countries off their backs and provided their economic recovery through the generous Marshall plan and other forms of economic aid.

And what have we gotten in return? Continued slaps in the face. Continued biting of our hands that fed them. Continued failure of the nations of Western Europe to carry their fair share of the cost and personnel for the NATO that keeps them free nations.

In many respects, we have been taken "to the cleaners" by our Western European allies. They have drained us—but good—while they were getting relatively rich. But they are not alone. Japan has done the same thing to us.

Twice in a little more than two decades we had to liberate a France that had not developed the capability of successfully defending herself. And what was France's way of expressing her gratitude

for what we had done in liberating her and putting her back on her feet economically at the cost of billions of American taxpayers' dollars?

De Gaulle, with scant notice and insolent imperiousness, ordered our protective forces out and did what he could to undermine the NATO that had protected France, and was protecting France, against the Russian threat. This threatened the very existence of NATO. He then followed up with economic action deliberately planned to weaken our monetary position and our gold-flow position. This was the De Gaulle who wished our defeat in Vietnam because France had suffered ignominious defeat there and he did not want us to succeed where France had failed.

Perhaps the straw that broke the camel's back on the patience of our mild-mannered and exceedingly patient and understanding majority leader was the action of West Germany to weaken the American dollar for economic gain in the rise of the value of the West German mark. This is the gratitude of a defeated enemy that we so graciously helped rebuild with economic aid.

How ironical. In effect, we have made our Nation relatively poor in international monetary value by giving so much to our formerly "poor cousin" military allies in Western Europe with the economic aid we have given them and with the carrying of the burden to provide their military protection while they were getting rich at our expense. Now, from an international monetary standpoint, we are the "poor cousin."

We have literally drained our Nation to a seriously weak balance-of-payments position in relation to them and the rest of the world, because of our generosity to them.

In essence, for the generous aid we have given them, they have responded by declaring and waging economic warfare on us. And in that economic warfare, along with the Japan that we have so generously aided, they have literally captured jobs and industries from us with their cheap labor products.

And where we have raised these questions with them, their answer has been the threat that they would go Communist if we did not continue to carry them militarily and economically.

The time is approaching to call a halt to this suicidal pattern of ours. For if we do not, our Nation will go down the drain, because of its generosity to ungrateful allies that exploit that generosity to our own detriment and peril.

So I salute the patient and mild-mannered majority leader who has so dramatically and brilliantly exercised the steel of his determination to protect the interests of his Nation and to frankly state the unpleasant truth in a long overdue warning to our allies that exploit us.

He could not be more right in the principle of his proposal. By it, he has already produced remarkable results such as the Brezhnev bid to negotiate reduction of armed forces and armaments in Central Europe. And I think he may have brought our allies in Western Europe to recognition that we mean it when we say our patience is at an end. Surely at this stage, neoisolationism is relatively more acceptable than before.

But he could not be more wrong in the timing of his amendment. The timing is tragic. The adoption of his amendment at this time would be a disaster. Paradoxically it would give Brezhnev good reason to withdraw his bid for negotiation of reduction of armed forces and armaments in Central Europe. It would dissipate whatever serious or sincere intentions the Russians might have on the SALT talks.

At this time, the Mansfield amendment is tragically wrong, because it would unilaterally cut the American commitment to Western Europe on mutual defense and at the very time when so many oppose our unilateral withdrawal from Vietnam. However justified our provocation with the foot-dragging of our allies, it would be a cut without sufficient notice and consultation with our allies to whom we have made a commitment.

At this time, the Mansfield amendment is tragically wrong, because it suddenly betrays our responsibility to the organization we formed more than two decades ago and which organization has kept the peace in Europe longer than the interval between the two world wars.

At this time, the Mansfield amendment is tragically wrong, because it would necessitate the weakening of our Mediterranean force, reinforced by Western Europe, just as the possibility of Middle Eastern settlement is emerging.

At this time, the Mansfield amendment is tragically wrong, because it offers a dangerous incentive to those in Europe who, in fear of their jeopardy if it is carried out, would explore accommodation and separate arrangements with Russia.

At this time, the Mansfield amendment is tragically wrong, because it tends to corroborate De Gaulle's contention that the United States cannot be relied on in a joint defense against aggression.

At this time, the Mansfield amendment is tragically wrong, because it would reawaken the ghost of European disunity that twice before brought catastrophe to the world.

At this time, the Mansfield amendment is tragically wrong, because it raises into question the reality of every American commitment just as we are speeding our departure from Vietnam.

At this time, the Mansfield amendment is tragically wrong, because it would open a chasm which can only be welcomed by the remnants of national militarism in Germany and Japan after a generation of peace and democracy provided for the vast majority of those nations by the generosity of the victorious United States.

Its adoption would herald the world that the United States is "tossing in the towel" abrogating its commitments without even consultation with its allies, repudiating the President of the United States, dimming the memory of Czechoslovakia and the Brezhnev doctrine, without even any in-depth hearings in a complete departure from long-established procedures that constitute the legislative process.

Its adoption would be a significant turn to neoisolationism and to the concept of Fortress America.

Its adoption would be a giant step backward for both mankind and the Nation, because it would signify the relinquishment of U.S. leadership in the free world.

Mr. MUSKIE. Mr. President, I agree with the distinguished majority leader, Senator MANSFIELD, that there is no magic or sanctity about a European force level of 300,000 Americans.

I have supported him in seeking a reduction in our troop levels in Europe.

I have supported him in pressing our European allies to pick up a greater share of the burden.

I applaud the results he has achieved.

It is time to take a new look at Europe—East and West—and to accommodate our policies to the perspectives and prospects of the 1970's.

Mr. President, I do not believe that Senator Mansfield's amendment is the right way to do it at this time.

I believe that negotiated cutbacks by both the NATO and Warsaw Pact countries are now the most potentially productive path to a reduced American military presence in Europe, a reduction of tensions, and more open relationships between Eastern and Western Europe.

The Senate should encourage the administration to vigorously and strongly pursue the opportunity opened up by Mr. Brezhnev's recent call to start troop withdrawal negotiations, and Mr. Gromyko's subsequent discussion with Ambassador Beam. Such an effort would give us the chance to meet the objectives of this amendment while enhancing the stability and security of Europe. And that is what today's debate in the Senate is really all about.

The issue is not whether Congress has the constitutional right and the sworn responsibility to review and reshape our force levels and our overseas deployment. We have that right—and we must meet that responsibility.

The issue is not whether our European partners should carry a partner's share of the economic and military burden of security. They have the strength to do much more—and it is time for them to begin matching their will to their ability.

And the issue is not whether the United States should withdraw troops, but when and how. Not our direction or our purpose, but timing and method are the heart of this debate.

How should we decide?

What are the advantages and risks that we would run if 150,000 American servicemen were unilaterally and quickly withdrawn from Europe?

First, there is the rough military balance of power in Central Europe between the NATO and the Warsaw Pact countries. For 25 years our troops have helped keep that balance and have contributed to maintaining peace in Europe. A substantial American withdrawal might not upset that balance and the calculus of deterrence—but it might. We should not make such a drastic change hastily.

Second, a substantial American withdrawal at this time could endanger deterrence by increasing NATO's depend-

ence on tactical nuclear weapons. Most of a 150,000-man withdrawal would come from our land-based forces—not from the approximately 20,000 sailors and marines in the 6th Fleet. Consequently, the forces that were left behind would have to be heavily reoriented toward a tactical nuclear capability. But Soviet leaders might find a primarily nuclear force a less believable deterrent to military probes than the present mix of conventional forces. Here again, we cannot know for sure. We do know that the President of the United States should never be put in a position where his only choices when faced with limited conventional attack in Europe are to do nothing or to use nuclear weapons.

Third, the most desirable way to strengthen deterrence in Europe is by mutual cutbacks in the armed forces of NATO and the Warsaw Pact. If both sides agree to reduce their forces, they will reduce the threat that either side will gain a military advantage. Such an agreement would also reflect and enhance a more basic relaxation of political tensions. It would strengthen the chances for peace on a continent and in a world that has for too long lived with war. We cannot afford to bypass this kind of opportunity.

Mr. Brezhnev's recent remarks indicate a Soviet willingness to negotiate about mutual withdrawals. Yesterday's discussion between Ambassador Beam and Mr. Gromyko offer encouraging signs that such talks could be undertaken without delay.

Negotiations on balanced force reductions should have been and still should be high on our list of diplomatic priorities. As I said when I returned from my visit to Russia, this is one of a number of areas in which we can and must try to do business with Soviet leaders. We should vigorously explore the negotiating possibilities instead of taking unilateral action which could damage the prospects for their success.

Fourth, we should weigh the impact of force reductions in Europe on situations like the Middle East.

Fifth, U.S. force reductions in Europe could also have a bearing on current East-West negotiations, including the SALT talks. Progress on both sides in reducing conventional forces in Europe could improve the prospects for agreements in other areas.

Sixth, and I believe most importantly, one-sided U.S. troop reductions now would set back vital efforts to reduce East-West tensions and would particularly damage Chancellor Brandt's ostpolitik. The stabilization of East-West relations was the basic purpose behind the original decision by President Truman and the Congress to station American forces in Europe. Chancellor Brandt of West Germany is engaged in extremely delicate negotiations with Moscow and other East European nations to establish more normal relations. His policies, and particularly our joint efforts on the question of Berlin, are of great potential value, not only to Germany, but to all of us. They deserve more than the lukewarm support which the administration has given them. In my recent talk with Chancellor Brandt, he described the strong efforts he is making to maintain the balance between German diplomacy in the East and German commitments to NATO in the West. Unilateral American troop withdrawals at this time could weaken the NATO side of the equation and could make it far more difficult for Chancellor Brandt to keep the necessary balance.

We must also face the hard fact that the diplomacy of normalization is not without opposition in Germany itself. There, and elsewhere, powerful voices are opposed to any arrangements with the Russians and any relaxation of tensions in Europe. At the very least, the timing and character of the U.S. force reductions called for in this amendment could unsettle German politics.

For almost three decades, we have recognized that our troops in Europe serve a purpose beyond deterring a Soviet attack. Our NATO commitment helps to provide stability in German politics. Our troops help to cement German confidence in the West. They represent the basis for continued German integration into Western Europe. These purposes would not be well served by U.S. troop withdrawals at a time when the Germans themselves are debating a relaxation of tensions with the East, and have taken important initiatives to do so.

Finally, Mr. President, there are the financial and economic questions. They cannot be dismissed as peripheral or trivial, but I think we should avoid placing too great stress on them, from either side of the issue.

In the current balance-of-payments situation, the cost of America's presence in Europe must be taken into account. While the precise figure is difficult to calculate, the best estimate is that our European troop commitments represent a payments outflow of about $1.5 billion a year.

The immediate cause of our balance-of-payments problem is flows of short term capital—so-called "hot money"—and domestic inflation. Each of these problems must be solved, but neither will be solved by reducing our military presence in Europe.

This is not to say that we should avoid cutting the costs of our military support for NATO. We can and should insist that the Europeans—who want our troops in Europe—must pay more of the cost of keeping them there. We can and should insist that the administration cut the fat from our military forces in Europe, and elsewhere. Those must be urgent priorities.

We should not confuse a balance-of-payments savings overseas with a budgetary savings here. Redeployment of the forces based in Europe might contribute to the former—but it would do nothing about overall defense costs, unless the forces were not only redeployed, but disbanded. Even if this amendment forced the withdrawal of 150,000 American soldiers from Europe, presumably they would be maintained in the United States, specifically earmarked for NATO.

We would still be paying approximately the same budget cost, or more, for exactly the same forces. The only difference is that we would get less for our money. We would lose the political and military advantages of the current deployment in Europe.

These, then, are the issues which should concern us today: the conventional force balance of power—the threshold for the potential use of tactical nuclear weapons—the possibility of negotiation on mutual force cutbacks, as called for by Mr. Brezhnev—the effects of troop redeployments on the Middle East and on SALT—and the impact of unilateral American withdrawals both on German efforts to settle festering issues to the East and on delicate problems in German internal politics.

So the essential question is not whether we should continue to do for the Europeans what they can do for themselves. We all agree on the answer to that.

The majority leader has courageously dramatized our answer—and he is again reminding the Europeans of how we think and what we expect. His reminders have been felt in Europe in the past and will be felt there now and in the future. European governments have responded in the last few years with larger steps toward joint force planning and more equitable defense spending. They have recently made arrangements with the United States to assume a larger share of NATO infrastructure costs of the next 5 years.

Little of this would have come to pass were it not for Senator MIKE MANSFIELD. Our European partners should understand that virtually all of us in the U.S. Senate are with him in expecting them to pick up a fair part of our mutual defense costs. And we are with him in our impatience. We may wait longer for the sake of Europe—but we cannot wait forever.

And just as our NATO partners should not misread what some of us are saying, so our own executive branch should not misread us either. I am opposed to reducing our forces in Europe by 150,000 men at this time and in this way. But this does not mean that I oppose reducing excess military manpower, that is something which could and should be explored. There is plenty of fat in our Armed Forces, including our European forces.

I am not sure that the administration has done all it could to pressure our European allies to shoulder more of the cost of NATO forces. I am not sure that the administration has done all it could to press for a mutual balanced force reduction in Europe. That is why Senator MANSFIELD's efforts are so important. His proposals have motivated more action on these fronts than might otherwise have occurred.

Mr. President, we went to Europe in 1941 to fight a war. We have stayed there ever since to help avoid another war. We have succeeded. I hope and believe that we are nearing the time when peace can be maintained by diplomacy and trade, not primarily by arms and military might. There is evidence in SALT, in Mr. Brezhnev's recent statements, and in the Gromyko-Beam conversation that we

have an opportunity now to begin to negotiate seriously about force reductions and the future of a stable peace in Europe.

We must seize our chance. For the time being, our troops in Europe are part of the negotiating equation. We must use them in the pursuit of a negotiated peace, as we have used them to deter war. They can serve no greater cause. It is the same cause the majority leader seeks to serve with his amendment. I disagree with his amendment, because I believe there is a better way.

Mr. JACKSON. Mr. President, as the debate on the amendment before the Senate (No. 86) continues it is important that we consider the repercussions of its adoption not only in Europe, but throughout the world.

Passage of this amendment would, in my view, suggest to our friends and our enemies around the world that this country, having failed to learn the lesson of the 1930's, is retreating into isolationism. So severe and precipitate a reduction in our presence in Europe will not be understood as a mere economy measure or as a positive effort to encourage détente with the Soviet Union.

We are in Europe today not as a favor to the Europeans, but because we have learned that the security of the United States is inextricably tied to the security of Europe.

In 1914 and again in 1939, we learned that the failure to maintain a balance of power on the European Continent could lead to world war. The North Atlantic Alliance was born as a response to that twice-learned and terribly costly lesson—and it has succeeded in maintaining the balance that is vital to the maintenance of peace. Some people argue that we can safely bring our NATO troops home because 26 years have passed peacefully since the end of World War II. But this overlooks the fact that the peace we have enjoyed in Europe the last 26 years is largely a product of the success of the Atlantic Alliance in deterring a general war and in containing recurring explosive incidents within the Soviet bloc. I find the view that after 26 years we can pack up and go home a little like the view that because the town has not burned to the ground for 26 years, we can cut in half the size of the fire department.

The immediate result of a withdrawal from Europe on anything approaching the magnitude of the proposed amendment would be a collapse of confidence in American assurances and in the orderly formulation of American foreign policy. The United States cannot expect collaboration with friends and allies in the common defense if our own defense and foreign policies are subjected to sudden and capricious reversals with far-reaching consequences.

In the case of NATO, we and our European allies have over the years developed agreed upon consultative machinery for the formulation of common policies. It is difficult to imagine a more disruptive monkey wrench in that machinery than to present our allies with a fait accompli of the magnitude we are discussing here.

What is here at issue is nothing less than a reversal of America's postwar European policy and a rejection of the creative European alliance that has, since World War II, kept the peace and maintained Western security.

We must not lose sight of the fact that all over the world there are men and women whose lives and freedoms depend, in the last analysis, on the capacity of the United States to lead the common defense effort of the free world. Our leadership cannot survive a policy process in which our relations with a whole continent are changed overnight. And our leadership—our ability to bring together those independent states who value their independence and freedom—is the best guarantee of security for the American people.

I am concerned, Mr. President, not only at the reaction in Europe that would follow adoption of this amendment. I am concerned at the reaction in the Soviet Union.

Cutting our strength in Europe in half would encourage the Soviets in the belief that the United States has begun a process of disengagement from the world that would call into question the many partnerships that have acted to deter Soviet adventure. Such a drastic move will signal a failure of our will and invite the conclusion that we will not stand firm in a crisis.

In my view, the most immediate victims of the precipitate withdrawal of American forces from Europe would not be our Western European allies, but those countries in more exposed and more precarious forward positions. The Middle East, perhaps more than anywhere else, would feel the effects of such an American withdrawal of forces from Europe.

The American presence in Europe, and especially our naval deployments in Italy and on board the Sixth Fleet, serve both to protect Europe and help maintain the stability of the Middle East. A test of our resolve in one place will have immediate repercussions in the other. A lessening of American interest in the defense of Europe will inevitably be seen as foreshadowing a decline of our determination to help preserve stability in the Middle East and to protect our interests and our friends and allies there.

Our friends in Israel would view with the most urgent alarm an indication that the United States was no longer prepared to maintain an adequate defensive capability in Europe. If America, in response to a fluctuation in the market for Eurodollars is prepared to revise its relations with a whole continent, how would America respond to a crisis in the Middle East?

In the Middle East, moreover, some of us have been concerned about the relative strength and effectiveness of those forces that the United States maintains in order to protect the security of the Eastern Mediterranean. The drastic cutback proposed by this amendment would necessitate a reduction in our forces in the Eastern Mediterranean—which are already threatened by the increasing penetration of the Soviet Union in the Middle East.

A few days ago President Johnson told of the events of early June 1967, and of how he moved the U.S. 6th Fleet forward in response to an explicit threat of Soviet intervention in the war against Israel. In 1967—and again in the Jordanian crisis last year—our Mediterranean fleet spoke louder than words. In 1971 we are not going to be very persuasive with the Russians if they see us bringing home the instruments of persuasion.

It is striking, Mr. President, that in the several days of debate on the proposed amendment there has been virtually no indication of support for it by those statesmen, past and present, who have been responsible for the conduct of American foreign policy. There has been little or no indication of support from those academic political scientists and historians whose area of expertise is concerned with defense and foreign policy and European affairs. There has been very little editorial support for the drastic cutbacks that are proposed in this amendment.

On the contrary, we have seen, in the last few days, an unprecedented outpouring of opposition to the amendment. Presidents Truman and Johnson, joined by their Secretaries of State, have added their voices to those of us who take pride in the steadiness of the policies of the Atlantic Alliance since World War II.

I am not surprised by this. I have great confidence in the sound judgment of the American people. In particular, I am confident that the American people would not wish to see this country act in a way that, turning our back on history, would turn us inward. Americans have come to expect that our security, and that of the free world, depends on our courage and determination—and on our leadership. The American people understand that we cannot afford to retreat into isolation—that we can and must work together with those nations who love freedom and independence in order to provide for the common defense.

In connection with the current debate, Mr. President, I ask unanimous consent to have printed in the RECORD a resolution entitled "NATO—Shield of Peace and Freedom" passed by the AFL–CIO Executive Council in February 1970, opposing a substantial withdrawal of U.S. troops from Europe.

A great part of what is said in this resolution is as timely now as in February 1970, and evidences the basic understanding by the AFL–CIO of the role of the conventional forces of NATO, including their vital American component.

I would point out that the AFL–CIO, over the years, has been a firm supporter of the North Atlantic Alliance, and, therefore, I believe this statement will be of great interest to my colleagues.

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

NATO—SHIELD OF PEACE AND FREEDOM

Twenty years ago, the United States took the initiative in establishing NATO in order to block the Soviet Union from extending its control over the entire European continent. Our nation did this because two world wars had taught us that American national security is dependent upon a Europe free from the hegemony of a single power.

NATO has succeeded in keeping the peace in Europe and preserving the freedom of our European allies. It has served as an

effective obstacle to a third world war and has thus assured the Western nations two decades of unparalleled progress and prosperity.

Throughout these years, the United States has been the backbone of the Atlantic Alliance. America's commitment to defend Europe has given our allies security and enabled them to withstand Moscow's threats, attempts at intimidation and ultimatums. The U.S. has backed its commitment fully. The most visible and convincing proof of our determination to honor our pledge has been the stationing of U.S. troops on European soil, mainly in West Germany. Friend and foe realize that any aggression against West Europe would at once bring American forces into battle—with all the consequences this would have for the aggressor. The presence of a substantial number of American troops has, therefore, served as a reassurance to our allies and a warning to our enemies.

This cornerstone of the Atlantic Alliance is now in danger of being undermined by the demand for a speedy and major withdrawal of American forces from Europe—a demand expressed in the resolution submitted by Senator Mansfield.

The AFL–CIO Executive Council views this proposal with great concern. It regards a drastic cut in American troop strength in Europe at the present time as a grave threat to the security of the United States, the freedom of Europe and the peace of the world. We consider the assumptions underlying the Mansfield resolution as unrealistic and fallacious. Its main assumption is that the Soviet Union no longer harbors expansionist designs in Europe. Unfortunately, all available evidence points to the contrary. As witnessed by the international conference of Communist parties held last June in Moscow, and by the WFTU Congress held last October in Budapest, the Kremlin has stepped up its subversive campaign against the West European countries; it lends increased support to the efforts of the French and other Communist parties to gain power; it seeks to penetrate—and not without success—mass organizations in West Germany such as trade unions, student movements and church groups.

On the diplomatic field, it attempts to exploit the new Ostpolitik of the Brandt government, not only for winning recognition of its World War II conquests, but also to weaken the freedom of West Berlin and loosen the ties binding the Federal Republic to the West and especially NATO. Likewise, the main purpose of the so-called conference on European security, ardently sought by the Soviet government, is the consolidation of Moscow's East European conquests and the dismantlement of NATO. This continues to be the over-riding preoccupation of the Soviets.

Moscow has ordered a worldwide mobilization of all its front organizations to promote this objective. At the October 1969 WFTU Congress, Shelepin, former political police chief and now head of the Soviet "trade unions," proposed that this world body wage a carefully prepared, step by step, campaign to lure the free trade unions of Western Europe to join with the Communist-controlled labor organizations in a conference to consider the "security of the continent."

This political drive has been accompanied by a continuous buildup of Soviet military power. To the disadvantage of NATO, Moscow's strategic position has considerably improved in recent years. With the occupation of Czechoslovakia, Russia troops are now stationed at the Czech-German border. The presence of strong Soviet naval forces in the Mediterranean threatens the Southern flank of NATO and endangers oil supplies for West European countries. And the integration of Moscow Pact troops under Soviet control has been further advanced.

A second fallacy in the Mansfield resolution is the belief that a U.S. troop cutback would bring about a lessening of tension in the heart of Europe. Actually, such a unilateral move would have the opposite effect. The NATO member states have repeatedly called upon the Soviet Union to negotiate with them a mutual and balanced reduction in the armed forces confronting each other. The Soviet government has ignored this appeal. Moscow expects large numbers of U.S. troops to leave Europe without the Soviets having to reciprocate. It is clear that our unilateral action will dim the chances for an agreement with the Soviet Union on a similar cutback in Warsaw pact forces.

A third fallacy is the assumption that U.S. troops could be easily replaced by European forces and that, therefore, an American withdrawal would have no dangerous consequences. It is true that our European allies have not kept fully their promises regarding conventional arms. While we should press for the fulfillment of their commitments, we must realize that this situation cannot be remedied overnight. Even if it were possible to replace, reasonably soon, U.S. troops by European forces, this would not repair the damage caused by a major American cutback. Such a cutback would be widely interpreted as a sign of disinterest in and disengagement from Europe, as a return to isolationism. The Mansfield resolution has already caused dismay and apprehension among our European allies. Its adoption and implementation would, in all probability, encourage and facilitate the Soviet Union to step up its pressure and blackmail tactics in the hope of frightening the countries of West Europe into submission.

Confronted with a much smaller number of American troops, the Soviets might even be emboldened to commit aggressive acts. In such a case, the United States would be left with a choice only between accepting capitulation or risking nuclear war in order to assure Europe's and, finally, our own survival as a free nation.

A fourth fallacy is the assumption that improved transport facilities would enable American combat units to return speedily to Europe in the event of an emergency. However, this argument does not take into account the danger of planes being intercepted; it underrates the time factor and ignores the possibility that a Soviet massive blitz attack might destroy all landing places in allied hands.

Senator Mansfield and other sponsors of his resolution have mainly adduced financial grounds in arguing for a reduced U.S. Military establishment in Europe. They maintain that our European allies can well afford to make a greater contribution to their defense needs. For years, the AFL–CIO has been calling for a more fair sharing of NATO expenditures. We now urge our government to step up its efforts to secure more equitable arrangements. Our government should seek an agreement under which NATO costs would be financed through a joint budget. This would facilitate a just solution of this crucial problem and serve the best interests of all concerned.

Finally, we should not forget that we have commitments to our European allies not only under NATO. When we urged them to sign the Non-Proliferation Treaty we assumed an additional moral responsibility for their defense. Any substantial reduction in our armed forces now might be regarded as a betrayal of their trust in us. Compared with 1962, there are today almost 100,000 fewer U.S. soldiers in Europe. Any further major reduction would weaken our military presence to such an extent that the credibility of our commitment might be seriously questioned.

For these reasons, the Executive Council of the AFL–CIO calls upon the Administration to maintain an adequate level of U.S. troop strength in Europe as long as the Soviet threat persists and an agreement on a reciprocal and balanced troop withdrawal has not been concluded with the U.S.S.R.

February 1970.

Mr. JACKSON. Mr. President, I also ask unanimous consent to have printed in the RECORD material prepared by the appropriate executive agencies entitled "Sharing the Burdens of NATO's Common Defense." I think it would be useful and of benefit to Senators who are following this debate closely to have before them the facts presented in this executive agency summary.

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

SHARING THE BURDENS OF NATO'S COMMON DEFENSE—AMERICA'S BURDEN

The operating costs of maintaining our 300,000 troops in Europe (including the Sixth Fleet) in fiscal year 1970 totaled about $3 billion, or less than ½ per cent of United States GNP. If we add a proportionate share of the U.S. support base, including new equipment, training and logistic support, the total cost is about $7–8 billion, or less than one per cent of our GNP. If we were to include all forces "oriented" toward NATO, and their related support elements, the total cost would approximate $14 billion. This figure, however, includes forces not in Europe which are used for non-NATO purposes; for example, in Viet-Nam. U.S. defense expenditures entering the international balance of payments in NATO Europe totaled about $1.7 billion in fiscal year 1970.

In terms of numbers, our military presence in Europe has declined from a high of approximately 434,000 in 1961–62 to about 300,000 today, a reduction of 134,000 men, more than one quarter of the total force, over the last decade. We have, of course, substantially improved the qualitative posture of this force as it was reduced quantitatively. The US share of total Alliance manpower in Europe has also declined. In 1961 the US provided 50 per cent of NATO's combat ready troops. Now, the Allies supply 90 per cent of the ground troops.

THE ALLIED BURDEN

Our European Allies have made a substantial contribution to the common defense. From $19.6 billion in 1965, their total defense expenditures have risen to almost $23 billion in 1969. They spend an average of 3.9 per cent of their GNP on defense. The key countries of the United Kingdom, France, and the Federal Republic of Germany spend 5.1 per cent, 4.4 per cent and 3.5 per cent respectively of their GNP's on defense.

This 3.9 per cent average compares favorably with the US figures of $3 billion and $7–8 billion (each less than one per cent of US GNP), and $14 billion (about 1½ per cent of US GNP).

Over the past decade the Allies have made substantial additions to the number of men under arms. For example, between 1960 and 1969 the Federal Republic of Germany increased its armed forces from 270,400 to 462,700—an expansion of 192,300. In fact, the European Allies maintain about 2.9 million men in their armed forces—and they are significantly better equipped now than in the past. They are also more combat-ready than earlier. Practically all of these forces would be employed in the direct defense of NATO Europe. Looked at another way, in the critical area of Central Europe our Allies supply 20 of the 24⅓ combat-ready and in place divisions, not counting the five French combat-ready divisions. In the rest of NATO Europe, our Allies supply an additional 25 divisions.

The most significant increases in the Allied contribution to the common defense, however, occur in the area of qualitative improvements. Without great publicity, the

Allies have made major advances in purchasing improved forces. They have ambitious plans for further improvement. Almost all countries are completing the purchase and deployment of modern tanks, including Leopards, Chieftains, and the AMX–30. Their plans call for additional sizeable purchases of the modern armor and anti-armor forces so critical to a successful defense of Western Europe.

Further, several of the Allies, including the FRG and the UK, are improving their mobilization system—indispensible if NATO's forward strategy is to be successful. The Allies have constantly improved the quantity of their aircraft, purchasing substantial numbers of US F–104 and F–4. Their plans call for additional major purchases of similar sophisticated aircraft.

The Allies are also building and purchasing sizeable numbers of new anti-submarine ships and aircraft, including the US-built P–3.

Finally, ten of the European Allies have undertaken a special European Defense Improvement Program (EDIP) going well beyond previously existing plans and designed to improve Alliance defense capabilities in several critical areas. The EDIP will cost about $1 billion over five years and will comprise two types of additional defense expenditures:

A special contribution of $420 million to NATO's common infrastructure, which will be a major step toward improving the vulnerability of NATO's tactical aircraft, including our own, and may ultimately provide several thousand additional shelters. NATO communications will also be improved, providing more reliable crisis management and combat control.

Improvements to national forces costing about $450–500 million for the next five years, with substantial further amounts to follow. This will provide NATO with a major improvement in its ability to mount a successful conventional defense. A partial list of national improvements includes:

UNITED KINGDOM

1. Addition of four squadrons of Jaguar close-support aircraft.

2. Retention of an aircraft carrier originally scheduled for deactivization.

3. An additional armored car regiment to ready reserves.

FRG

Purchase and operation of more than fifty heavy-lift US-made helicopters.

BELGIUM

Purchase and operation of additional US-made transport aircraft. The FRG will also contribute to Turkey aircraft valued at $79 M.

As important as these actual improvements are to NATO's defenses, at least as important is the psychological boost to our Allies that such a cooperative project produces.

This initial joint program of the ten European Allies, the Eurogroup, provides a successful foundation on which equally ambitious follow-on efforts can rise.

OFFSETS

In the past, the FRG has largely offset the balance of payment impact of US defense expenditures in West Germany, where two thirds of our European forces are stationed. In the early 1960's, when the FRG was equipping an expanding defense force, the West Germans purchased large quantities of military equipment from the US, offsetting US defense expenditures in the FRG. By mid-decade, however, the Federal Republic's need for equipment leveled off, then declined. Beginning in fiscal year 1967 special financial measures were utilized, including the purchase by the FRG of US bonds.

The current offset agreement covers the period July 1, 1969 to June 30, 1971 and neutralizes about 80 per cent of the balance of payments outflow.

It includes:

FRG military procurement in the U.S., $842 million.

10-year German loan to the U.S., $250 million.

FRG civilian procurement in the U.S., $130 million.

Other components which, added, to the above elements, total about $1.6 billion.

We are in the process of negotiating a renewal of the offset arrangement with the FRG.

In addition to this formal offset, our other European Allies purchase major amounts of U.S. military equipment, averaging almost $250 million annually over the past ten years with a high of $392 million in 1966 and a low of $67 million in 1961. These purchases are in large part the result of the interdependence that flows from the shared interests of the NATO Alliance.

Finally, it is necessary to bear in mind that while NATO's security interest focuses on Europe and North America, the U.S. has various interests in the Pacific, Latin America and elsewhere that require it to maintain a defense posture much greater than that needed solely to carry out our NATO commitment. Further, the cost of America's nuclear deterrent is substantial. We could, of course, suggest that our Allies develop their own nuclear forces. We decided, however, long ago that the dangers inherent in nuclear proliferation far outweigh any possible advantage in terms of burden sharing.

So long as the United States intends to remain a world power, so long as it prefers to restrict nuclear proliferation, it can expect to carry a defense burden substantially greater than the burdens borne by smaller Allied powers.

Mr. STENNIS. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I yield.

Mr. STENNIS. I shall be brief. I want again to thank the Senator from Washington for the remarks he has just made, which is another contribution by him in this highly important field where he is unusually well versed as a result of his intense interest, as well as particular application to the subject matter over a period of years.

I have followed his reasoning closely. He has made an additional contribution to this debate.

I especially appreciate it, Senator, and thank you very much.

Mr. JACKSON. I want to thank my chairman of the committee who has, over the years, followed closely the problems of the North Atlantic Treaty Alliance and especially the problems of burden sharing, and who has made many contributions to this dialog and this discussion.

Mr. President, I yield the floor.

Mr. GRAVEL. Mr. President, I sought to acquire the floor in my own right, rather than asking the Senator from Washington to yield, as he has a sore throat. Obviously, over the ensuing weeks, we will have an opportunity to catch him in good voice at another time.

I want to draw one point from the statement of the Senator from Washington; namely, a point which I think should be recognized as something of an appeal to the Jewish community in the United States. I count myself as one of those who feel strongly about maintaining a proper balance in the Middle East and giving adequate support to Israel when that support is needed. But I do want to restate part of the colloquy that took place this morning, and that was the excellent statement made by the Senator from Vermont (Mr. AIKEN). I quote from his statement, on page 6:

> And enough should be left, no doubt, to serve notice that we have a vital interest in maintaining a balance of power between Israel and the Arab world—a subject to which NATO could well address itself.

There is the inference, of course, that NATO has done nothing in that regard.

Now this raising of the specter—not only has my colleague from Washington raised it, but also the Senator from New York—that if anything happens to NATO it would obviously impair our ability to render security to the Israeli nation, I believe brought out an interesting point: where we are living within another nation, with our Armed Forces stationed there, that nation is called the host nation. If the host nation chooses not to let us use our Armed Forces stationed in their country as part of an operation relative to another part of the world, we would be hard-pressed to use them in that regard.

An example would be if West Germany chose to impede any activity we might want to engage in the Middle East involving Israel, West Germany could be a block to the exercise of that foreign policy.

It is an interesting state of affairs that develops. I fail to understand the logic of the Senator from Washington, or the Senator from New York for that matter. We now are dependent upon the nations of Western Europe as to whether we are able to get involved in the Middle East, if we felt that was in our interest. Rather than giving us the facility to act, large NATO commitments impair our ability to act.

Mr. BAYH. Mr. President, will the Senator from Alaska yield?

Mr. GRAVEL. I yield.

Mr. BAYH. The Senator from Indiana would like to concur in what his friend from Alaska has just said. I, for one, feel that there was a period of time which we were so obsessed with the problems in Southeast Asia that we suggested to the Russians the thought that perhaps we were not so concerned about the Middle East as we should have been.

I have said before that just one or two Phantom jets appearing on the runway 2 years ago in Tel Aviv would have been ample signal. We would not have had to make a major speech or involved ourselves in a big cold war confrontation. But the message should have been given earlier to the Russians that what happened in the Middle East was very much in our national interest.

I join the Senator from Alaska in suggesting that we should clearly establish the record of our deep concern about the freedom of Israel and the maintenance of the maximum effort to secure peace in the Middle East. But if we are talking about international credibility, it seems to me that part and parcel of maintaining freedom throughout the world is to see that each nation does the most that it can to use its own resources in providing for its own freedom.

Here we are, some 25 years after the founding of NATO, with the same force

level committed to Europe that was committed by President Harry Truman. The McClellan amendment, requiring the President to obtain specific congressional consent before committing more than the initial four divisions, was passed in 1951 by a 49-to-43 vote. And the present occupant of the White House voted to support congressional authority to maintain control over the force levels. Yet we have not seen the assumption of additional burdens by our allies in Europe on the order I would like to see. I have not seen the increase that is appropriate.

I congratulate the Senator from Alaska and salute him for pointing this out.

I do not see how our requiring and requesting our friends and allies in Western Europe to assume an additional share of this burden relates to our resolve to deal with the problems in the Mediterranean.

There is nothing in the Mansfield amendment or in the amendment of the Senator from Indiana that would hamper the 6th Fleet. There is nothing there at all. Less than 10 percent of American forces in Europe are associated with the 6th Fleet. More than two-thirds are stationed in Germany.

I think we are not accurate in trying to tie the Middle East question to the possible withdrawal of 150,000 troops from Western Europe. I join with the Senator from Alaska in suggesting that the two are different questions, and that we are wrong if we confuse them.

Mr. GRAVEL. Mr. President, I thank my friend, the Senator from Indiana, for sharing that particular view. I think that is, of course, part of the dialog and discussion that has taken place. I think that many times the discussions go far afield.

Mr. President, I yield the floor.

Mr. STEVENSON. Mr. President, the great alliance forged in the West after World War II has permitted Europe to prosper and an uneasy peace to prevail. But circumstances have changed enormously in the intervening period. It is now past time the United States seriously measured the cost of its commitment to the alliance against its value to us and to our allies. Senator MANSFIELD has done the Nation and the alliance a service by provoking a long overdue reexamination of our commitment to NATO.

It has become quite evident from this debate that all Members of the Senate share a desire for a reduction in U.S. force levels and military spending and for a withdrawal of forces from stations throughout the world. We share, too, a desire to rectify our balance-of-payments deficit. Our NATO commitment contributed last year a net deficit of about $800 million to our overall payments deficit of about $9.6 billion.

The question then is whether the Mansfield amendment will achieve in any measure these shared purposes—and at what cost.

The reduction of U.S. force levels in Western Europe by 150,000 men would not contribute to a reduction of overall U.S. force levels. It would simply mean a costly transfer of troops from Europe to the United States, where it would be about as expensive to maintain them.

Such a precipitate move back to our shores would coincide with our withdrawal from Vietnam and the growing Soviet presence in the Middle East and eastern Mediterranean. The SALT talks are underway. The Ostpolitik of Willy Brandt is being tested. The Four Power talks and Common Market negotiations are in progress. There is hope for a new detente, indeed, for a resolution of many of the issues which have vexed relations between East and West since the World War.

It is not a time for the Congress to demand that we withdraw 150,000 troops from Europe unilaterally and without so much as consulting our allies. To pull up stakes would run the risk of demoralizing the alliance and destabilizing a carefully constructed balance of power. By so doing we would only diminish the prospects for a reconciliation of interests in the Middle East, in Europe, and in the strategic arms race between the great powers. It could lead to a greater dependence on nuclear weapons by the Europeans and to a West German nuclear capability.

Besides, our purpose is not unilateral withdrawal. It is to preserve peace by maintaining the balance of power in Europe and by seeking a mutual and balanced force withdrawal from Europe. The unilateral withdrawal of half our forces would diminish the prospects for a mutual withdrawal of foreign troops from European soil—prospects which have been brightened on at least two recent occasions by the statements of Chairman Brezhnev.

The U.S. presence in Europe does contribute about $800 million to our payments deficit after European offsets. With the reevaluation of European currencies and rising costs, the deficit attributable to NATO costs could increase. But the deficit could be eliminated by a greater European contribution to the cost of the U.S. presence in Europe, as effectively as by a withdrawal of U.S. forces. The Europeans are not now contributing their fair share of the costs of their own defense. Under our Offset Agreement with the Federal Republic of Germany, it agrees to purchase military hardware and civilian goods in the United States, grants us a 10-year loan of $250 million, encourages German investment in the United States and purchases for dollars foreign obligations owed to the United States. It contributes virtually nothing out of pocket to defray the costs of our presence in Western Germany.

If our presence is not worth its cost, or some larger share, to the Europeans, then it might well be argued that it is not worth it to us either. That would be the time to consider unilateral withdrawal.

The Offset Agreement with West Germany expires on June 30. It is being renegotiated now. The West Germans now have an opportunity to demonstrate that our continued presence in Western Europe is necessary for their security and the continued vitality of the alliance. All the NATO ministers will have that opportunity at their meeting in Lisbon next month. I believe, therefore, that troop withdrawal by congressional fiat now would at best be premature.

Let us first give the administration and our good friends in Europe the chance to renegotiate force levels and cost contributions against the backdrop of mounting public and congressional concern.

The impatience of the American people and the Senate, aggravated by monetary difficulties, should by now be obvious. As Edmund Burke once said:

"There are limits at which forbearance ceases to be a virtue."

We are rapidly approaching those limits.

In the negotiations with the West Germans and in the meeting to be held by the NATO Defense Ministers in Lisbon next month, the Allies will have a chance to ground their partnership once again upon the solid rock of cooperation and common sacrifice in pursuit of a common cause. If the Mansfield amendment is defeated on Wednesday, it will be back again and with more support—unless in the meantime the Allies have redistributed the burdens of their joint defense.

I have joined Senators MATHIAS, JAVITS, and HUMPHREY in offering an amendment to H.R. 6531 which reaffirms U.S. support for NATO. It also calls for the President to pursue with our NATO Allies and the Warsaw Pact nations arrangements for a mutual and balanced reduction of forces in Europe. It calls upon the President to seek a more substantial contribution by our prosperous NATO Allies to the expense of maintaining our forces in Europe and to report to Congress by September 15, 1971. It does not endanger the alliance. It does not threaten our allies, as certain of the amendments may do. It does not leave U.S. force levels to be determined by the Warsaw Pact nations, as does one amendment. It joins the Congress with the President in a reaffirmation of American support for the alliance. It is a powerful and perhaps a final plea from both for a fair distribution of the alliance's burden.

Mr. BAYH. Mr. President, will the Senator yield for a question?

Mr. STEVENSON. I am glad to yield to the Senator from Indiana for a question.

Mr. BAYH. I do not want to argue with my distinguished colleague from Illinois. I listened to his statement in substantial agreement. I just ask the Senator if between now and tomorrow he would take the time to read the amendment which has been proposed by the Senator from Indiana, the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. SAXBE). This amendment seems to me to go to the heart of the argument he presents.

Our amendment would give the NATO allies until the end of this year to negotiate for an additional assumption of the balance-of-payment loss resulting from maintaining the troops which are the subject of the amendment of our distinguished majority leader.

If it is the judgment of our European allies that the contribution of the 150,000 troops to their defense is not sufficient for them to bear at least one-half of the present uncompensated balance-of-

payments deficit resulting from the stationing of our forces—a sum of about $325 million—then we would withdraw the 150,000 troops, in two stages, on June 30 and December 31 of the following year.

The Senator has been very kind to permit me to proceed. This is a rather long question. But I suggest to him, because I am deeply concerned, that the amendment which bears his name and the name of the Senator from Maryland (Mr. MATHIAS), has no force and effect. It is more of the same kind of language that I and others have suggested in the past. It seems to me the time has come for our actions to conform to our words. We should put the Senate on record and strengthen the President's hand by saying to our friends, "It has been 25 years; now is the time."

I hope the Senator between now and tomorrow would consider the alternatives to the proposals presented by him and the Senator from Maryland.

Mr. STEVENSON. I have already studied the Senator's proposal, and I wish to congratulate him for making a very worthwhile contribution to the debate. Not only have I studied it but I have made reference to it in my comments in referring to the amendment offered by Senators JAVITS, MATHIAS, HUMPHREY, and myself. I said this amendment, our amendment, does not threaten our allies. That was an indirect reference to the amendment of the Senator from Indiana. That is my principal quarrel with it. Our purposes are the same. But I believe his amendment might very well be regarded as an ultimatum and if so, I fear it might be counterproductive.

The message is plain from what has been said and what is incorporated in the amendment we have offered. I would hope it would not be necessary to go beyond those words to what I regard as a very blunt instrument which would, in effect, threaten our friends in Europe through a withdrawal of forces if they did not come up with a certain amount by a certain time.

It is really a difference in tactics, and not in substance. The Senator's amendment is certainly deserving of very serious consideration and it is a very worthwhile contribution to this debate. Like the other amendments, it demonstrates the impatience of the American people and the Congress with the way in which the costs of the alliance are presently divided between the allies.

Mr. BAYH. If the Senator will permit me to pursue this dialog a bit further. The concern of the Senator from Indiana is over results. As I read the language of the amendment presented by Senators SAXBE, RIBICOFF, and myself, it seems to me that the way it has been presented it is not a threat. In fact, the speech I made yesterday and the way I will present it on the floor when the time comes, if I can parliamentarily present it, is not in the form of a threat.

I have been a member of our NATO delegation for almost every year since I have been in the Senate. I have great camaraderie with our parliamentary colleagues in Western Europe. I do not want to threaten. But I want our country to achieve certain results.

I am advised that the administration is very anxious to get our NATO allies to assume a larger share of the balance-of-payments deficit which is precipitated by stationing troops in Western Europe. I am advised that the last time they sat down to negotiate, they tried to negotiate for a $1-billion setoff, but were only successful in obtaining $1 billion spread over 5 years. It seems to me we must give the administration the kind of negotiating tools it needs. And certainly if our NATO allies feel this cost to them is not worth it, they should not negotiate. But let them know we are putting the burden on them. We are not threatening them. We are saying that we are willing to maintain the troops and pay the costs.

I am not talking about requiring them to pay a substantially increased share of our total NATO costs. I am talking about the fact that we are in a difficult situation so far as the balance of payments is concerned, the fact that some European interests are giving the dollar a hard time. Given those circumstances, it seems only fair and equitable to suggest to the Europeans that they assume a larger share of the balance-of-payments burden.

No threats are involved, only a statement of facts and commitments in a friendly way, to deal with a very difficult problem.

Mr. STEVENSON. I agree with what the Senator said about giving the administration tools. I believe, however, that his amendment would give the administration an unsolicited club. If not a threat, it would be interpreted as a threat; it has been so interpreted in many conversations I have had abroad. I do not see the necessity for that. Negotiations with the West Germans are in progress right now. Those negotiations over the offset agreement have, I am told, met with some progress. It is possible that before June 30 they will meet with more progress.

It is possible also that when the NATO ministers meet in Lisbon, they will meet with progress. It is certainly possible that if they do not, the U.S. Senate can take up this matter again. It will not be too late then. There will be time, before any action contemplated either by the Mansfield amendment or by the amendment of the Senator from Indiana, to take up the matter and to reconsider our force levels in Western Europe. It would be possible, then, during the summer to determine if it is indeed the case that Western Europeans have decided our presence is not worth a larger share of the cost. It would be possible for us to conclude at that point that it is not worth it to us, either.

Mr. BAYH. Mr. President, I do not want to prolong the Senator's statement. I find it difficult being on the opposite side of an issue from the Senator from Illinois. Our batting records are similar, and I pride myself in sharing common views with him on most issues.

I have been a cosponsor of the Mansfield sense-of-the-Senate resolution for 6 years, since shortly after I came to the Senate. Periodically it comes to the Senate floor.

What concerns me about the argument of the Senator from Illinois is not that it is not good logic, because I would much prefer to follow the tactic he suggests. But I have sat almost where he sits now, and I have heard, periodically, some of those who are now opposed to the Mansfield amendment stand on the floor and recite almost verbatim the language of the well-intentioned resolution of the Senator from Illinois, the Senator from New York, and the Senator from Minnesota. That is an outstanding array of senatorial talent.

The facts are that all these talks have been of little avail. I say that with no acrimony in mind, because we are here trying to accomplish the same goal. Our allies have been tougher bargainers than we. But if the amendment of the Senator from Indiana, the Senator from Connecticut, and the Senator from Ohio is accepted, it would add a few teeth to the negotiations, as kindly as we know how. We do not need to tell the President to negotiate, because, in the judgment of the Senator from Indiana, the President wants to negotiate. He is opposed to the Mansfield amendment, but I think and hope he is in favor of getting the allies to assume a greater share of the cost. He has not been successful.

If we would adopt the amendment the Senator from Indiana and other Senators have suggested, it would give the President additional negotiating power. He could say to our NATO allies, "We are glad to keep our troops there, but the time has come for you to increase your share of the burden."

What we are talking about here is not a very big threat. In fact, the Senator from Indiana wonders if it is enough of an incentive. The total cost of our NATO commitment is somewhere on the order of $14 billion, and the Senator from Indiana is suggesting only that we require our allies to assume one-half of the currently uncompensated balance-of-payments deficit necessitated by the presence of our troops. This amendment is recognition of the fact that protecting Western Europe is in our interest, but it is of even greater significance to our Western European allies. And for that reason they should assume a bigger share of the burden.

The Senator from Illinois has been very kind. I think he will consider and study the whole issue, as will the Senator from Indiana. I thank him for his indulgence in allowing me to pursue this dialog.

Mr. STEVENSON. I am very appreciative to the Senator from Indiana for his comments, as well as for his very valuable contribution to this whole debate. He says he has been here 6 years. I have been here 6 months. I have not been involved in this debate before. I am not aware of an amendment by the Senator from Montana in precisely the same form as this amendment having been introduced before. I am certainly not aware of the resolution introduced by the Senator from Maryland (Mr. MATHIAS) and other Senators having gotten this far with this good a prospect for success.

The point is that in all the years to which the Senator has referred, we did not have the SALT talks, the Four Power talks in Berlin, the initiative by Chairman Brezhnev, the Ostpolitik of Willy Brandt, or the ferment or negotiations pending in the Middle East. In our judgment, it is not wise to legislate by congressional fiat a withdrawal of forces, whether it is by the Mansfield amendment or by the amendment offered by the Senator from Indiana.

Mr. ELLENDER. Mr. President, I am glad to say a few words in support of the Mansfield amendment. I am not here to tell my colleagues that the Mansfield amendment will accomplish everything I believe to be desirable, but it will go a long way, perhaps to encourage our leaders in the Departments of Defense, and State, and the Executive to see the light.

I bow to no man in the Senate in my efforts to provide for the national security. We engaged in World War I and II to save democracy. We are fortunate enough to live in one of the greatest and most productive nations the world has ever known, and our free way of life must be protected by whatever means necessary. It is my feeling however, that over the past 20 years, we have been following the wrong means to achieve that end.

Mr. President, I am not boasting when I say this, but I was the first Senator to bring to the attention of the Congress our worsening situation with respect to the balance of payments. That was back in 1957. At that time we had almost $22 billion in gold, and I saw it steadily diminishing each fiscal quarter. I brought that to the attention of the Congress and the country, and some necessary changes were accomplished. But the situation has continued to go from bad to worse.

I do not want to go into a lot of the detail here that I have mentioned oftentimes on the Senate floor. I think my record is clear. I believe that the course I advocated toward our foreign commitments, if it had been followed by the executive branch, would have resulted in our country being in much better shape than it is today.

Mr. President, as a member of the Appropriations Committee, every time we had a new Secretary of Defense, I would ask him, "What are you going to do in order to make our erstwhile allies in Western Europe provide their fair share to maintain NATO?" I received promises that it would be done. I have excerpts here showing that it was said way back in 1958, but nothing has been done. On the contrary, we have increased the ante by giving more assistance to our erstwhile allies.

Why, Mr. President, we are putting up more money now than we did back in 1955. We have been maintaining the 6th Fleet in the Mediterannean, and the Atlantic Fleet to take care of the eastern part of the Atlantic. We have recently established our defenses in Spain, which I visited last October, at a tremendous cost. Our country today is spending, to help the NATO countries, $14 billion a year.

Of course, that covers the expenses of our 6th Fleet, the Atlantic Fleet around England, and our forces in Spain as well as in Western Europe. It also includes the cost of maintaining troops in this country held in a reserve for NATO.

Mr. President, in 1959, I saw documents from the Defense Department that astonished me as to what our allies were doing in Western Europe and what support we were getting from them.

I found out that the number of divisions in Western Europe was supposed to be 36, but they were mostly paper divisions. I brought that to the attention of my good friend Arleigh Burke, who was then on the Joint Chiefs of Staff, in June of 1958, before I visited the NATO countries in 1960, as follows:

Senator ELLENDER. Admiral, do you feel that NATO has been a success?

Admiral BURKE. Yes, sir.

Senator ELLENDER. What about the 36 divisions you were supposed to have? Where are they now? You have but paper divisions—and you know it.

Admiral BURKE. That is absolutely correct, sir.

Now, here was a member of the Joint Chiefs of Staff admitting that the 36 divisions that we had in Western Europe were paper divisions. And in order to find out for myself, between the Republican and Democratic conventions in 1960 I decided to go to Western Europe. I visited every NATO country.

What did I find? If the Russians had struck in July of 1960, we would have had the five and one-half divisions of Americans and one Canadian brigade to meet the foe. The rest of them were Reserve divisions, not properly equipped. Germany, which was supposed to have had seven or eight divisions at that time, had three-quarters of a division. The rest of them were paper divisions.

With all of that, with admissions on the part of our Defense Department and the Executive having that knowledge, why did they not undertake ways and means to correct the situation?

The answer is that our representatives from the Executive did not try to correct it. On the contrary, because of the lack of interest by our Western allies, we simply increased our forces in the area to take care of the need as we saw it.

Mr. President, I cannot understand such people. I have here quotations from back in 1959 by Mr. McElroy, who was then Defense Secretary, who admitted that the allies were not furnishing what they should or doing what they should, but that they would try to make them do it.

I quote from the appropriations hearings on mutual security, August 1959, pages 596–599:

In Western Europe we have assisted France to the point where it hurts. Today, they have a bare handful of soldiers there. They are using them in Algeria. They tell us that Algeria is part of NATO.

To me that is just poppycock because we were supposed to have the so-called shield in Western Europe and not North Africa.

It is all right to have mutual security, but let's make it mutual.

Let us not carry the whole load.

Secretary MCELROY. I think, Senator Ellender, the program in Western Europe is vulnerable on the point which you have made.

Senator ELLENDER. No doubt about it.

Secretary McElroy continued as follows:

A few years ago we were putting quite a little bit of money into Germany. Today we are putting in none, except for a small training program. It is true that some of our foreign exchange is going in there, as Senator Ellender says, but that is compensation for our own forces there. It is helpful, I am sure, to their economy, just as Senator Ellender points out, but it is not a form of actual military assistance. Maybe the Germans should be paying some of our troops, I don't know, but that is something we have not been quite able to bring up to them up to this point.

* * * * *

I find myself, as I say, sympathetic to it. The question is, how fast we can go and maintain our Government relationships. We do develop certain commitments, and a shift of governmental action sometimes is a little slower than most people would like it to be.

But I think the pressure is in this direction on the part of our own State Department. It is on the part of our own Defense Department, and I think it is quite proper that you gentlemen should push us from your standpoint.

Here is an excerpt from the hearings of June 28, 1960, page 729:

Senator ELLENDER. How can we, Mr. Gates, if we keep on getting deeper and deeper into debt? We had to increase our debt limit here again 2 or 3 days ago to the point where it now requires 12 percent of every dollar we appropriate in our budget in order to keep interest paid on our enormous debt.

Secretary GATES. Senator, if you are saying we should have a sound economy in the United States as a basis of any program for national defense, I agree with you completely, we must have a sound economy in the United States.

Senator ELLENDER. I am glad you agree with me on the facts, but I regret your conclusions are not the same as mine. I voted for the Marshall plan because I believed it would result in improving the conditions in Western Europe particularly so that in the event of the worst they could assist us, and they would assist us, but as the record shows, the European countries in NATO have not done their part in furnishing troops to form the NATO shield. (Statement off the record.)

The point I am trying to make is that I cannot understand for the life of me why the people in charge of this program permit us to supply the bulk of the manpower and the bulk of the money, even though it is borrowed.

That is something I cannot understand.

Skipping now to pages 740 and 741:

Senator ELLENDER. Mr. Secretary, I was informed that the total annual cost to maintain our troops, our Air Force and Navy in the European area only exceeds the total defense expenditures made by all of our European allies.

Now, assuming that that is true, why are you people so reluctant in forcing our allies to at least pay for the $50 million of hardware you are asking we make available to the countries of Western Europe for fiscal year 1961.

Secretary GATES. I think I said, Senator Ellender, that they are making a more substantial contribution.

Senator ELLENDER. Certainly, but for their own defense at home. They would do it anyhow.

Secretary GATES. He stirred them up a little bit.

Senator ELLENDER. Stirred them up, but the facts are that of the active divisions in West-

ern Europe today, exclusive of Greece and Turkey, we have about half of what is there. So that we end up in Western Europe by having almost as many active troops in the field as they have and then we have to supply them with hardware in addition to this manpower.

That is why I cannot understand you people. I do not know why it is that you cannot force them to do much more.

In other words, if this is to be a mutual security program, the parties concerned should make pro rata contributions.

I have received that response, as I say, from every Secretary of Defense for the past 15 years. All of them said, "Yes, we are going to try. We are going to try to make them put up more money."

I questioned Secretary McNamara in the middle of 1961 as follows, pages 151–153:

Senator ELLENDER. Do you not think, Mr. Secretary, that the fact we are sending more troops or propose to send more troops to Europe and we are proposing to purchase more hardware, that this will in a manner lull our allies into believing that we will keep on carrying the load.

Secretary MCNAMARA. No, sir; I don't believe it will for two reasons: (a) we have made it quite clear to those of our allies who we believe have the financial capacity to expand their defense expenditures that we expect them to do so; and (b) we have asked our allies quite specifically to expand their expenditures in conjunction with our own military buildup that is related to the Berlin crisis.

I have reason to believe that they will do so.

At the same hearings I questioned General Lemnitzer, then Chairman of the Joint Chiefs of Staff as follows:

Senator ELLENDER. Has the Bundestaag there passed a law to make conscription longer than 12 months?

General LEMNITZER. No.

Senator ELLENDER. Do not the Germans get out of service as soon as they serve 12 months?

General LEMNITZER. Yes, that has been the case in the past.

* * * * *

Senator ELLENDER. I am talking about the Lisbon goals.

General LEMNITZER. The Lisbon goals had a higher number of divisions, but these were goals.

Senator ELLENDER. I understand. We were supposed to put up so many, if that goal was reached. Ours have been there all the time, and notwithstanding the fact that others have reduced theirs we are still there with the same number of divisions. I just don't think that is right. Something ought to be done to make them contribute their fair share. *If they don't I would go so far as to threaten to get out of Europe.*

Some time ago, when my good friend the former Representative from Wisconsin who is now Secretary of Defense came to us, before he was confirmed, I asked him what he was going to do. "Oh," he said, "we will do our best to make them support us."

And what did that support turn out to be? A promise to furnish, over the next 5 years, a little under $1 billion. To be used for what? In order to strengthen and construct buildings in Western Europe. That is what it is going to be used for. To be spent on their own ground.

Mr. President, if that is assistance such as we felt should be given to us, I do not know what I am talking about. We have tried to get NATO to support us financially, but up to now, we have not been successful in getting our erstwhile allies to put up money. The only exception I can think of offhand is that Germany is putting up a few million dollars to support our troops in Berlin, to protect that city.

But other than that, Mr. President, what we got out of our allies were purchases of our bonds, with funds which we have to return to them, in order to help us meet our balance of payments; and I think they purchased some military hardware, in order to try to help us in meeting our balance-of-payments problem.

But, Mr. President, all of the money that they advanced to us by way of purchasing bonds must be paid back. And Germany is the only country, to my knowledge, that has done even that. The rest of them have been depending on Uncle Sam; and believe me, as long as Uncle Sam is willing to let them rest their hands on his shoulder, they are not going to do a thing. They will keep on depending almost entirely on us, the U.S. Government.

Mr. President, if a war were to break out tomorrow, where do you think our erstwhile allies would get their military hardware? From their own factories? They might make a few airplanes and a few cannon, but the major part of their needs would have to be met from the United States.

Mr. President, I shall not take the time of the Senate to read all of this material at this time. It can be found in all of the hearings involving Defense Department witnesses. I will include only a few excerpts in the RECORD, other than what I have read. I would probably be able to fill a volume if I were to search throughout all of the Defense hearings; but just to indicate the extent to which I went in order to attempt to have our so-called allies assist us and bear their just portion of the expenses necessary to protect the world from the Russians, I furnish these excerpts.

Mr. President, I repeat, we simply cannot keep on supporting the whole free world as against Russia and remain solvent. We are in serious financial difficulty now, as I shall show in a few minutes. I had a few figures compiled to indicate the immensity of our debt, and I shall be glad to present them to the Senate.

At this point, I ask unanimous consent to have printed in the RECORD excerpts from some of the testimony that was presented by the Department of Defense in 1956, 1959, 1960, and also other years. As I said, I could get much more, but this should be sufficient to indicate that we have been trying all these years to get our allies to help, and to no avail.

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

DEPARTMENT OF DEFENSE APPROPRIATION, 1959

(Excerpt from Senate hearings—June 12, 1958; pages 155–156)

Senator ELLENDER. Admiral, do you feel that NATO has been a success?

Admiral BURKE. Yes, sir.

Senator ELLENDER. What about the 36 divisions you were supposed to have? Where are they now? You have but paper divisions—and you know it.

Admiral BURKE. That is absolutely correct, sir.

Senator ELLENDER. Exactly.

Admiral BURKE. But, still, in order to find out whether NATO succeeds or not, you have to estimate what would have happened if there had not been a NATO.

Senator ELLENDER. Oh, I have heard that, Admiral, about "What would have happened to France if we hadn't given them all of that money?" I have heard that for the past 10 years, but we have been helping, and it strikes me that France ought to be more interested than we are in her protection, but yet we have permitted her to send her best troops into north Africa. The only real fighting troops left in Western Europe are good old Americans—and you know that, too.

Admiral BURKE. I think the Americans are pretty good, sir, and I am sure they are the best troops, but there are others that can fight, too.

Senator ELLENDER. Oh, I know that. They can fight, but they are not there.

Admiral BURKE. Friends are always exasperating—friends of mine are.

Senator ELLENDER. That is no consolation when we add up our expenditures and then observe the accomplishments.

Senator CHAVEZ. You may proceed.

MUTUAL SECURITY APPROPRIATIONS, 1960

(Excerpt from Senate hearings—August 19, 1959; pages 596–599)

Senator ELLENDER. I have only one question, Mr. Secretary. I am not going to go into any details of the programs in various countries.

However, the record already made will show that I have expressed the belief that many of the countries receiving assistance from us should be helping us with the burden we are carrying rather than obtaining aid from us. Your statement indicates that efforts are being made to get these countries to do more but nevertheless we continue to assist them.

What recent efforts have been made to get these people to give more assistance to us?

EFFORTS TO INCREASE SELF-HELP

Secretary MCELROY. More assistance to themselves, I think, is the way I would say it. The things that have been going on include the purchasing of equipment by the Germans for the equipment of their forces.

Senator ELLENDER. The Germans are well able to do that.

Secretary MCELROY. I agree, sir.

Senator ELLENDER. In the past, however, we have given Germany vast sums of money which has contributed in no little way to her recovery.

Secretary MCELROY. That is right.

Senator ELLENDER. I am just wondering why other countries in Western Europe are unable to do what the Germans are doing.

Why is not more effort made to get them to assist us?

Secretary MCELROY. I think your belief is that we are not doing as much as we should and I think you may be right, Senator.

Senator ELLENDER. You mean in that direction?

Secretary MCELROY. That is right.

Senator ELLENDER. That is what I have been talking about. Your predecessor said he was going to do it. What are you doing now?

Secretary MCELROY. I think conditions were less favorable during the time of my predecessor than they are now, sir. I think the financial position of the Western European countries has very considerably strengthened in the last 2 or 3 years.

So I have far greater agreement now with your position on the strength of it than I think I could have had, say, 3 years ago.

FRANCE AND GREAT BRITAIN

In my opinion, France is an example of a country where there must be considerably

greater support of their military establishment, out of their own resources.

Senator ELLENDER. Why do we not permit her to do just that?

Secretary MCELROY. This program is not very heavily weighted in France. And you talk of Great Britain. The Great Britain part of this is primarily tied in with the IRBM.

Senator ELLENDER. France is programed to receive three times more than last year, and I believe the British can well afford to pay for the IRBM's we furnish.

Furthermore, we are still carrying between 38 and 40 percent of the NATO obligations. That is what we are doing.

SOUTH KOREA

The situation to which I have referred is not peculiar to Western Europe. I pointed out yesterday that in South Korea the story is similar.

We are furnishing South Korea funds not to so much pay for military might, but to give to the South Koreans a 15 percent margin between what they produce and consume so that they can have a greater amount of investment capital.

That was the justification given for defense support for South Korea. Do you agree with that?

Secretary MCELROY. Let me say, Senator Ellender, this is an area of this program which I do not have the responsibility and I would rather not comment on it just because I am not very well informed about it.

Senator ELLENDER. But you are requesting military assistance for South Korea, and you ought to know what the situation is.

You state that not a dime should be cut. I am showing you that defense support to South Korea could probably be cut by $50 or $60 million.

Greece is another country which is presently enjoying unprecedented prosperity yet Greece is programed for an increased amount of defense support.

I find, Mr. McElroy, that these countries will keep leaning on us as long as we permit it. We have been entirely too easy with them and that is the trouble, as I see it.

Secretary MCELROY. Let me make one observation about Greece, Senator Ellender, if I may: I spent sometime there 8 or 9 months ago, the latter part of last year. I do not believe that you will find that the economic conditions there are quite as favorable as you have described them.

The measurement I make there, sir, is the seriousness of unemployment in Greece.

Senator ELLENDER. They have only 8 million people.

Secretary MCELROY. Yes, but they have a million unemployed or they did have last fall, which was a 12-percent-plus figure and it was a matter that they regarded very seriously.

The other things you have said, I don't take any issue with, partly because I don't have the knowledge, but I did happen to have that knowledge and I thought it might be of interest to you.

Senator ELLENDER. In the case of Greece, I want to be perfectly fair, since I have learned just recently that Greece has had to increase her military forces. That may be a sufficient reason for the increased defense support.

But I believe if our policy is to proceed in this way by saying to a country, "Here, increase your forces and we will continue to support you", if we keep on doing that, Mr. McElroy, I do not know where it will lead us.

NATO DIVISIONS IN WESTERN EUROPE

In Western Europe we have assisted France to the point where it hurts. Today, they have a bare handful of soldiers there. They are using them in Algeria. They tell us that Algeria is part of NATO.

To me that is just poppycock because we were supposed to have the so-called shield in Western Europe and not north Africa.

It is all right to have mutual security, but let's make it mutual.

Let us not carry the whole load.

Secretary MCELROY. I think, Senator Ellender, the program in Western Europe is vulnerable on the point which you have made.

Senator ELLENDER. No doubt about it.

Secretary MCELROY. I did not consider it so on places like Taiwan, like Korea, like Vietnam and Turkey.

Senator ELLENDER. As vulnerable?

Secretary MCELROY. I don't think that anybody could say that every dollar that is requested is required down to the last penny, because I don't think you can make that kind of calculation on this kind of program, which I think then would of necessity mean that your point that some of this money could be reduced is probably correct, but it is hard to know which dollar you can cut.

Certainly there has been very educated and discriminating examinations of this program, not only by the administrative people, but also by Members of Congress and certain auditing agencies.

Senator ELLENDER. But, Mr. McElroy, the people on whom you depend are those who administer these programs abroad. They are the ones you depend on and you would not expect them to come in and give you a bad report on what they are doing.

SOUTH VIETNAM

Secretary MCELROY. No; but we think some magnificent work has been done by the military assistance groups in these countries.

I would call your attention—I think you probably have been there because I know you have made this matter of great interest to yourself—to the training of the South Vietnamese Army by General Williams and his group. This is a part of the world where I know there has been certain criticism of part of this overall program, and I take it there has been some justification for it.

Nevertheless, the picking up of that country off the floor and giving it a military capability at least to provide internal security and some defense against an attack from the north, is in my opinion, a very fine contribution to the free world.

Senator ELLENDER. I agree, and I think it ought to be limited to that, but to a large extent within that capability—of course, I grant we have to assist; there is no doubt about it.

Secretary MCELROY. Either assist or they will fold.

Senator ELLENDER. I do not think they will go that far. Take the case of Iran, for instance, with all the oil riches there, if the people in Iran paid their just proportion of taxes as you and I are doing here, they would not need this assistance.

JAPAN

Take Japan. We have in this budget ——— to help Japan.

The record shows that the difference between what Japan produces and consumes is 27 percent. She has 27 percent of her annual resources which she can invest to expand her economy.

We have only 15 percent.

Now, in a country having such prosperity, why is it necessary for us to furnish military assistance? I would certainly like to know.

Secretary MCELROY. This is something which I can only put in terms of a calculation on the part of——

Senator ELLENDER. The military assistance groups, the people who give us advice.

Secretary MCELROY. And the economic people who look at the capability of Japan. You are giving figures that I really have no knowledge of, Senator. I am not disputing them.

Senator ELLENDER. With all due respect, that is the trouble with the people in the higher echelons of our official society. They come and parade before us and justify these programs with reasons furnished by others.

If they knew the facts and studied these countries I guarantee they would not recommend the full amount as you are doing now.

Secretary MCELROY. The kind of things you are saying, I think, has particular force in the industrial countries. Japan is improving its financial position in the way in which Western Europe is.

I think there is sounder justice in the questioning of the program in the industrial countries which have been recovering in relationship to our own industry, than would be true of Korea and Taiwan.

Senator ELLENDER. That has been happening since the war. We have been pouring money in there.

Secretary MCELROY. We have had good reason to in a country that has been destroyed as Japan was.

Senator ELLENDER. That is right and I voted for that.

But I drew the line, though, when they became prosperous and I am drawing it now insofar as Japan is concerned. Japan is programed for ——— dollars of military assistance.

While Taiwan which is supporting as I remember, ——— soldiers, amounts to ——— dollars.

There is no comparison between the prosperity which exists in Japan with that which exists in Taiwan.

MUTUAL SECURITY APPROPRIATIONS, 1960

(Excerpt from Senate hearings—August 19, 1959; pages 600–601)

U.S. INTERNATIONAL DEFENSE EXPENDITURES

Senator ELLENDER. A while ago I was trying to point out the additional amount of money that flows from us to Japan in order to assist her economy. I am sure you are familiar with this, that the U.S. defense expenditures entering the international balance of payments will amount to ——— in 1960.

Of that amount France gets ———.

Germany, ———.

Japan, ———.

That means a lot of business for those people and in addition, we are being called upon to furnish this military assistance which I believe they ought to be able to pay for themselves, particularly, when you consider the condition of our own Treasury, Mr. McElroy.

That is all I have, Mr. Chairman.

Secretary MCELROY. I don't think that anyone would say that Japan is in as fine a shape as we are.

Senator ELLENDER. No, but almost.

Secretary MCELROY. Even though I would say it is true that Japan has been improving its financial position in relation to our own. That I am sure is true in the same way that it is also true about Western Europe.

Senator ELLENDER. Mr. McElroy, Japan's economy has never been better in her entire history, and that includes 1941 when she was able to maintain armies and almost deal us a knockout blow.

She is now more prosperous than then, but we have to go in and help her build an army. That is what I cannot understand.

MUTUAL SECURITY APPROPRIATIONS, 1960

(Excerpt from Senate hearings—August 19, 1959; pages 604–605)

WESTERN EUROPEAN SUPPORT OF MILITARY ESTABLISHMENTS

Secretary MCELROY. The countries of Western Europe—I keep saying this and I hope I am not boring you with it—have come to the point, not all of them, but many of them, where they can and should support their own military program.

A few years ago we were putting quite a little bit of mony into Germany. Today we are putting in none, except for a small training program. It is true that some of our foreign exchange is going in there, as Senator

Ellender says, but that is compensation for our own forces there. It is helpful, I am sure, to their economy, just as Senator Ellender points out, but it is not a form of actual military assistance. Maybe the Germans should be paying some of our troops, I don't know, but that is something we have not been quite able to bring up to them up to this point.

Great Britain is now at a point where she is financing her program with the exception of the IRBM. This also is something which represents progress although it is kind of hard for us to think back to the time 7 or 8 years ago when Britain also was climbing out of a very deep trough in which it got as a result of destruction in World War II.

France, I am sure, is coming to the point where she is going to carry her own load.

What you gentlemen are saying about your feeling of impatience that it is not coming faster, I think, is in order.

I find myself, as I say, sympathetic to it. The question is, how fast we can go and maintain our Government relationships. We do develop certain commitments, and a shift of governmental action sometimes is a little slower than most people would like it to be.

But I think the pressure is in this direction on the part of our own State Department. It is on the part of our own Defense Department, and I think it is quite proper that you gentlemen should push us from your standpoint.

ELLENDER 1960 REPORT ON U.S. FOREIGN OPERATIONS

America's planners, both economic and military, were not able or willing to adapt programs to the changes made necessary by world events. The concepts exemplified by the Marshall plan and NATO, concepts which were, for a limited period, effective in Western Europe, were subsequently expanded to other areas of the globe. It was apparently believed—for the Congress was so informed—that the specter of 'creeping communism' could be exercised only through massive doses of economic aid to other countries, including the so-called 'underdeveloped countries', plus so-called 'collective security' arrangements in areas other than NATO.

It should be remembered that at the time these concepts were initially fostered, the United States was at war in Korea. World conditions of the moment required action, and on representations of persons generally believed to be competent, the Congress acted quickly and forcefully.

It will be recalled that mine was one of the few voices lifted in opposition to these programs, but the cries of opponents were drowned out by the shouts of those in favor. As a result, America's aid burden grew.

The countries of Western Europe were kept on the U.S. aid list despite their achievement of full recovery, and America's treasure began to flow into a host of other areas. Economic and technical assistance agreements were negotiated with almost every country not behind the Iron Curtain; military assistance pacts were concluded with most of these same countries. Each pact bound the United States to defend the other contracting party in case of attack, but few, if any, bound such other party to bring to *our* defense in the event of an attack upon the United States.

"The lessons of the past have apparently been wasted upon U.S. leadership, although there are hopeful signs that perhaps, at long last, the Department of State is learning that in return for unstinting U.S. aid in the postwar years, our European neighbors are not above rewarding their benefactors with consummate ingratitude. I could not help but recall my first visit to Germany, shortly after World War II—the bombed-out buildings, the despair, the fear that before long what remained of German industry would be Russian operated. Today, Germany is in the throes of an economic boom. The mark is rock-solid, Germany's budget is in balance, and compared with ours, her tax rates are most favorable. In spite of all this, the German Government only this past fall refused to help pay the costs of U.S. troops in Germany (present, I might add, to defend Germany against possible Red aggression), in order to help overcome the drain on America's gold reserves.

There are other cases in point, such as the French failure to live up to NATO commitments, the insistence of the United Kingdom that the United States donate modern weapons for her domestic defense, to fit the pique exercised by General DeGaulle at our failure to give his government joint control of U.S. nuclear weapons located in France, resulting in our abandonment of airbases in France which were constructed at our expense.

For too long, the United States has "turned the other check." For too long, our leadership has submitted to demands on the part of Europe's leaders that all negotiations with the Soviet Union be cleared in advance with them. It is time for our Nation to recognize and insist that if the United States is going to carry the burdens of free world defense throughout the globe, then we are entitled to indulge in freedom of action vis-a-vis negotiations with the Soviet Union. On the other hand, if the leadership of Europe and other beneficiaries of U.S. largesse are to insist upon exercising control over such elements as disarmament, etc., then they should be willing to pay the price by way of increased domestic defense costs, as well as larger volumes of assistance to underdeveloped lands.

It is sad, but true, that even as America's fiscal resources are strained to the breaking point, the United States continues to spend a larger proportion of both her budget and her gross national product for domestic defense than any of our European allies—plus substantial amounts for foreign military assistance, the bulk of which is earmarked for the defense of Western Europe. The following table is pertinent.

Defense expenditures as percent of GNP at market prices—Fiscal year 1959

Belgium	3.3
Denmark	2.8
France	7.1
Germany	4.8
Italy	3.8
The Netherlands	3.9
Norway	3.7
Portugal	4.3
United Kingdom	7.2
Greece	5.1
Turkey	4.4
Spain	3.4
Canada	5.1
United States	9.7

It is my view now, as it has been my view for almost a decade, that unless immediate and basic changes are made in our foreign policy, both in theory and in execution, the United States stands in grave danger.

We certainly cannot carry the free world's load alone; to do so invites economic disaster and the destruction of the West's greatest bastion of economic strength. Further, the present situation, where the United States has become the arsenal for the free world (a development which has come because of the unwillingness of our allies to provide materiel for their own defense), would invite disaster should war come. Logistics alone—the movement of men, weapons, food, and fiber—to allied armies would pose almost impossible problems."

MUTUAL SECURITY APPROPRIATIONS, 1961

(Excerpt from Senate hearings—June 28, 1960; page 729)

Senator ELLENDER. How can we, Mr. Gates, if we keep on getting deeper and deeper into debt? We had to increase our debt limit here again 2 or 3 days ago to the point where it now requires 12 percent of every dollar we appropriate in our budget in order to keep interest paid on our enormous debt.

Secretary GATES. Senator, if you are saying we should have a sound economy in the United States as a basis of any program for national defense, I agree with you completely, we must have a sound economy in the United States.

Senator ELLENDER. I am glad you agree with me on the facts, but I regret your conclusions are not the same as mine. I voted for the Marshall plan because I believed it would result in improving the conditions in Western Europe particularly so that in the event of the worst they could assist us, and they would assist us, but as the record shows, the European countries in NATO have not done their part in furnishing troops to form the NATO shield. (Statement off the record.)

The point I am trying to make is that I cannot understand for the life of me why the people in charge of this program permit us to supply the bulk of the manpower and the bulk of the money, even though it is borrowed.

That is something I cannot understand.

I am bound to admit again that Congress is almost powerless because the purse strings seem to be in the hands of the military.

BUDGET SITUATION

Secretary GATES. Senator Ellender, this administration has always had the premise since I have been a part of it, of a sound economic posture for the United States.

The President has managed a deficit budget into a surplus budget.

Senator ELLENDER. What is that?

Secretary GATES. He has managed a small surplus in the budget.

Senator ELLENDER. Mr. Gates, do you think that was an honest-to-goodness surplus? We were in the red 2 or 3 months after June 30. All you need to do is to defer payment of your bills and you can bring about a fictitious surplus.

MUTUAL SECURITY APPROPRIATIONS, 1961

(Excerpt from Senate hearings—June 28, 1960, pp. 740–741)

Senator ELLENDER. Mr. Secretary, I was informed that the total annual cost to maintain our troops, our Air Force and Navy in the European area only exceeds the total defense expenditures made by all of our European allies.

Now, assuming that that is true, why are you people so reluctant in forcing our allies to at least pay for the $50 million of hardware you are asking we make available to the countries of Western Europe for fiscal year 1961.

Secretary GATES. I think I said, Senator Ellender, that they are making a more substantial contribution.

Senator ELLENDER. Certainly, but for their own defense at home. They would do it anyhow.

RELIABILITY OF ALLIES

As I pointed out the other day, since 1949 they have increased their budgets for military assistance by only 40 percent and we have increased ours by 244 percent.

Now, with such a vast difference in the extension of effort during a time of peace what is going to happen in case of war? Can we depend on them?

Secretary GATES. I think we can, Senator. As I said, if it was an ideal world everybody would pay their share. But these countries have problems, too, Senator.

Senator ELLENDER. But not as great as ours because we are taking care of the whole world. We are all over this world.

Secretary GATES. I would think that even France which is now on a pay-as-you-go basis has a big problem in Algeria.

Senator ELLENDER. We have problems other

places, too, but that is where France is spending her efforts now.

As far as in Western Europe, they are doing very little in comparison with what we are doing and yet that is their own ground.

England, by the same token, should be more interested than we are and yet she has withdrawn troops and she has reduced taxes and ours have remained the same.

I know General Twining is not too well satisfied with NATO. In fact, I saw some criticism that he lodged against them.

Secretary GATES. He stirred them up a little bit.

Senator ELLENDER. Stirred them up, but the facts are that of the active divisions in Western Europe today, exclusive of Greece and Turkey, we have about half of what is there. So that we end up in Western Europe by having almost as many active troops in the field as they have and then we have to supply them with hardware in addition to this manpower.

That is why I cannot understand you people. I do not know why it is that you cannot force them to do much more.

In other words, if this is to be a mutual security program, the parties concerned should make pro rata contributions.

FOREIGN ASSISTANCE APPROPRIATIONS. 1962

(Excerpt from Senate hearings—Aug. 22, 1961; pp. 151–53)

Senator ELLENDER. Mr. Chairman, I have just been called to go to the Senate floor, and I will try to be brief. Of course, we are confronted this year, I may remark, with the same parade of people in the administration to justify foreign aid, and there seems to be nothing new in it, except for the crises that develop each year. It seems that we are getting worse off no matter what amount of money we spend.

I would like to ask, Secretary McNamara, what effort has been made to get our allies in Western Europe to purchase this military equipment instead of obtaining it on a grant basis.

Secretary MCNAMARA. Senator Ellender, we have this year substantially reduced the amount of military aid to the Western European countries.

Senator ELLENDER. Exclusive of Greece and Turkey?

REDUCTION IN PROPOSED MILITARY AID TO WESTERN EUROPE

Secretary MCNAMARA. Exactly. We have significantly reduced the amount of military aid proposed for Western Europe exclusive of Greece and Turkey. This is the first major step that has been taken, in answer to your question.

A second major step that has been taken is to assure that those countries that can afford it will purchase a certain portion of their military equipment in this country. This relates particularly to Germany. We are meeting with success in our efforts, and we anticipate that they will place orders totaling several hundred million dollars in amount with companies in this country for the production of military goods.

A third major step that has been taken is in conjunction with the buildup, which we are presently undertaking, of our own defense forces, and for which we have asked for complementary action from our Western European NATO allies.

Senator ELLENDER. Do you not think, Mr. Secretary, that the fact we are sending more troops or propose to send more troops to Europe and we are proposing to purchase more hardware, that this will in a manner lull our allies into believing that we will keep on carrying the load.

Secretary MCNAMARA. No, sir; I don't believe it will for two reasons: (a) we have made it quite clear to those of our allies who we believe have the financial capacity to expand their defense expenditures that we expect them to do so; and (b) we have asked our allies quite specifically to expand * * *.

SENATE DEPARTMENT OF DEFENSE APPROPRIATIONS, FY 1961

Senator ELLENDER. Mr. Gates, for the past 4 or 5 years I have been trying to find out the extent to which our Secretaries of Defense, as well as the President, attempt to get assistance from our so-called friends across the seas. Now to what extent, if any, have you or your immediate predecessor taken into consideration the amounts furnished by our allies to help us carry this defense burden?

Secretary GATES. I have been relatively new in this field, myself, Senator Ellender, but I have been in a good many discussions since last summer, and I attended the NATO Conference in Paris in December.

Senator ELLENDER. Is that the one General Twining attended?

Secretary GATES. Yes, it was.

Senator ELLENDER. In which I believe he criticized the conditions there?

Secretary GATES. That is right, sir—some of the deficiencies that had not been met in the arrangements.

We have taken the position that we will carry out our commitments to our important allies who are now stronger and financially and economically able to carry their share of the load, but we are not going to make any new commitments for straight grant aid with countries that can pay their share.

We are continuing aid programs with the less fortunate countries. There are several countries, particularly in Europe, that have greatly improved their economic conditions in the last few years. In those countries we are getting out of the aid business and into the sharing business or outright purchase business.

FOREIGN ASSISTANCE APPROPRIATIONS, 1962

(Excerpt from Senate hearings—August 22, 1961; page 171

Senator ELLENDER. Yes, I do, Mr. Chairman. I have a few.

I wish to say that quite a few of the questions asked by other Senators covered what I intended to develop. For one thing, Mr. Secretary, I wonder if you would be good enough to prepare for us a revision of the document marked 'Top secret,' and which was furnished this committee, I think, in May 1960, and which indicated NATO strength. Will you bring that document up to July 31, of this year or the date closest to the current date?

Secretary MCNAMARA. Yes, sir; we will be happy to do so.

General LEMNITZER. July 1 of this year is the date of the information I have provided in this hearing.

Secretary MCNAMARA. We will certainly do as you ask, Senator Ellender.

Senator ELLENDER. I am very anxious to get it. When General Lemnitzer said that a division is fair, I would like him to describe what that means in his estimation when he makes such an evaluation of a unit. Because as I said, Mr. McNamara, I know as a member of this committee I have been trying for the past 5 or 6 years to get our allies to carry a larger share of this burden and all we have gotten so far is promises.

When you speak of ——— divisions, that is the reduction that has been made, and we have ours there ——— we started out with about ——— with ——— were to be active and the rest Reserves.

General LEMNITZER. I was only giving you the ones that are in being right now. I did not mention the first or official echelon or the policy potential for future mobilization.

Senator ELLENDER. I am talking about the Lisbon goals.

General LEMNITZER. The Lisbon goals had a higher number of divisions, but these were goals.

Senator ELLENDER. I understand. We were supposed to put up so many, if that goal was reached. Ours have been there all the time, and notwithstanding the fact that others have reduced theirs we are still there with the same number of divisions. I just don't think that is right. Something ought to be done to make them contribute their fair share. *If they don't I would go so far as to threaten to get out of Europe.* Their expenditures in conjunction with our own military buildup that is related to the Berlin crisis.

I have reason to believe that they will do so.

EFFORTS TOWARD CONTRIBUTION BY ALLIES

Senator ELLENDER. What will you do if they do not, because we have been trying this now for the past 5 years to my own personal knowledge. I am sure you are familiar with this top secret document that I presented to you in the early part of this year which was used by me last year, and which indicated that fully combat-ready units in Western Europe during last year, numbered ———.

What has been done since that time in order to make these people contribute?

Secretary MCNAMARA. We have done these things: (a) I discussed the problem of German readiness with Mr. Strauss, the Defense Minister, on two occasions.

Senator ELLENDER. When did that discussion take place? You mean since last May a year ago?

GERMAN MUNITION PURCHASES

General LEMNITZER. No. That started when they entered NATO, at which time they developed a program for raising forces. They are purchasing their tanks and a considerable amount of artillery ammunition, as well as other types of equipment, that they themselves do not make or cannot make under provisions of the treaty. They are purchasing military equipment from the United States and from England and other free world countries.

Senator ELLENDER. General Lemnitzer, when I was there last August I got the information from our MAAG people there.

General LEMNITZER. That was a year ago, Senator. They have done a lot in the last year.

Senator ELLENDER. Have they done all of this since that time?

General LEMNITZER. They have done a lot in the last year.

Senator ELLENDER. Has the Bundestag there passed a law to make conscription longer than 12 months?

General LEMNITZER. No.

Senator ELLENDER. Do not the Germans get out of service as soon as they serve 12 months?

General LEMNITZER. Yes, that has been the case in the past.

Senator ELLENDER. Since when has that pattern changed?

General LEMNITZER. The pattern has not change.

Senator ELLENDER. It has not changed.

With all due respect, I do not believe that they are ready.

General LEMNITZER.. I am sorry, Senator. Those are the facts.

Senator ELLENDER. I do not see how it could happen in 12 months.

General LEMNITZER. Because many of the divisions a year ago were still in the process of organization. They have had nearly a year of training, organization, and equipping in the meantime.

Senator ELLENDER. But, General, the trouble has been the 12 months of service by draftees.

General LEMNITZER. This is admittedly a weakness, Senator.

EXTENSION OF TROOP TRAINING PERIOD PRESSED BY UNITED STATES

Senator ELLENDER. Have you pressed them to extend the length of draftee service, and if so, when did you start? Since the Berlin crisis or just before?

General LEMNITZER. No, sir. Long before that.

Senator ELLENDER. When?

General LEMNITZER. From the very beginning of their membership in NATO. Any military man knows that you cannot raise and equip efficient armed forces with a period of service of 12 months. That is doing it the hard way. A similar problem exists in other countries. We would like to see them increase their period of service up to our own level of at least 2 years.

TURKISH ARMED FORCES

Senator ELLENDER. So far they have not done it. Maybe this crisis will cause them to do so.

SENATE DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1966

Senator ELLENDER. I realize that that has been the main basis for our assistance. I understand that.

But the thing that I can't understand is that little or no effort is being made to get other people, for instance, the French, the British, the Germans, with us who are just as vitally interested in this matter as we are. They ought to be as much interested in keeping this world free as anybody else. But yet we are carrying the load everywhere, without too much assistance from them, and I am surprised that more effort isn't put in that direction, General. If we keep on at the rate we are going now, it is just a question of time when we will lose the battle without firing a shot, that is as far as our way of life is concerned.

Senator STENNIS. I am sorry, gentlemen, your time is up.

General JOHNSON. May I respond to the question, please, sir, at the risk of being impertinent?

Senator ELLENDER. I wish you would. Let him do it.

General JOHNSON. I don't think getting additional countries in there falls within our province: I mean the province of the Department of Defense or certainly the province of the Department of the Army. This is why we have other agencies within the executive department.

SENATE DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1967

Senator ELLENDER. Several years ago I pointed out that Mr. DeGaulle desired to make France the leading nation in Western Europe. I wonder why we don't permit him to take over the military aspects of protecting Western Europe. As you know, we have been there now for almost three decades. Last year we spent $2.4 billion to support the troops we have there. As I pointed out at the hearing on the Supplemental Bill, we have 330,000 soldiers there now. In addition there are more than 11,000 civilians that take care of the military, and we also have the wives and dependents of our servicemen there. I wonder if it wouldn't be a good thing to have DeGaulle take care of Western Europe.

Secretary MCNAMARA. Senator Ellender, I dont' believe this would modify De Gaulle's conduct, and I think it would (deleted) contrary to our interest.

Chairman RUSSELL. Will the Senator yield?

He is in a very fortunate position due to the geography of Europe of being able to talk big and act big and yet have a free shield, as long as we retain the NATO structure and protect Germany; isn't that correct, Mr. Secretary?

Secretary MCNAMARA. (Deleted) Of course, he hasn't suggested that he believes the danger from the Soviet Union has diminished to the extent that the defense of Western Europe can be dismantled. (Deleted.) He doesn't wish to see the defense of NATO destroyed.

SENATE DEPARTMENT OF DEFENSE APPROPRIATIONS, FY 1968

Secretary MCNAMARA. As I stated earlier, we are negotiating with our NATO allies to try to arrange a basis under which they will share in the payment.

Senator ELLENDER. Share how? Can't you make them do it? We have been trying it for the past 15 years with no success. Isn't there a way by which we can make them share the burden?

Secretary MCNAMARA. No, sir; I don't believe there is any way by which one sovereign state can impose its will on another. I do think there are ways by which we can persuade them, and it is in our joint interest for them to bear a share of it.

Senator ELLENDER. If it is in our joint interest, I don't think you should have much trouble to persuade them, but the trouble is I don't believe that they see the threat from Russia as you do, not by any means, and that is why in my opinion they are not so anxious to assist.

You also stated you expected a major portion of this relocation to be completed by April 1, 1967. What is the target date now?

Secretary MCNAMARA. April 1, 1967.

Chairman RUSSELL. Senator Stennis?

SENATE DEPARTMENT OF DEFENSE APPROPRIATIONS, FY 1969

Senator ELLENDER. That is what I suspected, to be frank with you.

Secretary CLIFFORD. That is right. I want to tell you it is a sincere conviction on my part, and I did not accept it easily. I could not understand why, after 23 years, we still had to be there. I will leave this subject by saying that I now think it is right that we have troops there.

I said the week before last, in a meeting of the Defense Ministers, that they had better prepare themselves, however, to begin to take a larger share of the burden, because we could not keep our troops there forever at the present level. My language was quite direct. I said they must face up to the fact that we were starting now to redeploy some of our troops. As you may know, we are bringing 34,000 of our troops back.

Senator ELLENDER. I have been saying that for 10 years.

Secretary CLIFFORD. Well, you are finally proven right.

Senator ELLENDER. Proven right? Ten years to remove about 30,000?

Secretary CLIFFORD. No; but I mean we are finally bringing some of them back.

SENATE DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1969

Senator ELLENDER. Just try to withdraw them. They don't trust you if you just tell them that you will. Let us make the move, and get our troops out of Europe.

Secretary CLIFFORD. (Deleted).

If we begin to start a dialog with the Soviets, and agree to cut down our forces in Europe, and the Warsaw Pact countries then we would have something. I hope that might come. I think we ought to continue to work in that direction.

Senator ELLENDER. As I have said, if we had done this when De Gaulle kicked us out of France, it is my considered judgment that the Russians would have removed their troops. So long as we remain there, so long as we have these huge forces around the periphery of Russia, we can't expect them to believe that we have no offensive purposes. That is the opinion I have found among the people when I was there.

Many asked me the same question, "Why do you have all these forces around us? To take us over?"

Of course, that was not the reason we had them there.

Mr. Chairman, I don't want to argue any more. There are more questions I would like to have answered but I shall desist.

Secretary CLIFFORD. I will be available any time.

Senator RUSSELL. There has been a strong feeling on this committee among a number of us here. Senator Symington and I have been working on possible withdrawal for a number of years. How long has it been, 8 years?

Senator SYMINGTON. Eight to 10

SENATE DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1969

Senator ELLENDER. I regret that I wasn't here to listen to all the testimony. I was in a military construction conference.

Mr. Clifford, for the past 15 years I have urged your predecessors to force our allies to help us more. As I understood General Wheeler, they are kind of excited and they are wondering what we are going to do. We have done all we could in my opinion, and we have done more than we should, and you say that you want the (deleted) NATO allies, to do more.

Now, what is your plan for forcing them to do more?

Secretary CLIFFORD. Our plan is to advise them that it is up to them to make the decision as to what they are going to do and if they don't make the right decision then they must realize that this could affect the support by the American people and the American Congress of our presence in NATO.

Senator ELLENDER. Don't you think a threat of withdrawal might wake them up a little bit? I have been advocating that for the past 15 years. As long as we stay there and as long as we support them they are going to lean on our shoulders. I was in hopes that you had some kind of plan whereby you could force them to come forth with their just proportion of assistance.

Mr. ELLENDER. I ask unanimous consent to have printed in the RECORD tables showing the current situation in Europe and the assistance we have made available to our allies in Western Europe. We have restored them to economic health and now that they are in a position to help us we find that when we knock there is no one at home.

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

U.S. ASSISTANCE TO WESTERN EUROPEAN COUNTRIES (NET BASIS) JULY 1, 1945 THROUGH JUNE 30, 1970

[In millions of dollars]

Country	Military	Economic	Total
Austria	(1)	1,116.0	1,116.0
Belgium-Luxembourg	1,245.8	506.8	1,752.6
Denmark	617.8	255.5	873.3
Finland		28.9	28.9
France	4,179.4	2,887.6	7,067.0
West Germany	951.5	2,588.2	3,539.7
West Berlin		131.9	131.9
Iceland		63.4	63.4
Italy	2,440.6	3,015.8	5,456.4
Netherlands	1,238.3	794.9	2,033.2
Norway	900.8	229.2	1,130.0
Portugal	329.7	143.8	473.5
Sweden		144.7	144.7
United Kingdom	1,719.6	5,865.0	7,584.6
Spain	749.2	1,323.1	2,072.3
Total	14,372.7	19,094.8	33,467.5

[1] Data classified.

GROSS NATIONAL PRODUCT

GROWTH RATES AND TREND DATA BY REGION AND COUNTRY, APR. 30, 1970

[Office of statistics and reports, Bureau for Program and Policy Coordination, Agency for International Development]

TABLE 3f.—EUROPE, TREND OF GROSS NATIONAL PRODUCT IN CONSTANT 1968 PRICES, TOTAL GROSS NATIONAL PRODUCT

[Billions of dollar equivalents]

Country and exchange rate per dollar	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969
Belgium, 50 B francs	11.0	11.6	11.5	11.9	12.3	13.0	13.4	13.7	13.6	13.9	14.6	15.4	16.2	17.0	18.1	18.8	19.3	20.0	20.7	22.0
Luxembourg, 50 B francs	.5	.5	.5	.5	.5	.5	.5	.6	.6	.6	.6	.6	.6	.7	.7	.7	.7	.7	.8	.8
France, 4.937 F francs	53.2	56.4	58.2	59.7	62.4	65.6	69.4	73.0	75.0	77.2	82.7	87.2	93.1	98.5	105.0	109.9	115.9	121.5	126.6	137.1
Germany, Federal Republic, 4 D.M	44.1	49.0	53.3	57.6	62.1	69.4	74.2	78.5	81.0	86.6	94.1	99.1	103.2	106.8	113.9	120.2	123.0	123.3	132.7	143.2
Italy, 625 lire	27.9	30.0	31.4	33.7	35.1	37.3	39.0	41.1	43.2	46.0	48.9	52.7	55.9	59.0	60.7	62.8	66.5	70.7	74.8	78.9
Netherlands, 3.62 guilders	10.8	11.1	11.3	12.3	13.2	14.1	14.6	15.1	15.0	15.8	17.1	17.7	18.3	19.0	20.7	21.8	22.4	23.8	25.2	26.4
EEC, total	147.5	158.6	166.2	175.7	185.6	199.9	211.1	222.0	228.4	240.1	258.0	272.7	287.3	301.0	319.1	334.2	347.8	360.0	380.8	408.4
Denmark, 7.5 kroner	6.3	6.3	6.4	6.8	7.0	7.0	7.1	7.5	7.7	8.2	8.8	9.3	9.8	9.9	10.8	11.3	11.5	12.0	12.4	13.1
Greece, 30 drachmas	2.4	2.6	2.6	3.0	3.1	3.3	3.5	3.8	4.0	4.1	4.3	4.8	4.9	5.3	5.8	6.3	6.7	7.1	7.6	8.2
Iceland, 57 krona	.2	.2	.2	.2	.3	.3	.3	.3	.3	.3	.3	.3	.4	.4	.4	.5	.5	.5	.5	.5
Norway, 7.14 kroner	4.3	4.5	4.7	4.8	5.1	5.2	5.4	5.6	5.7	5.8	6.1	6.4	6.7	7.1	7.4	7.9	8.2	8.7	9.0	9.4
Portugal, 28.75 escudos	2.1	2.2	2.2	2.3	2.5	2.5	2.6	2.8	2.8	2.9	3.1	3.3	3.5	3.7	4.0	4.3	4.4	4.7	5.0	5.3
Turkey, 9 lire	4.3	5.0	5.4	6.0	5.5	5.9	6.3	6.7	7.0	7.3	7.6	7.4	7.9	8.5	8.9	9.3	10.3	10.9	11.6	12.4
United Kingdom, 0.4167 pounds	63.4	64.7	64.5	67.3	70.0	72.4	73.4	74.8	75.1	77.9	81.6	84.4	85.5	89.2	93.9	96.3	98.2	100.1	103.0	105.0
European NATO total	230.5	244.1	252.2	266.1	279.1	296.5	309.7	323.5	331.0	346.6	369.8	388.6	406.0	425.1	450.3	470.1	487.6	504.0	529.9	562.3
Austria 26 shillings	4.6	5.1	5.1	5.3	5.8	6.4	6.7	7.1	7.4	7.6	8.3	8.6	8.9	9.3	9.8	10.1	10.6	10.9	11.4	12.0
Finland, 4.2 markkas	3.6	3.9	4.0	4.0	4.4	4.7	4.8	4.9	4.9	5.3	5.8	6.3	6.6	6.7	7.1	7.5	7.7	7.8	8.0	8.7
Ireland, 0.4167 pounds	1.9	1.9	1.9	2.0	2.0	2.1	2.0	2.0	2.0	2.1	2.2	2.3	2.4	2.5	2.6	2.7	2.7	2.8	3.0	3.1
Spain, 70 pesetas						12.3	13.2	13.5	14.1	13.8	14.2	15.8	17.3	18.8	20.0	21.4	23.2	24.1	25.2	27.2
Sweden, 5.17 kroner	13.3	13.5	13.7	14.2	15.1	15.6	16.1	16.5	16.9	17.8	18.5	19.6	20.4	21.4	23.0	24.0	24.7	25.2	26.3	27.8
Switzerland, 4.3 S francs	7.9	8.3	8.5	9.1	9.5	10.1	10.7	11.0	10.8	11.6	12.2	13.1	13.8	14.4	15.2	15.8	16.3	16.6	17.2	18.0
European, OECD total	270.5	287.3	296.3	311.5	327.5	347.7	363.2	378.5	387.1	404.8	431.0	454.3	475.4	498.2	528.0	551.6	572.8	591.4	621.0	659.1

TABLE 3g.—NORTH AMERICA AND OCEANIA, TREND OF GROSS NATIONAL PRODUCT IN CONSTANT 1968 PRICES, TOTAL GROSS NATIONAL PRODUCT

[Billions of dollar equivalents]

Country and exchange rate per dollar	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969
Canada, 1.081 Canadian dollar	27.1	28.5	31.2	43.9	32.2	35.4	38.5	39.5	40.4	42.1	43.3	44.5	47.6	50.1	53.6	57.1	61.1	63.1	66.1	69.3
United States	434.7	469.1	483.4	505.0	497.9	535.8	545.8	553.6	547.2	582.2	596.8	608.4	648.2	674.1	710.9	755.8	805.1	825.3	865.7	890.0
Australia [1] 0.893 Australian dollar	12.6	13.4	13.7	13.6	14.5	15.3	16.1	16.4	16.7	17.9	18.7	19.6	19.8	20.9	22.3	24.0	24.2	25.8	26.6	28.9
New Zealand [2] 0.893 New Zealand dollar					2.9	3.0	3.0	3.2	3.3	3.4	3.6	3.7	3.8	4.1	4.3	4.6	4.8	4.7	4.9	5.1

[1] Fiscal year ending June 30.

[2] Fiscal year beginning April 1.

PER CAPITA GROSS NATIONAL PRODUCT IN CONSTANT 1968 PRICES

[Dollar equivalents]

Country	1948–50	1953	1958	1963	1968	1969
France	1,275	1,400	1,673	2,059	2,536	2,724
Germany	822	1,121	1,492	1,854	2,206	2,369
Italy	598	709	880	1,165	1,418	1,484
Netherlands	1,064	1,173	1,344	1,589	1,980	2,052
United Kingdom	1,256	1,327	1,454	1,661	1,862	1,892
United States	2,854	3,152	3,129	3,559	4,303	4,380

Source: Gross National Products Office of Statistics and Reports, AID.

Mr. ELLENDER. I invite Senators to note the advance made by Germany and other countries, but in particular Germany. Her gross national product has been growing by leaps and bounds. Her foreign exchange reserves are higher than they have ever been, and her gold holdings approximates $6 billion. Needless to say, today the Deutsche mark is desired more as a reserve currency than is the dollar.

A good deal of the growth that has taken place in Western Europe has resulted from the fact that we had approximately 300,000 troops there, plus 300,000 dependents, and Uncle Sam sent the dollars there. They, in turn, were spent in Western Europe.

That has been the source of much of our trouble. We have tried in the past to get our allies to assist us, as I said earlier, but all to no avail.

Some time ago, we tried to reduce our five and a half divisions in Western Europe. There were big stories about our efforts to reduce the number of troops we had in Western Europe. As someone said earlier, there is no doubt that our allies are much better bargainers than we are.

In order to be able to satisfy them and to get one division out of Western Europe, what did we have to do? They agreed to the withdrawal of one division, but that division had to be sent to our country and maintained the same as it was in Germany—that is, it had to be kept ready to go. We had to agree to take this division, which is now in this country, and fly it once a year to Europe for maneuvers there. In the present defense bill is an amount of $10 or $12 million to do just that. I believe the Appropriations Committee is going to want to look closely at that; and I am hopeful it can be cut from the bill.

Imagine our carrying this whole load, and in order to get an agreement, we had to maintain the division, this extra division, in our own country and spend money to send it to Germany and France on annual maneuvers, at great cost to our Government. It does not add up; it does not make sense. Yet, we did it.

Mr. President, as I have said, I visited the NATO countries between the Republican and the Democratic conventions in 1960, and I was disappointed by what I found. It was no different from the testimony I elicited from some of the Defense Department witnesses: That the divisions that were supposed to be in Western Europe were more or less paper divisions, not really active divisions as our five and a half divisions were.

I went back during the months of October and November of last year and, so help me, I found not much difference. On the contrary, I think it was worse, because France had withdrawn in the meantime—that is, they forced us to leave France.

As I told President Johnson when De Gaulle ordered us out of France, we should have removed all our troops from Western Europe. That is where we missed the boat. I am truly sorry that the advice I tried to give was not followed. When De Gaulle ordered us to get out of France, we should have gotten out of Europe entirely.

Mr. President, what has all this led us to by way of debt? I became a Member of the Senate in January of 1937, and some Members of Congress thought President Roosevelt was senile when he advocated the expenditure of as much as $8.5 to $9 billion to fight the depression and to pay all the expenses of Government.

Similarly, in 1938, during the second session of the 75th Congress, he was severely criticized for advocating, I think, approximaetly $9 billion in budget expenditures.

During the first 2 years in which I served in Congress—during the 75th Congress—the amount spent to operate every department of Government, to help us get out of the depression, and to pay

the interest on our debt, was only $19.25 billion. Today, it requires $22 billion annually merely to pay the interest on our debt. That is the condition in which we find ourselves today; $22 billion merely to pay the carrying charges. Yet, with that condition existing, we are still giving as much foreign aid as we did when we started and we are still maintaining tremendous garrisons abroad. It simply does not add up. It does not make sense.

What we are doing is bound to affect our economy. Many people today are in distress, and this is going to be accelerated if charges are not made.

Mr. President, I hastily put together a few figures to try to indicate the enormity of our debt. A few billion dollars more or less will not make any difference. We have gone up to $400 billion. I think it is now $399 billion. I just figured this on the basis of $400 billion—our present debt. How big is it? What does it look like? It is greater than the debt of all the countries of the world. It is so tremendous that the human mind cannot comprehend it. The imagination staggers at the thought of it. And to try to simplify it, the imagination will also stagger.

So that we may have some idea of what $400 billion is, I have put my staff and the computers to work, and this is what they have determined.

Now listen to this, Mr. President: If every Member of the U.S. Senate counted two $1 bills every second of every minute of every hour of every day of every week, of every month and of every year—without stop, without coffee breaks, or anything—it would take approximately 64 years to count $400 billion.

Imagine that; 64 years. With every Member of the Senate counting at the rate of two $1 bills per second, without stop, for 24 hours, it would take 64 years.

Imagine that.

If Senators worked the standard work year, 8 hours per day for 260 days per year, taking no coffee breaks, or legal holidays, or vacations, it would take them about 267 years to accomplish the same count.

Imagine that. Two hundred and sixty-seven years to count the debt we owe now.

Is that not fantastic?

It would take the Bureau of Engraving and Printing, at its current capacity to produce paper dollars, about 171 years to print $400 billion of $1 bills.

Think of that.

Four hundred billion, in $1 bills, would fill approximately 3,456 railway boxcars and would make up a train almost 36 miles long, or a train that would stretch a little more than half way around the beltway—Interstate 495.

Think of that. Just to carry the money from one place to another.

The 400 billion $1 bills stacked—not lengthwise or sideways but stacked—on top of each other would reach about 27,095 miles, or 4½ round trips from New York to Los Angeles.

Can you imagine that, Mr. President? Dollar bills being placed next to each other and stretching out to 27,095 miles. [Laughter.]

Now listen to this one, Mr. President: End to end, the bills would make a path 160 bills wide—35 feet—to the moon. End to end, the bills would encircle the equator 1,552 times.

Think of that. Ribbons of dollar bills, 160 bills wide, or 35 feet, end to end, and encircling the equator 1,552 times.

Placed side by side, the bills would more than cover the entire Metropolitan Washington, D.C., area in the Capital Beltway four times over.

Can you imagine, Mr. President, walking around the District of Columbia, which I believe is 100 square miles, on dollar bills, The bills in the national debt would cover an area four times that size, if it were possible to print as many as 400 billion $1 bills.

If the $400 billion were to be minted in silver dollars, it would weigh about 11,785,714 tons. The U.S. Mint would have to produce well over 440 times the total number of silver dollars that were minted during the period 1794 to 1935.

Here is another example:

The 400 billion silver dollars stacked on top of each other would form three complete stacks from the earth to the moon.

Can you imagine that, Mr. President? Four hundred billion silver dollars stacked on top of each other, forming three stacks from the earth to the moon?

Mr. President, these examples were given in order to show the enormity of the debt. The examples themselves are staggering as it is.

I do hope that something will be done. If we do not, then it is only a question of time when we will lose our precious liberty.

Destroy our economy and see what happens. We are having lots of trouble now. If we keep on spending at the rate we are spending now, it will be too late tomorrow.

We have got to do something now, to get our allies to help us. They are in the forefront now. Germany has increased its gross national product four or five times. Japan is beginning to lead the world in some categories of production. She is fourth now. We are first. The U.S.S.R. is second. Then comes Germany. If we continue helping our allies as we are, letting them have almost anything they desire, it will just be a question of time.

Mr. President, on my last visit to Europe in October–November, 1970, I talked to the Ambassador at NATO, trying to get help. He said to me:

> Senator, if we try to get the NATO countries to help us to put up money, it will simply dissolve NATO and make it ineffective.

But, they want us to keep up. All that they will put in the "pot" is a little under $1 billion over the next 5 years. Good old Uncle Sam will have to contribute his share for the NATO infrastructure to assist them in spending that $1 billion.

Mr. President, we should do something about this situation now. Tomorrow it might be too late.

Mr. PERCY. Mr. President, first of all, I should like to say that what the distinguished chairman of the Appropriations Committee has had to say this afternoon boggles the mind. I am weighed down with trying to comprehend the amounts he has talked about today in the terms in which he has cast them.

Mr. President, I would like to say that I share the indignation of the Senator from Louisiana at the financial problems brought in large measure by year after year assuming the cost of an unfair share of the cost of NATO.

I commend the distinguished majority leader for giving many of us at this time an opportunity to talk about what must be done to face up to this problem right now.

I have had the pleasure and honor of serving as the rapporteur, or the working chairman, of the Balance-of-Payments Subcommittee of the North Atlantic Assembly for the past several years. I have made six or seven trips to Brussels and to The Hague to reason with our NATO allies and to point out that some day, unless they realize that they must pay a larger share, commensurate with their prosperity, we would face a crisis. The crisis is right here. It was precipitated by the drain on the dollar and the tremendous strain on our reserves.

The announcement of our very large balance-of-payments deficit for the first quarter is another indication that corrective action is long overdue. The Senate of the United States is now being asked to face up to the situation, to bite the bullet, and make a policy decision that will get us off the dime on this subject.

I think the debate is good. I think the dialog has been healthy. I share some of the indignation that has been expressed. The question is not whether we should do something. I think we all realize that something should and must be done. The question is what should be done.

In the negotiations I have carried on at NATO I have tried in every way I could to emphasize that this country will not tolerate much longer the unfair proportionate share of the burden we are carrying and that a failure on their part to aid could result in what they most do not want to see happen—a drawdown of troop forces of the United States in Europe.

The North Atlantic Assembly has accepted the resolution I have introduced. They have said that no nation, in effect, should benefit or gain, balance-of-payments-wise, by contributions made for the common defense in Europe and that there should be a more equitable sharing of this burden.

We have started to develop plans for a cleaninghouse in NATO so that this could be an automatic procedure year after year and not be a matter of these agonizing, disrupting negotiations that we carry on every couple of years with the West German Government. One of those negotiations resulted in the downfall of the government in Bonn. We all wish to prevent that.

I think the West German Government has recognized that it could do more if

this burden-sharing arrangement were a multilateral requirement in NATO rather than just the bilateral negotiations carried on in the past. They do not create a good basis for the kind of relationship we wish to maintain. It puts the Government in power in an exceedingly difficult position in trying to think through what can be done.

Again I commend the distinguished majority leader for bringing this issue to a head at this time thus enabling each of us in our own way to think through what can and should be done.

I have tried to develop an answer that will solve the real problem, and put some real teeth in the U.S. position, and it leaves open the question of troop levels in Europe, which is essentially the problem of the President.

I maintain that there are many ways in which we can solve the burden-sharing problem. We are going to have a military force of a given size, even though we intend to reduce it somewhat. Let us say that we have 2 million men. Where we have those men stationed depends on where it is our best national interest to so do.

NATO is a very important part of our overall defense effort. If it is determined that it is in our best interest that part of these forces should be in Europe—as it has been for many years—we should determine the real cost to us of maintaining them there.

What we cannot stand and cannot tolerate is not only the heavy budget drain but also the balance-of-payments drain which is now reaching $1.8 billion a year and is weakening our Nation and putting us in an increasingly embarrassing financial position and will bring us to the point where we may have to further restrict investments abroad. We may hear talk once again—as President Eisenhower proposed—of bringing dependents back from Europe.

This would create all sorts of problems as we well know.

We might hear talk about putting a restriction on tourism—a basic freedom to American life—which was originally suggested by the Johnson administration as one means of righting our balance-of-payments deficit.

A far more palatable answer would be to ask our Europeans allies to begin paying what they should have been paying in budgetary contributions to support NATO.

Let me cite a few of the things they can readily do which does not involve the concept of the so called payment for mercenary troops which, understandably, the President wants to stay away from.

We now hire for instance 74,000 European nationals and pay for their salaries in dollars. They are Europeans and are paid by us. They work for the U.S. forces and NATO forces in Europe.

The Europeans are very stringent and do not permit any of our dependents to work in Europe. But we hire Europeans with precious dollars and pay them to work for NATO.

There would be no reason why the European countries should not pick up in their own defense budgets the offsetting cost fo 74,000 European nationals that we are paying in dollars whose services are for the common defense. That is one item.

Another item that would be very simple would be for them to assume the cost of paying in local currency, rather than in U.S. dollars, for any construction costs—for roads, for runways, for buildings which we have to construct—with American dollars. We are not going to bring those back to the United States. They are going to stay in Europe for the common defense. Why should they not be built with local currency?

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

Mr. PERCY. I yield.

Mr. ELLENDER. Mr. President, how would we acquire these local currencies? Would we not have to use dollars with which to buy them?

Mr. PERCY. No. I am suggesting that the NATO countries agree that any infrastructures of that type to be built in Europe be paid for out of the defense budget of the European countries.

Mr. ELLENDER. What about the 74,000 employees the Senator mentioned? They work for us. How would we handle that? Would we make them pay for this, or would we have to buy local currencies in order to pay these employees?

Mr. PERCY. I would simply say that if there are Germans working in Germany for the U.S. forces as a part of NATO, they should appropriate sufficient funds to pay for them. They should draw upon their own resources. We could simply agree among ourselves that they would appropriate sufficient funds in their budget to pay the costs of those employees in local currency. It would come off of our budget and go onto their budget and relieve this particular element contributing to the balance-of-payment deficit.

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

Mr. PERCY. I yield.

Mr. MANSFIELD. It is the law, as I understand it, which forces these American installations to hire the indigenous people. Is that correct? They cannot hire Americans except to do KP. That came out on March 31 of this year, so that now the wives and daughters of American servicemen can find employment doing KP, in other words, kitchen police, in the military installations. We pay for that.

Mr. PERCY. I thank my distinguished colleague for bringing out that point.

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

Mr. PERCY. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. As I recall, there is no law that makes such a requirement. We had evidence that some general issued an order or an edict that covered in substance the matter related by the Senator from Montana.

We have a proviso in the pending bill that will remedy that situation to the extent of the facts we found. But I do not recall that is the law.

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

Mr. PERCY. I yield.

Mr. MANSFIELD. I would like to get the record straight. I think it was a general. I do not know who gave that order, but I think it was a general, providing that American dependents could do KP work, but I think there is a law affecting the 74,000 people which the distinguished Senator from Illinois mentioned. It is a German law, and perhaps a law in the other countries, too, which forbids American dependents from working in the PX and the like.

Mr. PERCY. I would say we could also pass a law saying we will not appropriate the funds for those kinds of expenditures with which we do not agree.

But in using the term "law" I would say when a general abroad issues an order, so far as the military personnel and their dependents are concerned, that is a law in effect, and certainly no one is going to counter that particular order.

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

Mr. PERCY. I yield.

Mr. MANSFIELD. There has to be taken into account the fact that they are stationed in foreign countries at the sufferance of those countries, and that creates complications which are hard to accept.

Mr. PERCY. Absolutely.

There are other examples I might point out to the chairman of the Committee on Appropriations where we should negotiate with our allies abroad. This is in the area of taxes. We do not pay taxes, as a Federal Government, to municipalities or States in this country on military installations. Yet, here we are in the ludicrous position of having installations abroad and the U.S. Government is paying millions of dollars in taxes—the Federal Government in Washington—to governments of Europe, for the privilege of having military installations there, the essential purpose of which is the defense of Europe. Those expenses should be picked up. We should be absolved of them.

Maybe someone should introduce a law providing that we would be prohibited from paying taxes abroad that we do not pay at home.

So here is another area where we have the possibility, without getting into the mercenary forces concept, of relieving the pressure on the dollar.

Other aspects of the problem have been revealed in the course of our debate. It is for this reason I now come to the wording of a perfecting amendment which I think will enable us to have the necessary flexibility and also put the necessary teeth into the essence of the debate we have been carrying on to date.

The essence of the perfecting amendment would be that steps can be taken other than reducing the number of U.S. military personnel stationed in Europe that would not endanger the security of Western Europe, that would have a favorable effect on this Nation's balance-of-payments problem and help avoid recurrences of monetary crises involving the dollar abroad.

The provision of the perfecting amendment would simply be that—

If the European members of the North Atlantic Treaty Organization do not take action in the fiscal year beginning July 1, 1971, and succeeding fiscal years, essentially to eliminate the U.S. balance-of-payments deficit resulting from maintaining and supporting military forces in Europe in support of the North Atlantic Treaty Organization, the President shall, beginning with the fiscal year commencing July 1, 1972, take such action appropriate to eliminate such balance-of-payments deficit.

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

Mr. PERCY. I yield.

Mr. ELLENDER. Would that cover the troops we have in Spain, the Navy people we have in the Mediterranean, and the Atlantic Fleet? That would be the bulk of it.

Mr. PERCY. That would cover all forces of the United States that are part of the structures of NATO that contribute to our present balance-of-payments drain of $1.8 billion.

Mr. ELLENDER. The 6th Fleet is not a part of NATO; it is to be used to back up NATO. So are our troops in Spain, I understand. The Senator's amendment in that regard, I believe, would not cover those matters?

Mr. PERCY. This would cover only those forces which are a part of the North Atlantic Treaty Organization. That is true.

Mr. ELLENDER. Those in Europe.

Mr. PERCY. A statement which has been unrefuted by the Department of Defense is that our overall expenses attributable to NATO are approximately $14 billion. Certainly this includes forces such as the 6th Fleet.

Mr. ELLENDER. If the Senator eliminates the 6th Fleet, the North Atlantic Fleet near England, and forces in Spain, the amount remaining would be what? Would it be about $2 billion or $3 billion?

Mr. PERCY. The out-of-pocket amount is $3 billion a year on our existing budget, I understand, on the continent of Europe.

Mr. ELLENDER. That is the amount of money the Senator will expect them to contribute or assist in?

Mr. PERCY. The requirement of this perfecting amendment would be that the European nations would take steps to eliminate the $1.8 billion which is the balance-of-payments deficit which our forces contributing to those countries now bring about.

Mr. ELLENDER. And they would pay that out of their pockets and it would not be charged to us?

Mr. PERCY. Absolutely. I think it would be wise if we, as a matter of legislative history, take into account that many of the things they have done in the past are totally unacceptable to us now. As has been pointed out, the West German Government has loaned us money; some in past years has been at the going rate of interest.

Mr. ELLENDER. That is a disfavor.

Mr. PERCY. And some of it is due and payable in the near future. This is not what we consider anything other than a band-aid approach when we require major surgery in finding a way to solve this problem permanently. It merely delays the day of reckoning.

Nor would I feel as acceptable offset, the purchase of military equipment which a country may purchase anyway. I am not impressed with the purchase of F–4's which a country would purchase anyway. If purchases were made by European countries of items they never purchased in the past and never contemplated in the future, that might be an "additionality" as against our balance of payments that is meaningful. But the purchase of ongoing bread and butter items does not provide that "additionality" which is the only true way to get at this budget deficit.

Again, I thank my distinguished colleague for his comments. I share in the indignation he has so forcefully expressed.

AMENDMENT NO. 102

I send to the desk at this time, for printing, a perfecting amendment to the Mansfield amendment. Once again I say to my distinguished colleague from Montana that although he has caused some consternation in some quarters, he has brought up an important issue.

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

The amendment reads as follows:

On page 1 of such amendment, beginning with "that" in line 3, strike out all down through line 9 on page 2, and insert in lieu thereof the following: "that steps can be taken other than reducing the number of United States military personnel stationed in Europe that would not endanger the security of Western Europe, that would have a favorable effect on this Nation's balance of payments problem, and that would help avoid recurring international monetary crises involving the value of the dollar abroad.

(b) If the European members of the North Atlantic Treaty Organization do not take action in the fiscal year beginning July 1, 1971, and in succeeding fiscal years, essentially to eliminate the United States balance of payments deficit resulting from maintaining and supporting military forces in Europe in support of the North Atlantic Treaty Organization, the President shall, beginning with the fiscal year which begins July 1, 1972, take such action as may be necessary and appropriate to eliminate such balance of payments deficit."

Mr. PERCY. Mr. President, I have never been blessed with so many calls from friends overseas in any 24-hour period. I have heard from the distinguished American Ambassador in Belgium, Ambassador Eisenhower, with whom I have discussed this problem before. I have heard from my distinguished constituent from Illinois, the Ambassador to Iceland with whom I have not been privileged to talk since he went over there several years ago. The distinguished American Ambassador to the Netherlands called this afternoon. I was happy to talk to him, and yesterday to my distinguished friend, Ambassador Lodge. On my own initiative, I called Ambassador Watson in Paris on Sunday and talked to him about NATO along with other matters.

They were all deeply concerned about the adverse impact that adoption of the Mansfield amendment would have upon our allies in Europe. But I am pleased to report that they felt the principle involved in trying to see that budgetary contributions by our allies sufficient to make up the deficit in our balance-of-payments account was something no reasonable man could argue against. No country shared gain or lose, balance of payment wise, for expenditures made for the common defense. I feel our European allies believe themselves it is time to do this. Once they do it, though it will wrench at first, they will be the first to realize that the financing of NATO will be on a much more solid basis than it has been in the past. We can avoid this crisis, and the necessity to reduce U.S. forces levels in Europe can be accomplished through an agreement to mutually reduce force levels, both East and West.

Mr. MANSFIELD. Mr. President, I find this most interesting. I did understand that the oldtimers, the elder statesmen, so-called, did have their meeting downtown, did have their pictures taken, did issue their statements, and some of them did come up here and patrol the halls of the Senate, seeking to explain their point of view. But I never thought the day would come when U.S. ambassadors abroad in NATO countries would place calls to their Senators and in that way make known their views and their interest, personal and otherwise, in a piece of legislation which the Senate is considering and which is the Senate's business.

I did not make this issue; I just raised it. But this tremendous counterpressure has made the issue, and I cannot tell my colleagues how delighted I am that we are going to dispose of it tomorrow, because to me it is becoming embarrassing.

I wanted to vote within 20 minutes after I introduced the amendment a week ago today, and I must say for the distinguished Senator from Mississippi (Mr. STENNIS), manager of the bill, and the distinguished minority leader, the Senator from Pennsylvania (Mr. SCOTT), that they did try, with all the power and persuasion they possessed, to get a vote on this amendment last Monday and, because of circumstances over which they had no control, on today and, because of circumstances over which they had no control, we did get it for tomorrow.

So I commend them for trying to speed up the consideration of this amendment, and I think I should say, in all candor, that there was, to the best of my knowledge, no pressure from the White House to delay a vote on the pending amendment. I think that should be in the RECORD, too, so that certain newspaper stories can be cleared up.

Furthermore, speaking as a Senator from Montana, I feel that I am getting entirely too much publicity. I do not mind my getting my fair share, but I think that the press has gone out of bounds in giving me something which I do not deserve. But I must say, in all candor, that I have enjoyed all the editorials, both pro and con. I have enjoyed all the commentators, both pro and con. But believe me, when this is out of the way, the Senator from Montana will be the happiest man in the Senate.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on May 18, 1971, he presented to the President of the United States the following enrolled bill:

S. 1181. An act to remove certain limitations on the granting of relief to owners of lost or stolen bearer securities of the United States, and for other purposes.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, at this time I call up a joint resolution which has been reported by the Committee on Labor and Welfare, and ask that it be read but before it is read, I would like to hold it in abeyance and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR RECESS TO 8:30 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in recess until the hour of 8:30 tomorrow morning.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the prayer of the Chaplain and the recognition of the joint leadership, there be a period for the transaction of routine morning business, not to go beyond the hour of 9 o'clock.

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senate will state it.

Mr. MANSFIELD. Mr. President, on the basis of the unanimous-consent agreement, is it correct to state that the time limitation, under the agreement entered into covering the SST, begins to run at 9 o'clock sharp and expires at no later than 11 o'clock tomorrow morning?

The PRESIDING OFFICER. The Chair is advised that is correct.

Mr. MANSFIELD. And that, beginning at 11 o'clock, the pending amendment to the unfinished business, the Nelson amendment I believe, is laid down and is subject to a limitation of not to exceed 1 hour?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. I thank the Chair.

THE CURRENT RAILWAY LABOR-MANAGEMENT DISPUTE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of the joint resolution (S.J. Res. 100) reported today by the Committee on Labor and Public Welfare.

The PRESIDING OFFICER (Mr. TAFT). Is there objection to the request of the Senator from Montana?

Mr. STENNIS. Mr. President, reserving the right to object—and I do not expect to object, but to ask a question of the majority leader—if this bill is now laid aside, will again become the pending business when we come back tomorrow, and as the majority leader has just stated, under these agreements heretofore made, that time on the bill start operating and go back into effect?

Mr. MANSFIELD. That is correct.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered. The joint resolution will be stated.

The assistant legislative clerk proceeded to read the joint resolution.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that further reading of the joint resolution be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. The joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 100) is as follows:

Whereas the labor dispute between the carriers represented by the National Railway Labor Conference and the Eastern, Western, and Southeastern Carriers Conference Committees and certain of their employees represented by the Brotherhood of Railway Signalmen threatens essential transportation services of the Nation; and

Whereas it is essential to the national interest, including the national health and defense, that essential transportation services be maintained; and

Whereas all the procedures for resolving such dispute provided for in the Railway Labor Act have been exhausted and have not resulted in settlement of the dispute; and

Whereas the Congress finds that emergency measures are essential to security and continuity of transportation services by such carriers; and

Whereas it is desirable to achieve the objectives in a manner which preserves and prefers solutions reached through collective bargaining; and

Whereas the recommendations of Presidential Emergency Board Numbered 179 for settlement of this dispute did not result in a settlement: Now, therefore, in order to encourage these parties to reach their own agreement, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) shall apply and be extended for an additional period with respect to the above dispute, so that no change, except by agreement, shall be made by the carriers represented by the National Railway Labor Conference Committees or by their employees, in the conditions out of which such dispute arose prior to 12:01 antemeridian of October 1, 1971.

SEC. 2. Not later than ten days prior to the expiration date specified in the first section of this joint resolution the Secretary of Labor shall submit to the Congress a full and comprehensive report containing—

(1) the progress, if any, of negotiations between the National Railway Labor Conference and the Eastern, Western, and Southeastern Carriers Conference Committees and their employees; and

(2) any such recommendations for a proposed solution of the dispute described in this joint resolution as he deems appropriate.

SEC. 3. Not later than July 31, 1971, the Secretary of Labor and the Secretary of Transportation shall submit jointly to the Congress as full and comprehensive a report as feasible on the impact of the current work stoppage. Such report shall include an analysis of all the recoverable and non-recoverable losses suffered as a result of the stoppage; the extent to which rail traffic was diverted to other means of transportation, and the secondary effects on other industries and employment. Not later than July 31, 1971, the Secretary of Defense shall submit to the Congress as full and comprehensive a report as feasible on the impact of the current stoppage on movement of goods vital to the national defense; the extent to which rail traffic was diverted to other means of transportation and the status of plans to provide for the movement of defense articles in the event of a railroad work stoppage or lockout.

SEC. 4. Notwithstanding the first section of this joint resolution, the rates of pay of all employees who are subject to the first section of this joint resolution shall be increased in accordance with the following table:

Effective as of:	*Pay increase*
January 1, 1970	5 per centum for all employees
November 1, 1970	30 cents per hour for leaders and mechanics.
November 1, 1970	18 cents per hour for assistants and helpers.
April 1, 1971	4 per centum for all employees.

Nothing in this section shall prevent any change made by agreement in the increases in rates of pay provided pursuant to this section.

SEC. 5. It is the sense of the Congress that the living accommodations of the employees who are subject to the first section of this joint resolution, while they are on travel status, are unsatisfactory. Accordingly, the Congress does not intend, by limiting the effect of Section 4 to rates of pay, to endorse the continued furnishing of substandard quarters to employees and urges management and labor to negotiate an agreement to provide, as soon as possible, substantially improved living quarters for employees on travel status.

SEC. 6. This resolution shall take effect immediately upon enactment.

Mr. WILLIAMS. Mr. President, there is a copy of the joint resolution on each Senator's desk.

The Committee on Labor and Public Welfare held hearings yesterday afternoon on the President's request for legislation respecting the nationwide railroad emergency which began early yesterday morning. We heard from the Secretary of Transportation concerning the impact which the strike of the Brotherhood of Railway Signalmen was having and the effect upon the Nation which could be expected to result if allowed to continue. We heard also from the Secretary of Labor regarding the administration's recommendation as to what action the Congress should take.

In addition, we have had the benefit of the views of the parties to the dispute—the Brotherhood of Railway Signalmen, and the National Railway Labor Conference which represents the carriers involved.

Mr. President, this dispute has its origin in collective bargaining notices served by the Brotherhood on the carriers as far back as October of 1969. Since that time, the various procedures of the Railway Labor Act have been pursued, including the appointment of a Presidential Emergency Board on March 4, 1971. On April 14, 1971, the Board—Emergency Board No. 179—issued its recommendations. These included recommendations for a series of periodic wage increases—going back retroactively to January 1, 1970, and extending up to April 1, 1973. The parties were unable to reach agreement on the basis of the Emergency Board's recommendations, and the provisions of the Railway Labor Act which have the effect of prohibiting strikes or lockouts accordingly expired 30 days later—on May 14.

Mr. President, the committee has concluded, in agreement with the administration, that Congress should not attempt to resolve the merits of this labor-management dispute through legislation which would permanently settle the issues in dispute.

I would note that the committee considered and rejected a proposal to implement all the findings of Emergency Board No. 179. It was believed that Congress should not take such a step which it has not taken previously. Furthermore, many of the proposals of the Emergency Board were merely recommendations which require further negotiation for implementation.

What the committee is recommending to the Senate is a resolution which will extend until October 1, 1971, the period during which, under the Railway Labor Act, no strike or lockout may occur. This resolution would not prohibit the parties from continuing their negotiations in their efforts to reach an equitable settlement; on the contrary, it is hoped and indeed anticipated that this extended period will provide the parties with sufficient opportunity to accomplish that purpose.

I should point out that the October 1, 1971, extension we have provided for exceeds by 3 months the administration's recommendation, which was for an extension until July 1, 1971. We concluded this additional period was warranted in order to insure adequate time for reaching agreement between the parties. We also felt that during this period the present negotiations between the carriers and the shopcraft unions—which have been a complicating factor in the signalmen's dispute—might be concluded, thus facilitating an agreement in the signalmen's case.

The resolution further provides, in accordance with the administration's recommendation, that 10 days before the new expiration date, the Secretary of Labor shall report to Congress on the progress of negotiations and his recommendations for proposed solution of the dispute if it has not yet been settled by then.

We also provide for the Secretaries of Labor, Transportation, and Defense to report to the Congress on the impact that this current work stoppage has had, so that we may have such information available when we consider the various proposals that have been made for permanent emergency disputes legislation. Consideration of permanent emergency disputes legislation will shortly be taken up by the Committee on Labor and Public Welfare, or by one of its subcommittees initially.

In addition, the resolution contains a sense of Congress provision that the living conditions of employees subject to this resolution, while on travel status, are unsatisfactory. The resolution urges negotiations to improve such conditions. The Emergency Board had pointed out that—

> The sordid state of some camp cars on some roads is both telling in its impact and not seriously challenged by the carriers.

Mr. President, while we are acting in order to forestall the adverse impact on the Nation which the administration advises would be caused by a prolonged nationwide rail strike, we are mindful of the fact that, absent legislative intervention, these workers do have the right to strike. Therefore, it seemed to the committee that if we are taking such action, we should provide some recompense to these workers for having deprived them of their only weapon—particularly since they have already been working without an agreement on wages for some 16½ months, and without a wage increase for over 22 months during this period of very serious inflation.

Accordingly, in addition to setting a date of October 1, 1971, the committee has concluded that the retroactive pay provisions which were recommended to the parties by Emergency Board No. 179 should go into effect immediately.

Our resolution, therefore, contains a section which provides for an increase of 5 percent for all workers covered by the dispute, effective January 1, 1970; a 30-cents-per-hour increase for leaders and mechanics and an 18-cents-per-hour increase for assistants and helpers, effective November 1, 1970; and a 4-percent increase for all workers covered, effective April 1, 1971.

I would point out that in making provision for the retroactive wage increases recommended by the Emergency Board, we are following the pattern adopted by Congress last December 10, when we extended the no-strike, no-lockout period in another railroad labor dispute, and similarly required payment of the retroactive increases recommended by the Emergency Board in that case. I might add that three of the labor unions involved in that earlier dispute have since settled voluntarily with the carriers.

At the time of our action last December, a number of Senators strongly opposed the provision for retroactive wage increases. They were particularly concerned, because in that case, the Emergency Board's wage increase recommendations were tied to recommended work rules changes which were expected to save the carriers money if accepted by the unions. The argument was made at that time that it would be unfair for Congress to award any wage increases without also taking action on the other part of the package—the work rules.

I think it important to make clear that this element is not present in the instant situation. The carriers have agreed to the wage increases recommended by the Emergency Board; and, since no work rules issues are in dispute, the carriers have not conditioned their agreement to the wage increases upon the union giving up something it already has.

I should also point out that while the union is insisting that the skilled nature of the work performed by its members warrants a wage settlement higher than that recommended by the Emergency Board, there is no serious likelihood that it will have to settle for less. Not only have the carriers accepted the Emergency Board's retroactive wage increase recommendations, but also the amounts recommended are the same, or slightly lower, than those which the carriers have agreed upon with other unions in recent months.

Accordingly, and in view of the further delay of strike action we are requiring of the union, the committee believes that our provision for the retroactive wage increases is entirely fair and justified.

I would emphasize that such provision is in no way intended to prejudice the union's right to bargain for greater increases—either retroactively or prospectively—nor does it represent a judgment by the committee as to what the amount of the wage increases ought to be. It merely represents what seems to the members of the committee, under all the circumstances, to be the most reasonable available measure of recompense for requiring the union to postpone any strike action.

Mr. President, just a short while ago we were advised that the President knows of the action of the Committee on Labor and Public Welfare, and from the White House has come the following announcement:

> The Senate proposal is acceptable to the President, because our interest is the ending of the strike and having the rails run normally.

Mr. President, in view of all this and the need for expeditious action, I will say nothing further at this time, and recommend that the Senate act favorably on the committee's resolution.

Mr. PROUTY. Mr. President, again we find Congress placed in the impossible position of trying to settle a labor dispute. Throughout the years I have been one of the strongest advocates for free collective bargaining. As a businessman, as a Senator, and as an American, I am convinced that collective bargaining represents the best way to resolve issues which will always arise between labor and management. It is, therefore, with a great deal of sadness that I again find myself on the Senate floor attempting to become an instant expert in a most complicated area. I do not fool myself, and I do not think any Member of this body should fool himself; it is impossible for U.S. Senators to become operating managers for our Nation's railroads.

I do not intend to spend a great deal of time rehashing history. Nevertheless,

I think it important for us to recognize that this great body has too often been called upon to settle labor-management disputes in the rail industry. To mention only a few of the times that we have been placed in the position of being judge, jury, and arbitrator: There was the threatened nationwide strike of the railroad operating crafts in 1963, which was averted only by enactment of Public Law 88–108. There was the strike by the firemen against selective rail carriers in 1966; the strike against a substantial number of airlines by the machinists in 1966; the shop craft strike which resulted in the enactment of Public Law 90–54 on July 17, 1967; and, finally, the near disaster of December 9 and 10, last year, which resulted in the passage of Public Law 91–541.

Today, Mr. President (Mr. HOLLINGS), we are again faced with a nationwide crisis caused by either the ineffectiveness of the Railway Labor Act or the unwillingness of those covered by the act to make it work. The Nation's railroads have stopped. Most railroads will not fail, although I think all of us should remember that the rail industry is one of the weakest industries in this country.

Who is hurt by the present railroad strike? I do not think that it is an oversimplification to say that all of us are hurt.

More than 43 percent of the Nation's freight moves on railroads. Yesterday and today, 43 percent of the Nation's freight stood still.

The Nation's largest railroad, the Penn Central, has been in bankruptcy for more than a year. Its operations continue largely because of the day-to-day cash flow. This strike is inviting the complete stoppage of the Penn Central.

Will it be next week, the week after, or the week after that, that we are faced with the question, How do we keep the Nation's largest railroad operating?

It will be recalled that last December 9, we stayed in session until the wee hours in the morning in order to avert a nationwide rail strike. At that time I restated a premise that I had stated many times before, when I said:

> I do not believe that the U.S. Congress should be turned into a national mediation board for the settlement of every labor-management dispute that could possibly disrupt the economy of this country.

As in the past, my words apparently fell upon deaf ears. Less than 6 months have passed since our last nationwide rail crisis. We are again placed in a position of doing the impossible. Congress is asked in effect to pass a private bill so as to settle an issue which should have been settled by collective bargaining.

What will be the results of our action—whatever action we may take? First, we have spent less than 24 hours trying to grapple with this problem, and in all candor we have to admit that we simply do not know what the consequences of our action might be.

We will get the railroads running—there is no doubt about that. For how long, we do not know. At what price, we do not know.

Last December, Mr. President, I stated the following:

> Mr. President, if all Senators had attended meetings of the Committee on Commerce in which the financial plights of the railroads in this country were brought out in great detail, they would realize that we are faced with a problem of tremendous magnitude and seriousness.
>
> As I recall, the former Secretary of Labor, Mr. Wirtz, who is a trustee of the Penn Central Railroad, stated that unless Congress enacted some kind of loan guarantee legislation, the Penn Central could not pay the wage increases recommended by the Emergency Board.

We were forced to pass legislation permitting guaranteed Federal loans to the Penn Central. Those guaranteed loans have been used up.

We are told now that within the next 6 months additional relief will be needed in order to keep the Nation's largest railroad operating.

In the Washington Post on the seventh of this month was published an article which pointed out that Federal Judge John P. Fullam, who is overseeing the bankruptcy of that railroad, has indicated he may not permit the railroad to accept another federally guaranteed loan unless there are shifts in work rules that would enhance Penn Central's chances to become viable. The article went on to point out:

> If (Judge) Fullam carries through on his threat, it would represent an attempt to force Congress to face not only the issue of financing Penn Central, but also the question of work rules . . .

Now, Mr. President, I am not suggesting that we legislate at this time a number of work rule changes, nor that we rewrite contracts presently existing between railway labor and railway management. First, there is no reason that the Congress of the United States should have to do what labor and management should be able to do for themselves. Second, we should neither deceive ourselves nor the public into believing that we are experts in this area. By the same token, we should face reality. Part of that reality is that the largest railroad in the country is bankrupt. Part of that reality is that precipitate legislation and Government regulation is in some way responsible for the deplorable condition of our Nation's railroads.

I ask unanimous consent, Mr. President, that several items relating to the continuing serious situation facing our Nation's largest railroad be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PROUTY. Mr. President, I want particularly to bring to the attention of all of the Members of this body the order issued by Judge John Fullam on March 22 of this year. The most startling part of that order is the fact that a reorganization plan was impossible. While the order itself does not say so, one of the reasons that effective reorganization is impossible is the uncertainty of the future which we ourselves continue to create.

Mr. President, in labor-management relations affecting the railroad industry, we have had pending before our committee for over 15 months, legislation designed to provide certainty and stability in railway labor contracts. There have been no hearings held, even though we have been faced with a crisis situation twice within the past 6 months.

We simply cannot afford to play Russian roulette with the Nation's basic transportation system. The Secretary of Transportation, the Secretary of Labor and the President himself, have all stressed the importance of the Nation's railroad system in relation to the entire economy of the country. Already the strike that is now occurring has sent shock waves from Maine to California and from Oregon to Florida. I can think of no single episode which could cause so great a harm to our entire economy.

Mr. President, I do not overstate my case. All of us in this body have realized for some time that a nationwide rail strike could occur. We have postponed considering permanent legislation to guard against such catastrophe. Today, we can see what our procrastination has brought. Among other things, it has again placed the Congress of the United States up against the wall where we are called upon to place an ineffective band-aid on a mortal wound to the collective bargaining system and further weaken our nationwide rail industry.

In all candor, Mr. President, there is no way that we in Congress can intelligently enact effective and meaningful legislation in a crisis situation such as this. I recognize this fact, and I am sure that every Member in this Congress recognizes it. In fact, the public certainly recognizes our dilemma.

In this crisis atmosphere, we cannot develop meaningful, permanent legislation. However, it is my judgment that we can do much better than the legislation we rushed out of the Labor and Public Welfare Committee this morning.

Mr. President, at an appropriate time I shall offer an amendment which, in my judgment, represents a much better approach.

I should like now briefly to recall the history of this dispute.

The Brotherhood of Railroad Signalmen represents approximately 10,000 nonoperating employees engaged in the installation, inspection, maintenance, and repair of railroad signal devices and related equipment. Its members constitute about 2 percent of total railroad employees and 3 percent of the nonoperating employees.

On October 1, 1969, the brotherhood served a uniform section 6 notice on substantially all of the Nation's railroads requesting wage increases to be effective on January 1, 1970. In addition to general wage increases, the October 1, 1969, notice contained a number of other wage-related demands. On or about October 7 and November 3, 1969, the carriers served counter section 6 notices on the brotherhood, requesting changes in various existing contractual arrangements.

Conferences between the individual carriers and the brotherhood failed to produce agreement and thereupon both

parties authorized national handling of the dispute. The parties jointly invoked the services of the National Mediation Board by application dated April 9, 1970. On April 13, 1970, the National Mediation Board docketed the dispute as NMB Case No. A–8811.

On May 18, 1970, the brotherhood served a second section 6 notice on the carriers requesting certain changes in fringe benefits. The application of the carriers for the services of the National Mediation Board in connection with the brotherhood's notice of May 18, 1970, was docketed on August 27, 1970, as NMB Case No. A–8811, Sub. 1. Subsequently, it was handled concurrently with case No. A–8811.

Mediation commenced July 28, 1970, and continued intermittently until January 22, 1971, when the National Mediation Board in accordance with section 5, first, of the Railway Labor Act, advised the parties that its mediation efforts had been unsuccessful and proffered arbitration. The carriers accepted the National Mediation Board's proffer of arbitration; the brotherhood declined. On January 28, 1971, the National Mediation Board notified the parties that it was formally terminating its mediatory efforts. The brotherhood subsequently set a strike date for March 5, 1971. On March 4, 1971, the President created Emergency Board No. 179.

Following submission of the Board's report on April 14, 1971, negotiations were resumed under the auspices of the National Mediation Board. During the course of these negotiations, the union announced its intention to engage in a nationwide strike at 6 a.m. on May 17, 1971.

The Department of Labor participated in attempts to achieve a settlement and to avert a strike or lockout. Under the guidance of Assistant Secretary Usery, negotiation sessions were held in an effort to resolve the continuing controversy. While some progress was made, the parties were unable to resolve their differences, and at 6 a.m. on Monday, May 17, 1971, the nationwide rail strike commenced.

Mr. President, at this point I send to the desk an amendment in the nature of a substitute for Senate Joint Resolution 100 and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read as follows:

Strike everything after the resolving clause and insert in lieu thereof the following:

That the provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) shall apply and be extended for an additional period with respect to the above dispute, so that no change, except by agreement, shall be made by the carriers represented by the National Railway Labor Conference Committees or by their employees, in the conditions out of which such dispute arose prior to 12:01 antemeridian of July 1, 1971.

SEC. 2. (a) If agreement has not been reached by the parties upon the expiration of the period specified in the first section of this joint resolution, the determinations of the Emergency Board No. 179 appointed by the President by Executive Order 11585 on March 4, 1971, pursuant to section 10 of the Railway Labor Act (herein after referred to as the "Board"), shall take effect and shall continue in effect until the parties reach agreement or, if agreement is not reached, until such time, not to exceed 2 years from June 30, 1971, as the Board shall determine to be appropriate. The Board's determinations shall have the same effect (including the preclusion of the resort to either strike or lockout) as though arrived at by agreement of the parties under the Railway Labor Act (45 U.S.C. 151 et. seq.).

(b) In the event of disagreement as to the meaning of any part or all of a determination by the Board, or as to the terms of the detailed agreements or arrangements necessary to give effect thereto, any party may within the effective period of the determination apply to the Board for clarification of its determinations, whereupon the Board shall reconvene and shall promptly issue a further determination with respect to the matters raised by any application for clarification. Such further determination may, in the discretion of the Board, be made with or without a further hearing.

(c) The United States District Court for the District of Columbia shall have exclusive jurisdiction of all suits concerning the determination of the Board.

SEC. 3. Not later than July 31, 1971, the Secretary of Labor and the Secretary of Transportation shall submit jointly to the Congress as full and comprehensive a report as feasible on the impact of the current work stoppage. Such report shall include an analysis of all the recoverable and nonrecoverable losses suffered as a result of the stoppage; the extent to which rail traffic was diverted to other means of transportation, and the secondary effects on other industries and employment. Not later than July 31, 1971, the Secretary of Defense shall submit to the Congress as full and comprehensive a report as feasible on the impact of the current stoppage on movement of goods vital to the national defense; the extent to which rail traffic was diverted to other means of transportation and the status of plans to provide for the movement of defense articles in the event of a railroad work stoppage or lockout.

SEC. 4. This resolution shall take effect immediately upon enactment.

Mr. PROUTY. Mr. President, the terms of my amendment are simple and easy to understand.

The Railway Labor Act provision prohibiting strikes and lockouts is extended to June 30, 1973.

The Brotherhood of Railroad Signalmen and the Carriers are given to June 30, 1971, to reach voluntary agreement over the terms and conditions of the proposed collective bargaining agreement now in dispute.

Absent voluntary agreement between the parties by June 30, 1971, the recommendations of Emergency Board No. 179 will become effective and will have the same force as if they had been voluntarily agreed to by the parties.

These recommendations, which then become the terms and conditions of the collective bargaining agreement, will remain in full force and effect until June 30, 1973 unless modified by mutual agreement of the parties at any time prior thereto.

This proposal is quite similar to the settlement imposed upon the machinists union and certain other brotherhoods in 1967 under Public Law 90–54. The main difference in this situation is that absent agreement between the parties we would be imposing the existing recommendations of the Emergency Board rather than creating a new panel to review and possibly modify the recommendations already made by a group of experts in this field.

Emergency Board No. 179, Mr. President, was established under an Executive order issued by President Nixon on March 4, 1971, pursuant to authority contained in section 10 of the Railway Labor Act. This Emergency Board was composed of three distinguished Americans eminently qualified to serve as neutrals in the determination of the issues of this dispute and with outstanding backgrounds of service and experience in the field of labor-management relations in the railroad industry. These three gentlemen, Paul N. Guthrie, professor of economics at the University of North Carolina; Thomas G. S. Christensen, professor of law at New York University; and Jean T. McKelvey, professor of industrial and labor relations at Cornell University, submitted their report to the President on April 14, 1971.

I see nothing to gain, Mr. President, by superimposing another board to review the recommendations of these experts. Their report deals in depth with the issues underlining the dispute between the parties and includes specific and comprehensive recommendations for settlement of all the issues in dispute.

It has been alleged in the past, Mr. President, that the carriers would rather come to Congress than negotiate a final contract. What occurred in the shopcraft dispute last winter, however, and what will occur if the resolution reported by the Labor and Public Welfare Committee becomes law is the establishment of a precedent which would seem to favor the brotherhoods in coming to Congress and which, in effect, greatly undermines the process of free collective bargaining. Thus, what is proposed by the committee resolution is to impose by legislation certain of the wage increases upon the carriers which were recommended by the Emergency Board without taking into considering or imposing upon the railroad brotherhoods any of the considerations which might have been a quid pro quo for inducing the carriers to agree to such increases.

It is difficult to look at the recommendations of the Emergency Board and the agreement of the carriers to accept them in any context other than that as a complete package. I do not believe there is anyone in this Body who seriously believes that the carriers would offer a 42 percent wage increase without obtaining some consideration in other areas of the collective bargaining agreement in return. I submit, therefore, that by merely imposing the wage increases we are seriously endangering the balance of collective bargaining between the parties.

There are certain areas where Emergency Board No. 179 recommended that the parties engage in further negotiations, either directly or through the establishment of various joint committees. Under my substitute amendment, the burden in good faith as directed by the Emergency Board will be continued.

If there is disagreement as to the meaning of any part or all of a specific

determination by the Board, any party may apply to Emergency Board No. 179 for a ruling and the Emergency Board shall thereupon reconvene and promptly issue a further determination with the respect to the matter or matters raised for clarification. The Board retains discretion as to whether a further hearing will be necessary.

Finally, the United States District Court for the District of Columbia is given exclusive jurisdiction over all suits concerning the determinations of the Emergency Board.

Mr. President, experts have looked at this situation in depth. Board after Board have made recommendations. I urge my colleagues to follow their recommendations by adopting my amendment. It follows the industry trend already accepted by six of the major railway unions.

Moreover, Mr. President, I am assured that in all probability the United Transportation Workers and the shop craft unions will probably accept the common contract termination date of June 30, 1973, when they complete their negotiations later this summer.

My amendment assures every employee of the industry more money than is provided in the bill reported by the committee.

Above all, Mr. President, my amendment provides certainty within the rail industry through June 30, 1973.

Let us begin today to carry out the responsibility we have for keeping our Nation's transportation system viable.

Tomorrow, let us immediately begin the task of writing permanent legislation so that the Railway Labor Act can become a useful tool for effective collective bargaining.

Mr. President, I have previously inserted in the RECORD three editorials which were published in this morning's newspapers I should like to quote from briefly.

This editorial from the New York Times is entitled, "Irresponsibility on the Rails." It reads in part:

The nationwide railroad paralysis caused by an utterly unwarranted strike involving just over 2 per cent of all rail workers points up the need for legislative remedies far more fundamental than President Nixon's call for a special back-to-work law designed to keep the trains running until July 1.

The editorial goes on to say:

Congress cannot dawdle in moving to end this latest act of union arbitrariness. But restoring normal train service is only half the job. After that the priority assignment must be consideration of the stalled Administration proposals for machinery to rule out more such crises in transportation. The Nixon plan died of total neglect in the last Congress. This Congress has an obligation to act on it or devise a better plan of its own.

An editorial in today's Washington Evening Star is entitled, "Another Rail Crisis." It reads in part:

Congress has itself to blame for being forced once more to take emergency action aimed at ending a nationwide railroad strike. Despite the longstanding need for comprehensive legislation ruling out strikes that threaten prohibitive damage to the national welfare, the subject gets practically no congressional attention except at times of crisis.

The editorial goes on to say:

Another year of inaction on the updating of federal labor law would be irresponsible. Last year, congressional elections were said to make it a bad time for the legislators to incur the displeasure of labor leaders and others who might oppose a new law. The election-year excuse, for whatever it is worth, does not hold true in 1971.

An editorial in this morning's Washington Post, is entitled, "The Rail Strike: Here We Go Again." That editorial reads in part:

Just before the weekend, labor negotiations in the railroad industry produced the first ray of hope in years. The Brotherhood of Locomotive Engineers agreed to some, albeit minor, modernization of their work rules in exchange for a health pay increase and there was hope that this was a first step towards ending the downward spiral in which the railroad business has been caught for 20 years. But the 13,000 members of the Brotherhood of Railway Signalmen didn't see it that way and yesterday the country was back where it was last December with the railroads shut down and Congress rushing around to get them running again.

The editorial continues:

Part of this problem, of course, rests with the failure of collective bargaining in the railroad industry; the history of that is much too long to deal with here; suffice it to say that neither labor nor management had clean hands in shaping the issues on which the current struggles are fought. But part of this problem also rests in the failure of Congress to face up to its responsibilities and by its insistence on following a policy that leads both labor and management to believe that it will always save them from their own follies.

The editorial goes on:

A crisis like the current one—and a national railroad strike quickly becomes a crisis because of the impact it soon has on many other industries—hardly provides the climate in which a major revision of the labor laws can be calmly considered. But once Congress copes with this crisis, as it undoubtedly will in the next day or so, the men and women on Capitol Hill have an obligation to the country to get on with this broader task. The facts that the engineers provided a ray of hope last week and that several of the other railroad unions which have already accepted contracts seem likely to be less than happy about the greediness of the signalmen suggests that the time is ripe, as well as long overdue, for this review.

Mr. President, I ask unanimous consent that these three editorials be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

EXHIBIT 1

ORDER NO. 191

(In the U.S. District Court for the Eastern District of Pennsylvania in the matter of Penn Central Transportation Co., Debtor; in proceedings for the reorganization of a railroad, bankrupcy No. 70-347)

And now, this 22nd day of March, 1971, it is ordered that the time for filing a plan of reorganization pursuant to section 77(d) of the Bankruptcy Act (11 U.S.C. § 205(d)) is hereby extended until September 22, 1971.

REPORT OF TRUSTEES ON STATUS OF REORGANIZATION PLANNING

(In the U.S. District Court for the Eastern District of Pennsylvania in the matter of Penn Central Transportation Co., Debtor; in proceedings for the Reorganization of a Railroad, No. 70-347)

By Order dated December 18, 1970, this Court extended until March 22, 1971 the time for the filing of a plan of reorganization for the Debtor pursuant to Section 77(d) of the Bankruptcy Act.

While under no statutory directive to submit a plan, the Trustees consider it incumbent upon them to report to the Court, and to interested parties, on the condition of the estate in their charge and on the feasibility of ultimate reorganization. This report describes the reasons underlying the Trustees' conclusion that a further extension of six months is necessary for the formulation of a meaningful reorganization plan.

FINANCIAL CONDITION

At the present time, there is no basis upon which a reorganization plan could be formulated. Even though there has been a substantial reduction in net railway operating losses compared with a year ago, the Debetor's operations continue to generate a negative cash flow despite the deferral of certain fixed charges and state and local taxes.

Appended hereto as Exhibit 1 is a statement of cash flow since the date of bankruptcy, including an estimated cash flow for the current month of March, 1971. While cash held at minimum balances during 1970, increased wages, including retroactive wage awards, contributed to an estimated cash drain of about $69 million for the first quarter of 1971. Of this loss, $65 million was met by drawing down proceeds from the $100 million loan guaranteed by the United States under the Emergency Rail Services Act of 1970.

PREMISES FOR REORGANIZATION

In their Preliminary Report Concerning Premises for a Reorganization, dated Febuary 10, 1971, the Trustees pointed out that, provided certain tough conditions could be met, Penn Central could improve its position by $200 to $400 million a year, establish viability, and thus lay a sound foundation for a plan of reorganization. These conditions are four in number and include:

(1) The transfer of the passenger service in accordance with the broad principles of the Rail Passenger Service Act of 1970, fairly compensating the railroad for the services to be supplied.

(2) The abandonment of as much as 8,000 miles of line, or, alternatively, public financial support for those loss lines, the continued operation of which are required in the public interest.

(3) The modernization of rail freight pricing practices, including the elimination of rates below the long-term variable costs of providing the service and the right to make agreed rates with shippers.

(4) The modification of work rules that require the employment of 10,000 more people than necessary in an efficient operation.

TIME SCHEDULE

The Trustees believe that by October or November of this year, and depending upon the progress made in satisfying these conditions, they will be able to determine the prospects for attaining Penn Central's viability and consequently what kind of a reorganization under Section 77 of the Bankruptcy Act can be accomplished.

By that time, either a traditional reorganization will be possible, or one of several alternatives to a traditional plan will be necessary, including:

(1) A broad program of government contract or subsidy which, taking any one of many possible forms, would be designed to assure the continuance of public services regarded as essential.

(2) A careful plan for the breakup of Penn Central into segments which could logically be absorbed by connecting lines.

(3) A government purchase of Penn Central's right of way, with lease back to Penn Central for operation under reasonable contract terms.

(4) Outright nationalization.

For these reasons, a postponement of at least six months in the date for filing reorganization plans is indicated. It will take that long to determine whether Penn Central is susceptible to a conventional reorganization or whether some other solution for its problems must be found.

STUDIES IN PROGRESS

Whatever the outcome of these proceedings, certain valuation data are being developed, including:

(1) Valuation on "going concern" or other basis. Evaluation of operating alternatives with various levels of traffic, revenues and costs.

(a) Present rail transportation capability

(b) Streamlined plant and capability

(c) "Freight Only": (i) Present freight transportation capability; (ii) Streamlined freight transportatian capability;

(d) Coordinated use of: (i) Leased lines; (ii) Controlled lines;

(e) Mortgaged segments of properties owned by PCTC or held by subsidiaries or leased lines.

(2) Valuation studies based on hypothetical sales.

(a) Transportation Assets: (i) To other railroads; (ii) To public authorities; (iii) Abandonment of rail facilities and sale of salvage and real estate;

(b) Non-Transportation Assets

Sale or other advantageous disposition of: (i) Wholly owned subsidiaries; (ii) Investments in affiliated corporations; (iii) Non-Rail Subsidiaries;

The Trustees have completed their organization of an internal staff organization at work for assembling their data and making the required determinations. In this respect, their staff is being joined by a firm of consulting engineers who can assume an important share of this work.

The Trustees, in view of the enormity of the undertaking, cannot represent that they will have final figures on all aspects of the valuation study by October or November. By that time, however, rough estimates on the more significant facts of the study should be available.

For the foregoing reasons, the Trustees respectfully recommend that the Court extend the time for the filing of a reorganization plan for at least six months from the present date.

Respectfully submitted.

GEORGE P. BAKER,
RICHARD C. BOND,
JERVIS LANGDON, Jr.,
WILLARD WIRTZ,
Trustees of the Property of the Penn Central Transportation Company, Debtor.

EXHIBIT 1

PENN CENTRAL TRANSPORTATION CO. CASH FLOW JULY 1, 1970, TO MAR. 1, 1971 (ACTUAL), AND MONTH OF MARCH 1971 (ESTIMATED)

[In millions of dollars]

	1970						1971		
	July	August	September	October	November	December	January	February	March (estimated)
Total receipts	219.9	190.4	189.5	190.7	177.4	185.2	214.0	210.6	216.9
Total disbursements	183.9	190.8	197.9	194.0	179.6	189.4	198.5	222.0	225.2
Net change	36.0	(.4)	(8.4)	(3.3)	(2.2)	(4.2)	15.5	(11.4)	(8.3)
Beginning cash	1.4	37.4	37.0	28.6	25.3	23.1	18.9	34.4	23.0
Ending cash	37.4	37.0	28.6	25.3	23.1	18.9	34.4	23.0	14.7

TESTIMONY BEFORE THE HOUSE OF REPRESENTATIVES SUBCOMMITTEE ON TRANSPORTATION AND AERONAUTICS OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(By George P. Baker, Richard C. Bond, Jervis Langdon, Jr., and Willard Wirtz, as Trustees of the Property of the Penn Central Transportation Company, Debtor)

MARCH 9, 1971.

Mr. Chairman and Members of the Committee: This opportunity to give a brief status report concerning the Penn Central Transportation Company, which has been operating in bankruptcy since June 21, 1970, is appreciated.

In the closing days of the 91st Congress there was enacted the Emergency Rail Services Act of 1970 which authorized the Department of Transportation to guarantee trustee certificates in the maximum amount of $125 million for the purpose of enabling bankrupt railroads to continue in operation. Subsequently, the sale by Penn Central of $100 million of trustee certificates, guaranteed by the government, was approved by the Court, and the proceeds were deposited on January 26, 1971 to the account of the Trustees. Since then the company has drawn down a total of $65 million (including $5 million scheduled to be drawn down on March 31st). This money has been used for operating expenses including retroactive wage increases for 1970 amounting (so far) to $34.8 million as provided for in Joint Resolution 220.

Thus did the Congress come to the rescue of this stricken transportation system. As is apparent from an examination of the cash flow statement for the first quarter of 1971, appended hereto as Exhibit 1, Penn Central, in the absence of this Congressional help, would have been forced to close down by the end of January for lack of cash.

At the time of the hearings on December 15, 1970, before this Committee in connection with the Emergency Rail Services Legislation, the Trustees testified (pp. 489–490) that infusions of between $175 million and $250 million would be needed to sustain full operations during 1971 and that a comparable amount would probably be required to carry Penn Central through the two-year period of 1972–1973. By the end of 1973 the Trustees were hopeful that Penn Central's viability would finally be established and a firm basis for reorganization emerge. In short, according to the presentation of the Trustees last December, a total government commitment of as much as $500 million over a period of three years might be needed. If that commitment were to take the form of further guarantees, an additional request for enabling legislation would be necessary at the present time.

The Trustees' on-going analysis of the long-range potential for Penn Central indicates that, provided certain tough conditions can be met, viability *can* be attained more imminently. Within the private enterprise system, a viable Penn Central rail network is possible upon the realization of relatively specific premises in the areas of passenger service, changes in route and service patterns, regulatory provisions, and labor relations.

If these premises are met, and met promptly, further loans to meet day-to-day operating expenses of the railroad should be avoidable. Conversely, if government and labor can not assist the Trustees in materializing these premises, the imposition of added debt, with no real prospect of ultimate viability, serves no useful purpose for either the public or the equitable owners of the estate under the charge of the Trustees.

In a "Preliminary Report of Trustees Concerning Premises for a Reorganization" filed last month with the Bankruptcy Court (a copy of which is attached to this statement as Exhibit 2), it was pointed out that Penn Central's earnings could be favorably affected to the extent of $200 to $400 million a year if:

(a) the passenger service is handled in accordance with the broad principles of the National Railway Passenger Service Act of 1970;

(b) the freight service plant is rationalized;

(c) changes are made in the regulation of freight rates; and

(d) employment and labor policies are significantly modified.

If Penn Central can be operated as a business enterprise and under terms and conditions that are directly related to the efficient discharge of its public service responsibilities (and without any so-called extra costs), its present situation can be significantly improved and go to a point where there emerges at least a basis for reorganization.

Turning to a more detailed statement of the four conditions to Penn Central's viability:

A. PASSENGER SERVICE

On May 1 Penn Central's intercity passenger service is expected to be taken over and operated by the National Railroad Passenger Corporation (Railpax). While negotiations are still in progress, there would appear to be a difference between the basis of compensation sought by the Trustees and that offered so far by the Railpax Incorporators, a difference measurable in terms of tens of millions of dollars a year to the Penn Central. In order to protect the constitutionality of the contemplated take-over against attacks by creditors and others, Railpax should be able to compensate Penn Central for all costs that can be identified as related to its intercity passenger service, including a reasonable share of joint and common costs. It may well be that the funding of Railpax by the Federal Government should be increased to permit the take-over and subsequent operation to be accomplished on a sound and fair basis.

B. PLANT RATIONALIZATION

Hundreds of miles of Penn Central line can be identified as uneconomic and should

either be abandoned or subsidized. To enable such a program to move along rapidly, the Trustees are preparing and will soon seek the opportunity of presenting to the Congress appropriate amendments to the Interstate Commerce Act.

Already, applications for the abandonment of 83 segments of line, totalling 819 route miles, have been presented as necessary to the Court and are being filed with the Interstate Commerce Commission. Today, however, there is no provision for subsidy in the case of "loser" lines, the continued operation of which is required in the public interest. Moreover, the present procedure of moving these applications, one by one before the I.C.C., is cumbersome and could take years. Appropriate changes in the provisions of the Interstate Commerce Act are urgently needed.

C. PRICE RESTRUCTURING

Here, the Trustees' proposals go in the direction of broader regulation rather than de-regulation and include:

(1) An affirmative provision in the Interstate Commerce Act that no rate can be lower than the long-term variable cost of the service. Such a provision would automatically require the raising of hundreds of below-cost rates that in the case of Penn Central are providing losses of more than $80 million a year.

(2) Authority to publish so-called "agreed charges" following the pattern in Canada. Contract carriage is freely available on the highways and waterways and should be equally available on the railroads where it woud be appropriate protection to cover service arrangements, including assigned equipment, which are negotiated with shippers.

(3) A requirement that in the publication of freight charges a separation be made between terminal and line-haul services. This would permit a railroad such as Penn Central which has sustained a disproportionate increase in terminal expenses (as compared with line-haul expenses) to adjust its charges accordingly. As it has been, with percentage rate increases which assume the same cost increases in terminal and line haul services, the effect has been to underprice the shorter hauls (which predominate on Penn Central) and over-price the longer hauls.

D. LABOR

Labor costs on the Penn Central, in relation to either total revenues or expenses, are much higher than on other railroads and have gone up even faster since merger. This reflects, in part, the nature of Penn Central's service which includes the largest concentration of terminal operations in the country. It also reflects Penn Central's wide participation in passenger services both inter-city and commutation. Each is heavy in its demands on manpower, and neither lends itself readily to greater productivity as the result of increased volume.

Of the total payroll, the Trustees have determined that approximately 10,000 employees are retained by Penn Central solely because of (1) the retention in three States (Indiana, Ohio, and New York in which Penn Central has large operations) of full crew laws—which most of other states have repealed because they do not make sense under present circumstances; or (2) various work rules which have been repeatedly considered by various Presidential Boards or Commissions and have uniformly been found to be unjustified; or (3) other work rules which in the light of modern conditions can no longer be justified by management. The "extra cost" of these employees to Penn Central was $120 million in 1970 and will be $165 million by the end of 1972 if the rules remain in effect and presently prospective wage increases are made. In a different category, hundreds of Penn Central employees receive special merger guarantee payments—an additional burden of approximately $28 million attributable to the merger rather than to current operations.

The rationalizing of employment and labor relation policies and costs is the most critical single condition to making the Penn Central viable and permitting its successful reorganization. The enterprise cannot carry the labor costs it does now. The choice, in practical terms, is between (1) establishing an effective procedure for reducing these costs to a "rational basis" or if this cannot be done, (2) passing the bill for the extra costs to government.

In the judgment of the Trustees, the first step is to organize, with the concurrence of labor, internal machinery for the resolution of all proposals concerning work rules. Hopefully, this would take the same form as the Standing Committee recommended by Presidential Emergency Board No. 178, with a neutral as chairman, and there would follow a systematic review of the whole disputed work-rules area. In the Trustees' preliminary report to the Court, it was recommended that in the absence of agreement, the vote of the neutral be controlling. The alternative would have to be federal legislation creating better machinery than the Railway Labor Act for the settling of labor disputes.

CONCLUSION

Thus are the Trustees proposing an affirmative program which, if it can be accomplished, ought to produce viability in Penn Central and put it in a position to be reorganized, thus avoiding the need for further loans guaranteed by the Government.

The time element, however, is critical. By the end of March there should remain $35 of the $100 million loan to be drawn down against a continued negative cash flow, and at the rate of the cash drain during the first quarter, $35 million would not last long. But the experience during the first quarter is not regarded as representative because (1) it included heavy retroactive wage payments, (2) first quarters on Penn Central are traditionally sub-normal, and (3) volume was off more than seasonally. The Trustees' judgment is that the $35 million will sustain a negative cash flow for about six or seven months, or until October or November.

The Trustees believe that a six to seven month period should be long enough to test the acceptability of their program for viability as set forth in Exhibit 2. Depending on the reaction of Congress, labor and the public, they further believe that, by the end of that period, they will be able to say with much more confidence whether Penn Central can be made viable or whether it cannot be made so. Either a positive cash flow will then be appearing presumably as the result of the acceptance, at least in important part, of the Trustees' program for viability and supported by the vigorous self-help measure of the new management under W. H. Moore,[3] or a negative cash flow will then be persisting, with no real acceptance of the viability program by those affected.

In brief summary, six or seven months from now, Penn Central's future should be much clearer than it is today. Either a traditional reorganization based on a positive cash flow will be in sight, or such a reorganization will not appear to be possible. It is of course conceivable that, by the end of this period, a further guarantee of trustee certificates would be justified if the end of the tunnel were clearly in sight. But the chances are that the answers will be apparent before the six months are up. The Trustees would repeat that this answer will depend upon the extent to which Penn Central has been able (1) to make a sound arrangement with Railpax; (2) to begin the abandonment of uneconomic lines (or receive subsidies to cover their losses); (3) to modify its pricing practices and eliminate "loss" traffic; and (4) to change work rules that require the employment of 10,000 more people than necessary in an efficient operation.

If at the end of the six to seven month period, the answer is negative and a traditional reorganization appears impossible, the alternatives (which postulate the indispensable character of Penn Central service which must continue in any event) are several, including:

(1) A broad program of government contract or subsidy which, taking any one of many possible forms would be designed to assure the continuance of public services regarded as essential.

(2) A careful plan for the breakup of Penn Central into segments which could logically be absorbed by connecting lines.

(3) A government purchase of Penn Central's right of way, with lease back to Penn Central for operation under reasonable contract terms.

(4) Outright nationalization.

In the final analysis, the choice between a traditional reorganization of Penn Central and some other solution for its bankruptcy depends upon the success which, during the next six or seven months, attends the Trustees' efforts to effectuate the viability program set forth in Exhibit 2.

EXHIBIT 1

PENN CENTRAL TRANSPORTATION COMPANY

CASH FLOW 1ST QUARTER 1971

Receipts:	January, actual	February, preliminary actual	March, estimate
Receipts:			
Revenues collected by Penn Central	$149.6	$139.8	$163.0
Collections from other RR's	21.2	19.7	23.0
Government collections	5.6	6.5	7.0
Salvage	1.6	1.6	1.2
Miscellaneous accounts receivable	4.3	4.3	5.0
Rents	4.0	3.4	2.5
Dividend and interest	.4	.3	.2
Sale of property	.1	----	----
Tenants' tax escrow	3.1	----	----
Divisional escrow A/C fidelity	9.1	----	----
Trustees' certificates drawdown	15.0	35.0	15.0
Total receipts	214.0	210.6	216.9
Disbursements:			
Revenue due other RR's	27.9	21.5	33.0
Mileage and per diem	8.9	8.4	11.0
Claims to other RR's	3.0	1.0	4.0
Car repairs	1.1	1.0	1.0
Other accounts payable	2.7	3.3	3.0
Utilities, services, etc. (A/P)	26.2	29.4	32.6
Fuel oil, material and supplies	19.1	18.3	20.8
Loss and damage claims	2.0	2.4	2.7
O. C. claims, pvt. mileage, etc	4.8	1.7	6.5
Paychecks	52.7	57.0	65.7
Withholding taxes—F.I.T	10.5	14.3	11.0
RR retirement—employer	12.8	11.9	8.2
Unemployment insurance	----	4.4	----
Employment savings bonds	.4	.4	.4
Debt service—Principal: Equipment obligations	4.8	7.7	8.3
Debt service—Interest: Equipment obligations	1.5	6.2	2.6
Equipment leases	10.0	2.9	3.6
Leased line rentals	.1	----	----
Injuries to persons	1.8	1.4	2.5
Freight and passenger agents checks	1.9	1.6	2.5
Employees travel and business expenses	1.0	1.0	1.0
Retroactive wage settlements	4.8	25.2	4.8
Miscellaneous—Net	.5	1.0	----
Total disbursements	198.5	222.0	225.2
Net change	15.5	(11.4)	(8.3)
Beginning cash	18.9	34.4	23.0
Ending cash	34.4	23.0	14.7

[3] Appended as Exhibit 3 is Mr. Moore's recent report dealing with self-help measures taken by Penn Central's new management during the period since bankruptcy.

[In the U.S. District Court for the Eastern District of Pennsylvania]

PRELIMINARY REPORT OF TRUSTEES CONCERNING PREMISES FOR A REORGANIZATION

In the Matter of Penn Central Transportation Company, Debtor. In Proceedings for the Reorganization of a Railroad, No. 70-347.

It is appropriate to report to the Court the Trustees' conclusions regarding the necessary conditions to a successful reorganization of the Penn Central.

The creation of sufficient viability in Penn Central to permit its satisfactory reorganization has its starting point in the ordinary elements of good management: improvements in the productivity of its plant, equipment, and labor; the effective marketing of its services through the use of sound commercial pricing principles; the elimination of unprofitable operations; and the maintenance of sound fiscal policies.

A real beginning (on which a separate report will be made to the Court shortly) has been made under Penn Central's new management. Employment last December was down by more than 5,000 when compared with a year ago, and there are solid plans for a further reduction of 5,000 employees during the current year. Shippers are now commending Penn Central's freight service and even our connecting railroads at the major gateways, highly critical of Penn Central in the past, are taking notice as its service becomes more reliable and competitive. Track maintenance has been upgraded, and equipment maintenance programs have been accelerated. Utilization of equipment has been improved substantially. Practices have already been changed to eliminate waste and to modernize the operation of the railroad. Other improvements await capital money, or the approval of public authority.

Another forward step has been the streamlining of the management organization, including a reduction in vice presidencies from 43 to 11, and the phased elimination of more than 1,000 supervisors and support personnel in the several departments. Further streamlining is planned.

Moreover, Penn Central is moving forward with an aggressive campaign to sell its service. For this, we should have more new equipment but even so, freight service should meet constantly higher standards, and the new management is dedicated to bringing this about. The pricing of the service will be an important part of this campaign, and we are developing several new approaches to improvement of the railroad's competitive position which suffered greatly under the merger.

But despite the solid progress already made and planned for Penn Central's recovery, a great deal more is needed before this giant property can become viable. For it is a fact that Penn Central is presently locked by circumstances beyond managerial control into a situation which had best be recognized now as completely precluding viability unless certain constraints are removed, or other arrangements are made to compensate for their effects.

Six months' experience and analysis indicate that the Penn Central can be made viable and that the traveling and shipping public can at the same time be more effectively served if: (a) the passenger service is handled in accordance with the principles of the National Railway Passenger Service Act of 1970; (b) the freight service plant is rationalized; (c) changes are made in the regulation of freight rates; and (d) employment and labor policies are significantly modified. The assumption underlying all of these conditions is that the property and enterprise be responsibly and effectively managed.

A central principle emerges from this experience and analysis. It is possible now to identify "rational terms"—those consistent with sound business principles and the public interest—with respect to Penn Central plant, service, employment, and rate practices; and to identify, at least approximately, the "rational costs" of operation on this basis. It is recognized at the same time that various forces and circumstances may prevent achieving these rational terms, at least temporarily; and to the extent this is true there will be resultant "extra costs." The essential central principle of making the Penn Central viable is that the enterprise be required to carry only the rational costs; and that provision be made for some different form of compensation for any extra costs incurred for reasons beyond the control of those responsible for the enterprise.

This rational cost principle, which underlies this report, has several particular applications:

A. PASSENGER SERVICE

The rational cost principle is reflected already in the creation of the National Railway Passenger Corporation.

Penn Central will contribute to Railpax what is believed to be unique in the railroad industry: passenger service in the Northeast Corridor that produces a positive cash flow. Obviously, this should be taken into account when payments by the government for the take-over are calculated. To the extent that Railpax designates Penn Central passenger service for inclusion in the system, Penn Central will be prepared to identify the relevant costs. A special team of experts has been in the field for this special purpose.

One crucial requirement is adequate funding of Railpax by the federal government to permit the take-over and subsequent operation to be accomplished on a sound and fair basis.

B. PLANT RATIONALIZATION

It is estimated that Penn Central's plant should be reduced by about 40% in terms of route miles. Nearly 20% of present route miles can already be identified as redundant. More lines will become surplus in response to changes in railroad operating methods, pricing, and the requirements of shippers and receivers. The economics of transportation dictate that most of the traffic now moving on light density rail lines should be handled by truck and/or piggyback trailers and containers.

The current regulatory procedures for branch line abandonments co-mingle two quite separate issues:

1. Whether a loss is being sustained by the railroad, and

2. Whether public convenience and necessity require that the branch line continue in operation.

Moreover, these procedures are cumbersome and time-consuming and call for consideration of each line sought to be abandoned on a separate record that can be tied up in litigation for years.

The problems of the carrier and the community could be resolved by requiring the Interstate Commerce Commission first to determine the facts as to losses incurred by the carrier. If losses are established, the railroad would at once be compensated by public payments which would in effect constitute a subsidy to the communities and to the users of the service. Such payments would continue unless or until a subsequent decision authorized abandonment. In either event the railroad would be able to eliminate the loss.

C. PRICE RESTRUCTURING

In recent years various proposals have been advanced to relax railroad rate regulation, and it is understood that further proposals may be submitted to the Congress this coming spring. In the past this has been a highly controversial subject, and nothing of significance has been accomplished. In three directions, however, it ought to be possible to move constructively and with a minimum of controversy, and Penn Central would be greatly benefited.

First. The Congress should condemn as unlawful any rate, whether interstate or intrastate, which is below the cost of providing the service and should adopt long-term variable costs as the absolute floor for rate making by all regulated carriers. This would automatically require the raising of hundreds of below-cost rates that in the case of Penn Central are producing losses estimated at more than $80 million a year. In those instances where the below-cost rates are required in the maintenance of relationships deemed essential in the public interest, the authority enforcing the below-cost rates should be required to respond with a subsidy to cover the related carrier losses.

Second. There should be authority for all regulated carriers to publish "agreed charges". Here the United States could follow the experience in Canada where today about 30% of railroad freight traffic moves on "agreed charges" which are similar to contract rates, but they are published and open to all shippers similarly situated. Contract carriage is freely available on the highways and waterways in this country and should be equally available on the railroads. It is peculiarly adapted to those many instances where special service arrangements, including assigned equipment, are negotiated by rail shippers.

Third. In the transition to more effective pricing policies, provision should be made to separate through rates between the elements covering (1) terminal services and (2) line haul between terminals. The reason is clear. In recent years terminal costs have increased three times faster than line haul costs, and yet the general percentage rate increases which the railroads, with the authority of the Interstate Commerce Commission, have made effective have proceeded on the assumption that both elements have increased uniformly. The result has been that the Penn Central, which has the heaviest concentration of terminal operations of any major U.S. railroad as documented in the Trustees' testimony before the Senate Commerce Subcommittee in November, 1970, has not been compensated for its skyrocketing cost increases. In order to have a cost-oriented pricing system for the railroads, including Penn Central, it is vital to have the terminal and line haul elements of all through rates separately stated in the tariffs. Rate increases could then be appropriately matched with cost increases. This form of rate publication would also help in the elimination of below-cost rates.

D. LABOR

Penn Central labor costs (wages, payroll taxes and fringe benefits) in 1970 were approximately $1.1 billion. This exceeded by at least $120 million anything which could be considered a "rational cost" figure.

Labor costs at Penn Central are running at 66% of railroad operating costs. This has increased from 63% in 1960 (using combined *Pennsylvania, New York Central,* and *New Haven* figures for comparison).

In 1969 (the most recent year for which industry-wide figures are available), the Penn Central figure (66%) exceeded the industry-wide average (58%) by a large margin.

Escalating wage rate levels (the current prospect is for increases of about 37% during the three-year period 1970–1972) are only one part of this problem. The particular difficulty which has developed in aggravated degree at Penn Central because of its labor-intensive terminal operations, arises from the "work rule" situation.

Penn Central's average mid-month employment count in 1970 was 94,000. The average cost per employee is $12,500 per year.

Of this 94,000 total, approximately 10,000 employees were retained solely because of (1) the retention in three States (Indiana,

Ohio, and New York in which Penn Central has large operations) of full crew laws—which all other states except Arkansas have repealed because they do not make sense under present circumstances; or (2) various work rules which have been repeatedly considered by various Presidential Boards or Commissions and have uniformly been found to be unjustified; or (3) other work rules which in the light of modern conidtions can no longer be justified by management. The "extra cost" of these employees to Penn Central was $120 million in 1970 and will be $165 million by the end of 1972 if the rules remain in effect and presently prospective wage increases are made.

In a different category, hundreds of other Penn Central employees receive special merger guarantee payments. Although, in terms of "rational cost" analysis, the 1970 operation at Penn Central carried a burden of approximately $28 million properly attributable to the merger rather than to current operations.

The rationalization of the Penn Central plant (see Point B above) will mean that fewer employees will be needed, although no reliable estimates of net economies is possible on the basis of present information.

The rationalizing of employment and labor relation policies and costs is the most critical single condition to making the Penn Central viable and permitting its successful reorganization.

If the present terms and conditions of employment at Penn Central were the result of free collective bargaining—or if there were the prospect of effective bargaining as a means of working out the critical work force and work rule issues the Penn Central faces—the "rational cost" concept would properly accept the working of that procedure. But there is not that history, and the prospect of relying on collective bargaining for effective disposition of these problems in the future depends on making basic changes in the way it works.

As far as the past is concerned, there is no point in detailing what is familiar. The development of employment terms and conditions and the settlement of labor disputes in the railroad industry have become a combination of negotiation, mediation, arbitration, litigation and legislation which is condemned on all sides. The classicly asserted right of the unions to strike and of the carriers to lock-out has been reduced by repeated legislative and judicial action (perhaps often necessitated by immediate circumstances) to a deceptive and dangerous myth. The centralized organization on both sides of the bargaining table has developed along lines which often do more to prejudice responsible settlement than to promote it. The short of it is that collective bargaining is not working in the railroad industry.

Yet the prospects for puting the Penn Central on a sound basis depend, in an important degree, on resolving the problems. The enterprise cannot carry the labor costs it does now. The choice, in practice terms, is between establishing an effective procedure for reducing these costs to a "rational basis" or—if they are to be maintained, passing the bill for the extra costs on the Government.

The estimate that $120 million of annual costs, over and above "rational costs", are involved here only indicates roughly the magnitude of the problem. The definitive figure—and the ultimate answer to the problems it measures—will not be reached by unilateral management analysis of the situation. Terms and conditions of employment are properly determined by a process in which representatives of the employees—and the public where necessary—also participate effectively.

In the judgment of the Trustees it is imperative, if this situation is to be resolved, that there be acceptance of both a procedure and a principle which experience clearly indicates to be needed.

The procedure is essentially that proposed unanimously last November by Presidential Emergency Board No. 178, to be applied, however, to the particular situation at Penn Central. This would mean the establishment of a joint labor-management Standing Committee at Penn Central, with a neutral member as Chairman, to review the whole disputed work-rules area, and the Trustees propose, with the Court's approval, to authorize and instruct the Penn Central officers to attempt to establish this type of procedure by agreement with the unions.

General wage levels would not be considered within the authority of the Standing Committee.

It would be contemplated that all pending, unresolved work rule issues raised by either the Company or the Unions would be taken up by the Standing Committee. Procedures would be developed for settlement within the Committee on a fully agreed basis of as many of these issues as possible, hopefully all of them. Provision would be made, at the same time, for the resolution of issues where necessary by a majority vote of the Committee, with the Chairman participating. The Committee determinations would be accepted by the parties.

It is essential that the agreement establishing the Committee also include a negotiated understanding regarding the principles which are to be applied by it in resolving the work rule issues. The Trustees accordingly propose, subject to the approval of the Court, to authorize the development in negotiation with the Unions of this dual principle of reciprocal equity:

On the one hand, any employee affected by a change in work rules will accept any changes in assignment which reasonable considerations of economical and efficient operation warrant and which place no undue burden on the employee.

On the other hand, full equitable compensation is to be made to any employee who loses his job or whose earnings opportunities are reduced as a consequence of changes in work rules.

The development of this principle would necessarily be subject to negotiation. Its implications are far reaching. It is essential, however, to the effectuation of the changes which efficiency and effectiveness of operations require, with due regard to the individual equities which are involved. If it turns out, as it may, that the resultant costs of applying this principle are more—during a transitional period—than the enterprise can at the particular time afford, the Trustees will be prepared to make proposals for the allocation of those costs consistent with a recognition of the public interest in implementing change.

CONCLUSION

At this point in time, it is not possible to measure precisely the gains to Penn Central of affirmative action on each of the conditions to viability set forth above. Obviously, timing is of critical importance, and in certain instances the amount of gain will be affected by the time scale of implementation. It must also be recognized that planning towards reorganization cannot be done in isolation. The changes necessary for Penn Central survival interrelate with, and may often depend on, concurrent changes elsewhere in the industry, and especially in the framework of public policy, regulation, and labor agreements which constitute the "rules of the game."

Nevertheless, tentative estimates of what might be expected from fulfillment of the conditions for viability as described above range from $200 million to $400 million annually.

When gains of this magnitude are taken into account, the effect on earning power, even when discounted for the known impact of continuing inflation, is substantial, and a basis for the reorganization of Penn Central begins to emerge.

It is appreciated that the conditions to Penn Central's viability are hard and introduce factors that go far beyond the normal boundaries of the railroad reorganization proceeding under Section 77. But in the firm opinion of the Trustees nothing less has a chance.

Penn Central of course is a merger of three major railroads, no one of which had any railroad earning power prior to the merger in 1968–1969.[1] The New Haven was then in bankruptcy and slowly being liquidated, and the Pennsylvania and New York Central entered the merger with marginal earnings that depended on so-called "other" income—income from sources other than the railroad (such as Norfolk & Western dividends in the case of the P.R.R. and Park Avenue properties in the case of the N.Y.C.). Add to this record of poor pre-merger earnings the post-merger spiralling of Penn Central's terminal expenses and deficits from passenger service and there comes into focus a clearer picture of what it takes to create Penn Central viability.

But the overriding problem of Penn Central remains—the problem that must be overcome if it is to stay in the private enterprise system. It is found in an obligation to perform as a public service company in certain areas and under certain conditions which simply do not lend themselves to profitable operations, no matter who the operator is, or how efficient. The only possible remedy here is for public authority to lend its hand to a speedy elimination of the conditions which produce the losses, or respond with adequate compensation if it insists upon a continuance of the conditions.

Respectfully submitted.

GEORGE P. BAKER,
RICHARD C. BOND,
JERVIS LANGDON, JR.,
WILLARD WIRTZ,
Trustees of the property of the Penn Central Transportation Company, Debtor.
ROBERT W. BLANCHETTE,
Counsel for the Trustees.
EDWIN P. ROME,
Blank, Rome, Klaus & Comisky, Special Counsel for the Trustees.
Dated: February 10, 1971.

EXHIBIT 3

A PROGRESS REPORT ON PENN CENTRAL TRANSPORTATION CO., MARCH 1, 1971

(By William H. Moore, President and Chief Executive Officer, Penn Central Transportation Co.)

The new management of the Penn Central Transportation Company completed on March 1, 1971, its first six months on the formidable job of revitalizing the railroad, increasing the effectiveness of management, and improving efficiency of operation and productivity of the work force.

Precise measurement of the numerous and varied improvements on the railroad during these past six months is difficult to make. Some efforts are short-range, yielding quick results, while others are in various stages of planning, development and implementation and will take several years to reach fruition.

Nevertheless, there is a vast difference between the railroad today and the way it was in the several weeks following June 21, 1970,

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[1] During the period 1960–1967 the rates of return on the net investments of the P.R.R. and N.Y.C. were 1.20% and 1.41%, respectively.

the date on which Penn Central Transportation Company went into reorganization. During that period, the organization was somewhat in a state of shock from the financial collapse. The railroad's competitive position and its share of market were dwindling. Employee morale and productivity suffered in this uncertain, unprecedented situation.

Service was poor, with many locomotives and much equipment out of service, and "per diem" cost for use of cars belonging to other lines unusually high. Maintenance on track and facilities was restricted because of insufficient funds.

Not all of these problems have been completely solved, but remedial action has been planned and initiated, and substantial progress has been made in implementing the remedies.

Following are some of the major areas in which significant changes have been made:

1. *Employee Morale and Productivity*—Recognizing that employee attitude and performance are essential to revitalizing the railroad, an intensive program of management-employee communications was initiated.

Immediately upon taking office September, 1, the president and chief executive officer attacked this problem. Within two months the president personally visited 20 of the key locations throughout the railroad system, speaking directly to some 16,000 employes and their wives (as well as to groups of Penn Central's largest shippers).

In the evening meetings with employes, the president emphasized the need for overcoming the defeatist attitude, rallying confidence in the company's ability to become viable, building teamwork and improving individual job performance. Questions from employes and shipers were answered forthrightly.

A weekly "Penn Central Report"—a one-page summary of information about the company—is now posted on 6,500 bulletin boards throughout the system, supplementing the monthly employe newspaper which stresses reorganization efforts. Employes are being urged to express their opinions and offer suggestions for improvements.

A study of Penn Central employe productivity has been completed. This analyzes in particular the work performed over-the-road and in yards and terminals. This study has been converted into a slide presentation which will be the basis of a systemwide improvement program. Up-to-date records of performance will be kept charted in order to get accurate comparisons as a measurement of improvement.

2. *Realignment of Management*—Prompt steps have been taken to streamline the railroad's managerial and administrative structure. This continuing program is being implemented in every department in order to reduce expenses, simplify procedures and increase efficiency. The number of vice presidents has been reduced from 34 to 11, and assistant vice presidents from 39 to 21. The management team is now more compact, more tightly coordinated, with more precisely defined lines of authority and responsibility.

In the operating department, a new vice president-operation is completing the organization of a closely-knit team. The administration of the railroad system has been divided into operations-east and operations-west, with an assistant vice president heading each section of three operating regions. Renewed emphasis is being given to first line supervision at the divisional level.

Yard and terminal operations, the worst area for rising costs, inconsistent productivity and train delays, are now under the full-time responsibility of an assistant vice president. Congestion is being significantly reduced and the movement of freight is being speeded.

Realignment of accounting and related data processing will be completed by mid-1971. Data processing will be concentrated at Detroit, Pittsburgh and Philadelphia, in place of the present six locations. Accounting and data processing at Chicago, Indianapolis and New Haven are being eliminated. This will reduce payroll costs, rental of computers and redundant paper work.

3. *Improvements in Facilities*—Despite limited funds, improvements in facilities are proceeding with the objective of enhancing freight service. Buckeye Yard, situated near Columbus, Ohio, has been completed and is reaching its potential. It is the sixth largest automated yard in the railroad system and replaces five obsolete, inadequate yards at a crossroads of Penn Central's southcentral trunk lines.

Morrisville Yard, in the Philadelphia-Trenton area, has been upgraded with automatic switching, weight responsive retarders, centralized train control and revised track layout.

A major new connection near St. Louis, to expedite interchange with the Alton & Southern Railway, is under construction.

As of February 1, Penn Central leased and began operating a new marine terminal at Port Newark-Elizabeth built by the Port of New York Authority. It will expedite and increase containerized freight traffic between railroad flatcars and ocean-going ships.

At Weehawken, N.J., Penn Central has opened the first piggyback terminal in the East exclusively for handling refrigerated piggyback trailers of frest meat received from the West.

Two yards—Edge Moor at Wilmington, Del., and Bayview at Baltimore—are being rebuilt as flat switching yards, with expanded classification, receiving and departure tracks.

A $532,000 improvement program of the locomotive shop at Enola, Pa., will enable it to turn out 37 repaired units a day, instead of the present 30 units.

Penn Central is now receiving bids on construction plans to lower the tracks in its Detroit River tunnel to allow higher clearance for larger cars, such as high-cube boxcars and trilevel auto rack cars. By routing this traffic through the tunnel (which connects Detroit and Windsor, Ontario) instead of over circuitous rail lines, the company expects to increase traffic and revenues and achieve additional compensation from another railroad with trackage rights in the tunnel. Cost of the project will be about $2 million.

The total of yards and terminals consolidated since the merger has reached 36, and 25 connections have been made between the formerly separate systems.

4. *Motive Power Fleet*—In 1970, 147 new locomotives were received and placed in service, and 102 new units ordered under 1970 programs are scheduled for delivery during the first quarter of 1971. Minimum needs for additional motive power in 1971 are estimated at 126 new units, together with major overhaul of 137 units. The backlog of locomotives awaiting heavy repairs has been reduced more than 30 per cent since last September.

5. *Freight Car Fleet*—In 1970, Penn Central's own shops rebuilt or made heavy repairs on 5,300 freight cars. A total of 1,838 new freight cars were acquired. The ratio of unserviceable freight cars was 7.4 per cent at the end of 1970. The goal for 1971 is to cut this to about 4 per cent. This will require repair and upgrading about 20,000 existing cars at a cost of nearly $80 million. If funds can be provided, the railroad has plans to acquire about 7,300 new freight cars, costing about $123 million, in 1971. About $10 million is programmed for capital improvements and additions and betterments to existing equipment.

The repair program currently is giving special attention to gondola cars, which are in heavy demand by steel shippers. Shop schedules now call for returning 60 bad-order gondolas a day to active service.

6. *Plant Improvement*—The immediate need for plant rationalization was expressed in the Trustees' "Preliminary Report Concerning Premises For A Reorganization," dated February 10, 1971.

It is estimated that the railroad plant ultimately should be reduced by about 40 per cent in terms of route miles.

Approximately 20 per cent of present route miles have already been identified as redundant. The company is proceeding as rapidly as possible to retire little-used branch lines and to reduce multiple track areas on trunk lines such as Philadelphia-Pittsburgh, Pittsburgh-Chicago, and Pittsburgh-St. Louis.

Almost 3,500 route miles of light density line have been specifically identified for study leading to abandonment proceedings.

Petitions for abandonment have been filed or will be filed before the end of March, 1971 with the Interstate Commerce Commission covering more than 800 miles of these lines.

It is expected that by April 30, 1971, an abandonment analysis of approximately 2,660 more route miles will have been made.

Another program will be the phasing out of a number of manually attended block stations and control towers, which will be replaced by more modern centralized traffic control installations. Overall operating efficiency will be improved.

7. *Transportation*—A number of new trains hauling carload and piggyback freight have been put into service, providing more convenient loading schedules and more timely deliveries. So far this winter, over-the-road traffic has been moving more expeditiously than a year ago. Maintenance work scheduled for the spring will remove "slow order" restrictions on train speeds along several principal routes.

Operating flexibility and utilization will be improved by elimination of automatic train stops and cab signals from locomotives. The Federal Railroad Administration of the U.S. Department of Transportation has granted permission for eliminating automatic train stops with resulting savings of $1.4 million annually. An application to the FRA to remove cab signals in other than electrified territory is being prepared.

Reciprocal arrangements for preblocking large groups of freight cars permits bypassing yards at several principal interchange locations. This does away with time and expense required for reclassifying at enroute yards.

Improved car tracing and car inventory information is bringing a reduction in "per diem" costs of freight cars on the Penn Central belonging to other lines.

Utilization of freight cars is improving and time on our railroad of foreign-line cars is being reduced. During the last 15 days of December, 1970, Penn Central originated and received from connections almost identically the same number of loads as the same period in 1969. Yet, on January 1, 1971, there were over 16,000 fewer cars on line. During the first part of this January, Penn Central handled more freight than last year, but on January 15, 1971, there were 12,000 fewer boxcars on line, 1,000 fewer covered hoppers and 6,600 fewer gondolas, than on the same date in 1970.

An Assigned Car Control Center was placed in service by Penn Central at its Philadelphia headquarters last fall to improve utilization and profitability of the railroad's specialized cars. More than 50 operating and sales personnel are working together in the center to achieve optimum utilization, turn-around and general day-to-day surveillance of specialized equipment.

Reliability of train movement has strengthened steadily. On-time performance and making interline connections is expected to improve.

8. *Transportation and Billing System (TABS)*—Implementation of a new, advanced on-line freight transportation and billing system is beginning on the Penn Central. When fully developed, the computerized system will gather and then dispense instantaneously on command a variety of information on the location and movement of all on-line freight cars. It also will aid immeasurably in expediting the preparation of freight bills. Immediate benefits of the system will be fewer car movement delays, more efficient empty car distribution, reduced working capital required for unbilled shipments and significant clerical force reductions. The expense reduction from realignment of accounting and related data processing operations now in progress will offset many times over the cost of the TABS system. The principal source for financing the TABS installation will be the savings realized through this realignment.

9. *Phaseout of Floating Operations*—The company is making a concerted effort to phase out inefficient and deficit freight car floating operations—and that effort is paying dividends.

An agreement has been made with the Long Island Rail Road, effective March 1, to substitute a land bridge (the Hell Gate Bridge) interchange for freight traffic between the Bronx and Queens, as opposed to expensive marine operations. Some 340 freight cars per day are now being transferred from Penn Central to Long Island and vice versa via the bridge.

Meanwhile, the company has petitioned the ICC for abandonment of freight car ferry service across the Straights of Mackinac (Michigan), jointly owned with the Soo Line Railroad.

It is also seeking financial aid for car ferry service across Chesapeake Bay between Cape Charles and Norfolk, Va. A joint study is proceeding in cooperation with the Virginia Port Authority and the Norfolk Southern Railway Company to develop a plan for leasing or selling the float operation to the VPA, or obtaining VPA financing for new and more efficient equipment. Unless such aid can be obtained, the railroad may have to request abandonment of the service.

A study is also being made to substitute other services for car floating between the Brooklyn Eastern District Terminal and Penn Central's New Jersey yards.

10. *Sales and Marketing*—Recognizing the need for a greater volume of profitable traffic, the Penn Central is intensifying sales efforts and marketing programs. An advertising campaign has been resumed, emphasizing the restoration of good service and the importance of Penn Central to shippers. The president has been participating with sales and marketing officers in conferences with numerous Penn Central shippers.

The marketing department and other task force groups are re-analyzing costs of furnishing many types of service, as a basis for revisions of rates to provide adequate compensation.

New markets and techniques are constantly under development. As an example, Penn Central participation is being expanded in the advanced unit train concept, not only for coal and grain traffic but for other commodities which are susceptible to bulk movement. Marketing programs have been initiated to recover high-rated traffic such as household appliances and bottled goods.

Penn Central's marketing objective for 1971 is to regain the share of the transportation market lost since the merger. The railroad now has a better product to sell and will capitalize on this new opportunity.

11. *Intercity Passenger Service*—In preparation for transfer of intercity passenger service to Railpax in May, the Penn Central is joining other passenger-carrying railroads in assisting the new semi-public corporation. The vice president-public affairs is vice chairman of the railroad industry's ad hoc steering committee to establish procedures to be used in negotiating contracts for operating trains designated as part of the national network. The company also has a Railpax task force which is preparing information for negotiating Penn Central's operating contract with Railpax.

In the meantime, the quality of passenger service has shown improvement, especially in cleanliness, courtesy of crews and functioning of equipment. On the main passenger route between New York and Boston, the DOT TurboTrain now operates from Boston into Penn Station (instead of Grand Central) for direct north-south connections with Metroliners to and from Washington.

Many improvements have occurred in information and ticketing services at major stations. A new computerized information retrieval system has been installed at Penn Station in New York, satellite ticket offices have been opened in Washington, and the new Capital Beltway Station was opened in the Washington area. A similar Metropark station, in New Jersey, where the railroad crosses the Garden State Parkway, is scheduled to begin service in June.

A new shop at Sunnyside Yard near New York City is being built to service Metroliner and Jersey Arrow equipment. Mechanical changes are being made in Metroliner cars to increase reliability and utilization, and to reduce maintenance costs.

At Boston, Penn Central is consolidating and streamlining its passenger car and locomotive servicing facilities at a cost of $1.75 million. At Trenton, in conjunction with the State of New Jersey's Department of Transportation, a new passenger station has been designed for construction with public funds.

12. *Suburban Passenger Service*—Since January 1, Penn Central has been operating its rail commuter service between New Haven and New York City under contract with the New York Metropolitan Transportation Authority and the Connecticut Transportation Authority. The equipment and facilities have been transferred to these authorities and the railroad now receives an annual management fee of $100,000 while the authorities assume all costs and deficits. A similar arrangement with the MTA is being negotiated for Penn Central's Hudson and Harlem commuter lines.

The Southeastern Pennsylvania Transportation Authority, for whom Penn Central now operates commuter service in the Philadelphia area, is preparing an order for 130 new multiple unit commuter cars. Penalty payments for operating failures and behind-schedule performance have been reduced drastically as compared to a year ago.

In both the New York City and Philadelphia areas, suburban services are being operated by Penn Central regional groups which are responsible for the commuter operations alone, having been relieved of freight train and intercity passenger responsibilities. This new method of administration is winning significant public approval because of better service, station improvements and refurbished equipment.

Commuter service in northern New Jersey into Penn Station, New York, is receiving increased participation by the State of New Jersey's Department of Transportation. Supervision and service have been improved with the infusion of state funds.

The concept of support of commuter service by local governmental authorities is gaining in acceptance, but it is not progressing fast enough to relieve Penn Central of commuter service deficits during the crucial period of reorganization.

In summary, a significant start has been made toward recovery. Management has been realigned and redirected with the objective of improving productivity of people and equipment. Physical plant and equipment are being upgraded as financing permits, with priority given to improvements producing high return and better service. Primary consideration is being focused on the company's true function—furnishing efficient transportation. Sales and marketing activities are oriented to service, profit, and regaining the company's market share. Passenger services, both suburban and intercity, are being adjusted to public service programs and public financial support. Perhaps most important, the company's problems have been analyzed thoroughly and solutions are being expedited.

The combined effect of the programs outlined briefly in this report clearly shows substantial progress. Regrettably, however, these recovery programs amount to little more than treading water in the vast flood of Penn Central's basic problems. Penn Central Transportation Company, by itself, can go only so far. The four conditions to Penn Central's viability set forth in the Trustees' Report to the Court of February 10 are sound and must be satisfied if Penn Central is to have a proper base for reorganization.

EXHIBIT 2

[From the New York Times, May 18, 1971]

IRRESPONSIBILITY ON THE RAILS . . .

The nationwide railroad paralysis caused by an utterly unwarranted strike involving just over 2 per cent of all rail workers points up the need for legislative remedies far more fundamental than President Nixon's call for a special back-to-work law designed to keep the trains running until July 1.

The outrageousness of the tie-up requires Congress to move swiftly to restore service, either through the President's plan for a six-week truce that would resolve nothing or through submission of all the disputed issues to binding arbitration. But once that need has been met Congress ought to lose no more time in facing up to its long-neglected duty to replace the creaky Railway Labor Act with more dependable statutory safeguards against transportation strike emergencies.

The Brotherhood of Railroad Signalmen, representing only 13,000 men in an industry with more than a half-million workers, has demonstrated once again how vulnerable vital transportation networks are to economic blackmail by tiny groups of unionized employees.

The signalmen are using the tired refrain of "severe inequities" to justify their rebellion against a wage pattern already firmly set in settlements with much larger unions—a pattern that would give them pay increases of better than 42 per cent over a 42-month period.

An endless series of labor crises on the railroads has made the public only too familiar with the cavalier way in which one union after another puts its own interests ahead of the country's stake in uninterrupted transportation—and even at the risk of hastening the railroads' slide toward extinction.

But the present tie-up carries an extra measure of disappointment because it comes just after the Brotherhood of Locomotive Engineers blazed a trail toward statesmanship by agreeing to scrap archaic and wasteful work rules at the same time that it accepted the new wage pattern last week. No comparable sacrifice was asked of the signalmen.

Congress cannot dawdle in moving to end this latest act of union arbitrariness. But restoring normal train service is only half the job. After that the priority assignment must be consideration of the stalled Administration proposals for machinery to rule out more such crises in transportation. The Nixon plan died of total neglect in the last Congress. This Congress has an obligation to act on it or devise a better plan of its own.

ANOTHER RAIL CRISIS

Congress has itself to blame for being forced once more to take emergency action aimed at ending a nationwide railroad strike. Despite the longstanding need for comprehensive legislation ruling out strikes that threaten prohibitive damage to the national welfare, the subject gets practically no congressional attention except at times of crisis.

This week's strike by the relatively small Signalmen's union should have taken no one by surprise. With exhaustion of the last legal delay, and the better-than-even chance that the union and the railroads would not agree, the date of the current emergency was predictable. There is even less excuse than usual for the latest stoppage, with the Signalmen holding out for more than the hefty 42 percent, 42-month wage settlements obtained by other rail unions.

Regardless of the merits of the labor dispute, a coast-to-coast railroad strike of any duration is unthinkable. With the operations of countless industries and millions of jobs dependent on the movement of materials and goods by rail, a long stoppage would be nothing short of an economic disaster for the country. A smaller but nevertheless worthy consideration is the possibly fatal blow a strike could deal to the fledgling Amtrak passenger-train system, which already is sufficiently handicapped.

Congress has been sitting since February of last year on an administration bill providing for the systematic handling of transportation strikes that pose national emergencies. As crises have come and gone, the legislation has languished without so much as a hearing in the Senate Labor and House Commerce Committees.

This praiseworthy administration measure is not the last word in labor legislation, but is the least that should be done, and quickly. It would provide the President with a variety of options for bringing about settlements and cutting the country's losses. Legislators may have useful ideas for improving the bill's provisions, and these would be welcome. Similar legislation is needed to cover other vital industries in which shutdowns cause significant economic suffering affecting the national health. As a substitute for debilitating labor-management warfare, we have long favored a system of labor courts or some equivalent mechanism for adjudicating disputes and enforcing fair settlements.

Another year of inaction on the updating of federal labor law would be irresponsible. Last year, congressional elections were said to make it a bad time for the legislators to incur the displeasure of labor leaders and others who might oppose a new law. The election-year excuse, for whatever it is worth, does not hold true in 1971.

[From the Washington Post, May 18, 1971]

THE RAIL STRIKE: HERE WE GO AGAIN

Just before the weekend, labor negotiations in the railroad industry produced the first ray of hope in years. The Brotherhood of Locomotive Engineers agreed to some, albeit minor, modernization of their work rules in exchange for a healthy pay increase and there was hope that this was a first step towards ending the downward spiral in which the railroad business has been caught for 20 years. But the 13,000 members of the Brotherhood of Railway Signalmen didn't see it that way and yesterday the country was back where it was last December with the railroads shut down and Congress rushing around to get them running again.

The issue in this particular strike, according to Secretary Hodgson, primarily concerns money. Most of the other unions involved in this round of negotiations have settled their contracts along the general lines laid out by a Presidential emergency board a year ago. But the Signalmen aren't satisfied with a 42 per cent pay increase in a 42-month long contract and are greedily demanding 54 per cent over 36 months.

The tragedy of the strike, however, lies less in the economic differences between management and labor than in the weaknesses it underlines in the nation's ability to cope with strikes in vital industries. A year ago March, Congress acted in an emergency situation by delaying a planned railroad strike for 37 days. At the end of that time, again in an emergency, it had to impose a settlement on the shop craft unions. Then last December, when a railroad strike actually got started, Congress rushed through another piece of legislation to postpone that until this past weekend. Now Congressmen have to go through the same business once again—and again in a crisis situation—in order to deal with this strike. As we said in December: What a way to run a railroad—or a country.

Part of this problem, of course, rests with the failure of collective bargaining in the railroad industry; the history of that is much too long to deal with here; suffice it to say that neither labor nor management had clean hands in shaping the issues on which the current struggles are fought. But part of this problem also rests in the failure of Congress to face up to its responsibilities and by its insistence on following a policy that leads both labor and management to believe that it will always save them from their own follies.

The Railway Labor Act which governs, at least in theory, the way disputes in this industry are to be settled has been on the books for almost half a century. This law has been, we think it can be fairly concluded, remarkably ineffective. Its emergency provisions have been invoked almost 200 times; work stoppages somewhere or other in the nation have occurred in recent decades at the rate of more than one a year. And Congress is now faced, for the third time, with having to pass a law to end a strike.

Fifteen months ago, President Nixon asked Congress to amend the emergency-strike provisions of both the Railway Labor Act and the Taft-Hartley Act, and he is more than justified in expressing his displeasure towards the reception in Congress his recommendations received. The President's proposals would have provided some new options in the handling of any labor dispute threatening to disrupt the national health or safety in a transportation industry. Nobody knows whether his proposals would work satisfactorily or not and we have expressed some doubts about certain aspects of them. But Congress hasn't even bothered to consider them or, for that matter, to consider alternatives to them.

A crisis like the current one—and a national railroad strike quickly becomes a crisis because of the impact it soon has on many other industries—hardly provides the climate in which a major revision of the labor laws can be calmly considered. But once Congress copes with this crisis, as it undoubtedly will in the next day or so, the men and women on Capitol Hill have an obligation to the country to get on with this broader task. The facts that the engineers provided a ray of hope last week and that several of the other railroad unions which have already accepted contracts seem likely to be less than happy about the greediness of the signalmen suggests that the time is ripe, as well as long overdue, for this review.

Mr. PERCY. Mr. President, as sure as the seasons come and go, the Nation invariably finds itself every so often—much too often—with a national rail emergency resulting from the chaotic course of collective bargaining in the transportation industry. And just as inevitably, the President is called upon to step in and the Congress is pressed into a hasty, piecemeal and incomplete response.

This need not be. This should be. Neither the President nor Congress should be in the business of running all the railroads. Each has enough on its hands in running this country. While I endorse immediate Congressional action to halt this strike as quickly as possible, I do not feel that Congress or the President should be involved in wage negotiations in the private sphere, such as we have with the Brotherhood of Railroad Signalmen. That is a private matter to be settled between the union and the carriers. It became a public matter—indeed a national emergency situation—only because the impasse resulted in a nationwide strike with a nationwide impact instead of being limited in nature, size and scope.

Perhaps the underlying difficulty is rooted in the fact that where a strike becomes necessary, in the past unions have been precluded from attempting to exercise their economic strength on a selective basis so as to minimize the impact on the public. Attempts to strike selectively have been met with restraining orders and temporary injunctions issued by the courts at the request of rail carriers, thus leaving the unions with no right to strike at all unless they strike nationally. I look with favor on a recent decision of the U.S. Court of Appeals for the District of Columbia upholding the legality of selective strikes which would avoid nationwide upset. Pending Supreme Court review of that decision, we should be cautious in imposing a too rigid approach to wage negotiations in the transportation industry.

If that course does not succeed in taking the crisis out of rail negotiations, then I think we must look to more restrictive alternatives, including the possibility of binding arbitration by an impartial board with adequate provision for operation of the rails to assure the movement of goods and services essential to the national health and safety.

At any rate, the strike that is now in progress does constitute a national emergency and must be halted. It should never have occurred, but it did. Now it must end without further delay and without prejudicing the bargaining rights of those involved.

Mr. PACKWOOD. Mr. President, will the Senator from New Jersey yield for a question?

Mr. WILLIAMS. I yield.

Mr. PACKWOOD. Do I presume that this legislation is passed on the assumption that we cannot under any circumstances allow a railway strike?

Mr. WILLIAMS. That is the basic premise of the administration's request to us.

Mr. PACKWOOD. Does it presume we cannot allow it now and that we cannot allow it on October 1 of this year?

Mr. WILLIAMS. Well, it is our judgment that with passage of this resolution there will be no need for further consideration of this particular dispute. The remaining issues are expected to be resolved by agreement.

Mr. PACKWOOD. But if the remaining issues are not resolved by October 1,

we will be back here with a similar resolution, will we not?

Mr. WILLIAMS. Or maybe have permanent legislation.

Mr. PACKWOOD. Involving this and other transportation industries?

Mr. WILLIAMS. That is possible.

Mr. PACKWOOD. Mr. President, Congress goes through this charade every 6 months. Under the Railway Labor Act we have told the railway unions they can strike. They have to go through mediation and the Emergency Board process and then they can strike, but when it gets up to the strike we tell them, "That is a no, no, the railway industry is different." It is all right if the Teamsters want to strike, and the trucking industry wants to strike. That is not illegal. It is all right to have the airlines strike but there can be no railway strike.

I think Congress should make a policy decision as to what the transportation policy in this country is going to be. Either we are going to say we are not going to have strikes, period, and that the railroads and trucks will be kept moving, or we are going to allow strikes.

There is no need to come back here every 6 months with an emergency, and it is no more an emergency than the coming of summer. We are familiar with these contract negotiations and Emergency Board proceedings. We come down to 11 o'clock or 12 o'clock at night here and impose some ad hoc solution that both parties may or may not like, and always on the assumption that we cannot allow a strike.

I practiced labor relations law for 5 years, basically from the employer's side, negotiating contracts with unions. I think I know why we do not face up to this problem. If we were to face up to it, we would be touching on compulsory arbitration. Unions do not like that word; most employers do not like the concept; and yet there is no other way to keep the railroads running, to keep the airlines flying, and to keep the trucks on the road, short of a strike, without this Government stepping in any saying, "Either we will have the National Guard run the trucks, railroads, and trains, or for a temporary period we are going to nationalize them, or we will not tolerate the stoppage of the flow of freight in this country."

It has been touched on that we have had before us the President's emergency strike legislation for 15 months. We all know what the attitude of the unions would be toward the legislation. It would be adverse. I think the attitude of most employers would be adverse. For too long we have been sitting in this Congress and past Congresses attempting to avoid, if we can, making a fundamental controversial decision, and that decision may be that railway, airline, and trucking unions should have the right to strike.

I am going to vote against this legislation. I have no doubt it will pass because in this country there would be a great political and tumultuous outcry if the railroads did not run for 1 or 2 weeks.

But I am going to vote against it because the same statements we hear here today can be moved back to last December 10 and placed in the RECORD, and it will be found we were saying the same thing then. I will wager we will be here the night of September 30, saying the same thing again, and we will be doing so periodically until we once and for all face the issue of the necessity or lack of it to keep freight moving in this country.

The chairman of the committee, the Senator from New Jersey (Mr. WILLIAMS), very graciously indicated in committee today that he would be willing to hold hearings, and if I do not misspeak him, he said in the not-too-distant future, on the President's emergency strike bill. But it will not be enough to hold hearings and it will not be enough to simply realize that most of management and all of labor does not want a compulsory arbitration bill.

If this Congress in passing this bill today is saying once again, "We cannot tolerate a strike or a stoppage in the railway freight industry," then I think we start not with the President's bill but with the resolution of the Committee on Labor and Public Welfare and this Congress that the policy of this country is going to be that the freight will move, and we fashion legislation to meet that conclusion.

Mr. President, my vote today is a protest, and had I been in Congress for the last 4, 5, 6, 7, or 8 years all my votes would have been protests. I am not optimistic. I am convinced that close to the 1st of October I will be back here to make the same statements and Congress will by overwhelming votes be passing the same kind of legislation.

Mr. GRIFFIN. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

Mr. GRIFFIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GRIFFIN. As I understand it, an amendment by the Senator from Vermont is pending. Is that correct?

The PRESIDING OFFICER. That is pending at this time.

Mr. GRIFFIN. Then, I do not offer mine at this point, but I do ask that it be read by the clerk.

The PRESIDING OFFICER. The clerk will read the amendment. The Senator from Michigan withholds the amendment.

The assistant legislative clerk read the amendment, as follows:

On page 3, after section 5, insert the following new section:

"SEC. 6. The Committee on Labor and Public Welfare of the Senate is instructed to report (with or without recommendations and with or without amendment) the bill S. 560 entitled 'A bill to provide more effective means for protecting the public interest in national emergency disputes involving the transportation industry, and for other purposes' within 45 days after the enactment of this joint resolution."

On page 3, section 6 is redesignated as section 7.

The PRESIDING OFFICER. The Chair is informed that the amendment, as a perfecting amendment, is in order at this time. Does the Senator offer it as such?

Mr. GRIFFIN. I shall withhold it for the time being, until disposition is made of the other amendment. I do wish to call attention, however, to this amendment following the very appropriate and eloquent statement just made by the distinguished Senator from Oregon. I could not agree more with what he has said. It seems to me we have heard promises and promises and promises, I am sure all in good faith, but promises on which there has been no delivery, that proposals for permanent legislation to deal with this problem would be considered by the committee having jurisdiction.

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

Mr. GRIFFIN. Yes, I yield.

Mr. WILLIAMS. Who made the promises, and when?

Mr. GRIFFIN. Well, I am looking now——

Mr. WILLIAMS. The Senator said "promises and promises and promises." That is a fair question, I suggest.

Mr. GRIFFIN. I recall that the present chairman's predecessor, the former Senator from Texas, Mr. Yarborough, gave assurances to the Senate a year or so ago that there would be hearings on this matter.

Mr. WILLIAMS. It was his best intention to be here to conduct those hearings. It was not his particular fault that he could not do that.

Mr. GRIFFIN. On February 17 of this year the distinguished Senator from New Jersey, now the chairman of the committee, announced that "I expect to begin hearings some time in March"—that was on February 17, 1971—"to consider in depth all such proposals."

Mr. WILLIAMS. That is an expectation; it is not a promise.

Mr. GRIFFIN. I see.

Mr WILLIAMS. And a lot of things have happened during that period that have made it unwise. I say if we have a period here of relative peace, and I think we can, it is timely now to consider the permanent legislation that has been proposed by many. That is exactly what I have made the promise to do now.

Mr. GRIFFIN. Would the chairman agree with the essence of the amendment, that 45 days would be a reasonable period of time in which the committee could be expected to report some kind of legislation? The amendment contemplates that there could be amendments, and the legislation could be reported with or without recommendation.

If the Chairman would prefer, the period of time could be 60 days. I am not particularly wedded to the 45-day requirement. But I believe the Senate is entitled to some assurance that the distinguished Senator's committee is going to act, and will report a bill on this subject.

Mr. WILLIAMS. I happen to be chairman of the Labor and Welfare Committee and I know I have a responsibility to that committee, and to the Senate, too, that the considerations be thoughtful and that as much time be taken as the members conscientiously feel is necessary.

Mr. GRIFFIN. How about 90 days?

Mr. WILLIAMS. I feel that any arbitrary time on this would be unwise. I would suggest that if the Senator thinks this through in his own committees, he would feel it would be unwise, too. I have seen measures thoughtfully considered for well beyond 90 days in the Committee on Labor and Public Welfare.

Mr. GRIFFIN. The bill presently before us marks the fourth time now in 15 months that the Congress has been forced to act as the ultimate arbitrator in railway labor disputes. The key issue is not whether Congress must act now. We have no choice.

We must act now to stop a strike which has already paralyzed the Nation for 2 days. Of course, we have no choice now, but the real question is: When will Congress enact permanent legislation so we can get out of the business of being arbitrator on these disputes as they come down the pike?

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

Mr. GRIFFIN. Yes, I am happy to yield.

Mr. EAGLETON. Is the Senator convinced beyond a shadow of a doubt that there is a need for any kind of legislation permanent in nature to be reported to the floor of the Senate?

Let me, as an explanation for the question, give the Senator this background because it is a genuine question which I would like to have answered. In early 1969, the former Secretary of Labor, now Director of the Office of Management and Budget, Mr. George Shultz, knowledgeable in the field of labor management relations, former dean of the University of Chicago School of Business Administration, came before our committee for a confirmation hearing. As the Senator from Michigan knows, it is protocol for a nominee for a Cabinet position to pay a courtesy call on the members of the committee before which that Cabinet officer is to have his nomination confirmed. Secretary Shultz paid us a visit in January 1969, while his confirmation was pending before the Committee on Labor and Public Welfare.

When he came in I said that there were two or three areas of labor management relations that I would like to discuss with the Secretary. One related to public employee strikes. We discussed that a while. Another related to transportation strikes—the matter now in question. I asked the then nominee, Mr. Shultz, later Secretary of Labor Shultz, what his position was on some form of permanent legislation with respect to this vexing and perplexing problem.

He said, "It is my opinion, Senator, that this is best handled on an ad hoc case-by-case, situation-by-situation basis." I do not purport to quote him exactly, but I do have notes on this. I dictated a memorandum after the interview and this is the substance. He said, "I despair of emblazoning into law any permanent system of compulsory arbitration, and thus it is my recommendation to President Nixon," he said to me, "that we do not try to embark on any permanent legislation."

I do know that Secretary Shultz, at the request of President Nixon, apparently has had a change of heart, but the Senator from Michigan, in his colloquy with the Senator from New Jersey (Mr. WILLIAMS), tried to extract from him a promise to report a bill to the Senate by a day certain. He said something had to be reported to the floor of the Senate.

So I repeat, with that background, my initial question to the Senator from Michigan. Is he certain, to a moral certainty, that a bill should be reported to the floor of the Senate setting up a system of compulsory arbitration when, at least at one time, a highly respected Secretary of Labor, Mr. George Shultz, thought that would be an unpropitious, indeed an unwise, thing to do.

Mr. GRIFFIN. In answer to the question of the distinguished Senator from Missouri, let me say that I do favor legislation along the lines of the bill which I introduced on behalf of the administration. But, of course, I recognize that my view may not be the view of a majority in the Senate.

The key point is that the Members of the Senate ought to be given an opportunity to work their will. Legislation on this subject should come to the floor of the Senate—it should have come to the floor of the Senate before now—we should have an opportunity to debate this very important matter, and make a decision. That is the point.

Mr. EAGLETON. I think I comprehend the personal wishes of the Senator from Michigan. Each Senator is entitled to his own personal desires, his own personal philosophy, and his own personal approach to governmental endeavors. That is the way it should be, and that is the way it is.

But is any Senator entitled to forcefully suggest or strongly urge a duly constituted committee of the Senate that that committee report to the floor of the Senate within 45, 60, 90 days, or any period——

Mr. GRIFFIN. May I say we have done it with respect to other bills.

Mr. EAGLETON. Simply because the individual Senator would like to see a bill come out, when perhaps other learned experts in the area oppose the idea, including former Secretary of Labor Shultz, who until very recently in his life felt that no bill should be enacted on this subject matter?

Mr. GRIFFIN. Mr. President, I yield now to the distinguished Senator from Oregon, who has a comment.

Mr. PACKWOOD. I would like to ask a question of the distinguished Senator from Missouri.

Mr. EAGLETON. I yield for that purpose.

Mr. PACKWOOD. Or to make a statement first, and then ask a question.

The statement the Senator put forth that he attributed to former Secretary Shultz is not an unknown theory. Theodore Keel, the eminent labor relations expert, has come forward with the same thought. I am not sold on compulsory arbitration. But what I would like to have is a Senate policy. If the policy is going to be to settle ad hoc disputes, those involved ought to know that is the policy. They do not know now. Who knows what the policy is, with each case considered on an ad hoc, case-by-case basis?

Is it the Senator's point of view that the country, under any circumstances, would tolerate a railway strike of any duration?

Mr. EAGLETON. The Senator from Oregon is correct in his statement of the viewpoint of Mr. Keel and other experts, just as Mr. Shultz felt during 97 percent of his life, that these disputes should be settled on an ad hoc basis.

That is, in truth and in fact, the present policy of Congress, and has been the longstanding policy of Congress.

It was not last year, in December, that for the first time matters relating to the transportation industry were brought here on a case-by-case basis. The first time was back toward the close of World War I, or maybe before that. That has long been the policy of Congress.

Mr. PACKWOOD. That is true.

Mr. EAGLETON. Both management and the brotherhoods realize that Congress has treated them on a case-by-case basis.

Mr. PACKWOOD. Did any brotherhood ever think it had the right to strike, and might actually be allowed to strike?

Mr. EAGLETON. There is a strike in being at this very moment.

Mr. PACKWOOD. For any period of time?

Mr. EAGLETON. How long has this strike been going on? Nearly 2 days now.

Mr. PACKWOOD. Did any brotherhood ever have the right to think Congress would allow them to strike for 3 weeks, 4 weeks, or 4 months?

Mr. EAGLETON. I think it is clear that Congress would not tolerate any national strike of the railroad industry for any considerable period of time. I think the brotherhoods are aware of that. There might be a time when a partial strike, either selective among certain lines or partial strikes that would require the transshipment of perishable items, materials of war, or items necessary to health might be tolerated. But they recognize at the present time that the longstanding policy of Congress has been, for 50 years or more, I dare say, to deal with these matters on a case-by-case basis, with a strike with any degree of duration not being permissible.

Mr. PACKWOOD. So we really do not have an ad hoc policy; we have a policy that says, "You can do certain things, but you shall not be allowed to strike for any extended period of time, over all the major railroads at one time, in this Nation."

Mr. EAGLETON. The policy has been and continues to be an ad hoc, case-by-case treatment of each of these matters—the policy which Mr. Keel thinks is still the preferable policy, and the policy which George Shultz felt preferable until such time as he was apparently persuaded by the President to change his thinking.

Mr. PACKWOOD. Except that at the end of each ad hoc, there is the commandment, "Thou shalt not be permitted to strike for any period of time."

Mr. EAGLETON. Exactly.

Mr. PACKWOOD. Then we ought to

set that forth in law, or at least set it forth, so that labor knows it does not have the power to nail management to the wall, because it knows, that in the long run, Congress will come to the rescue of management.

Mr. EAGLETON. I think the policy is well known. I doubt if there is a spokesman for any of the railroad brotherhoods, or any of the other transportation workers unions, or any spokesman for railroad management, who does not understand what the policy has been and what it continues to be at this very moment, at a quarter to 6 tonight and, depending on whenever a vote is taken, will continue to be the policy—hopefully before the strike goes into yet another day, with disastrous consequences to the public.

Mr. PROUTY. Mr. President, I would like to again point out very briefly what my proposed amendment would do.

It would require the immediate resumption of rail operations by extending until July 1 the emergency provisions of the Railway Labor Act.

During this period of time, unions and management would be free to enter into an agreement by way of collective bargaining. If no agreement had been reached by July 1, the provisions set forth by Emergency Board 179 shall go into effect.

In effect, adoption of the emergency board recommendation creates certainty within the rail industry until June 30, 1973. More importantly, greater wage increases are provided for every railroad employee than those provided in the resolution reported by the committee. I might say that those increases will amount to 42 percent.

I offered this amendment simply, because I wanted to focus attention on the fact that Congress is not qualified to solve labor-management disputes. We have had 24 hours to consider this matter.

Certainly none of us have the expertise or the time to follow through on these questions on an ad hoc or last minute basis.

I am perfectly willing—and I would like to have the attention of the distinguished chairman of the Committee on Labor and Public Welfare. I think the chairman of the Committee on Labor and Public Welfare is very conscious of the fact that the public generally is becoming disgusted with these frequent railroad strikes which are tossed in the lap of Congress, and which we try to decide on some basis over night.

I think perhaps the distinguished junior Senator from New Jersey was here when I read the editorials from the New York Times, the Washington Post, and the Evening Star.

I am sure that there are many more great publications throughout the country which share the opinion of those newspapers that something must be done, and that Congress has been derelict in its duty of facing up to the overall problem.

So I would hope that the chairman of the committee could feel free to give me some assurance that he will conduct hearings in the reasonably near future, and that a sincere effort will be made to report a bill, regardless of what that bill may happen to be.

Mr. WILLIAMS. I am happy to respond to the inquiry of my friend from Vermont. Yesterday, when we opened the hearing on this emergency situation. I did state that hearings on the permanent legislation will be held as soon as that can be arranged; and, in consultation with the Senator from Vermont, we have been thinking in terms of a practical beginning date. That can be set, I am positive, within the month of June, somewhere around the middle of the month.

Mr. PROUTY. With that assurance from my distinguished friend the chairman of the committee, I withdraw my amendment. I sincerely hope that before too many weeks have passed, we will report a bill which will face up to the problem in a constructive manner. I think such responsible action is vitally important to the welfare of the country.

I thank the Senator.

The PRESIDING OFFICER. Does the Senator withdraw the amendment?

Mr. PROUTY. I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. WILLIAMS. I wanted to make three points in connection with the amendment. I think that for the RECORD I perhaps had better do so, although this is a risky business, the amendment having been withdrawn.

Mr. PROUTY. Mr. President, I ask unanimous consent that the amendment be brought up for consideration.

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

Mr. WILLIAMS. The proposal by the Senator from Vermont does go well beyond the request that was made of Congress by the President, and it seems to me that it would be difficult to implement the ideas contained in that amendment because it incorporates the findings of the Emergency Board. The findings of the Emergency Board, after recommending certain wage levels at different periods of times which are precise, then lay out guidelines proposed for further collective bargaining in negotiation between the parties. So that cannot be implemented in the way the amendment proposes.

I will say that what Congress did last December is similar to what we have before us now, and the action of last December had a successful effect on the collective bargaining, because three of the unions, in the period since Congress last acted, have come to agreement with the carriers. It is our hope, of course, that the same will be accomplished with this measure. While the Senator from Oregon freely predicts that we will be back here on September 30, that was not the result of the action we took in December. We were not brought in again to further consider that dispute.

Mr. PROUTY. It seems to me that the fears of the distinguished Senator from Oregon will not be realized if we can move appropriate legislation in the meantime. I hope very much that we can do that.

Now, Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRIFFIN. Mr. President, I send a perfecting amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 3, section 4, strike out the entire line beginning "April 1, 1971".

On page 3, in section 5, after the words "accommodations of" insert the words "some of".

Mr. GRIFFIN. Mr. President, after consultation with a representative of the Secretary of Labor, after consultation with the committee chairman and the ranking minority member of the committee present and after consultation with key Members of the other body, we find that our bill is different from the bill which was reported by the Committee on Education and Labor in the other body in only a couple of respects. The bill reported by the Senate committee provides for pay increases in four steps:

Effective January 1, 1970, a 5-percent increase for all employees.

November 1, 1970, a 30-cent per hour increase for certain employees.

November 1, 1970, an 18-percent per hour increase for certain other employees.

April 1, 1971, a 4-percent increase for all employees.

The bill reported by the Commerce Committee in the other House does not include the 4 percent provided in the Senate committee bill effective April 1. The reason for this, as I understand it, is that it would be more than was granted the other railroad union workers in other agreements which have been put into effect.

The Senate bill provides for an extension until October 1, whereas the House committee bill provides for a more limited extension.

There was a minor change in language in section 5 which the House wanted.

Frankly, through some negotiation, it appears to me that we could pass a bill tonight without the necessity of going to conference if we could agree here in the Senate to striking the 4-percent item, and then the House would go along with our October 1 date.

I believe that would be an equitable adjustment which would make it possible to get a bill on its way to the President's desk this evening.

I hope that perhaps the distinguished chairman of the Committee on Labor

and Public Welfare might see it possible to accept the amendment.

I will say that the amendment which I sent to the desk earlier, will not be called up because I realize that it would prolong debate and make it difficult, if not impossible, to get this legislation passed this evening, although I hope I made a point with the amendment. I was glad to get the further assurance of the chairman of the committee that definitely there will be hearings on the permanent legislation proposals.

Mr. WILLIAMS. Mr. President, that has been established. I was pleased to clarify and fix prospectively our consideration of other legislation.

With regard to the amendment offered by the Senator from Michigan, let me say first that the proposal that came to the committee from the President did not include any retroactive wage increases. It just prolonged the no-strike moratorium until July 1. The Senator from New York (Mr. JAVITS) offered an amendment to extend the moratorium to October 1 and to include the three-stage retroactive wage increases.

Mr. President, at this point I ask unanimous consent to have the statement of the Senator from New York (Mr. JAVITS) printed in the RECORD. He could not be here, although he had been at all of the committee meetings and had offered the amendment that was reported to the Senate.

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

STATEMENT OF SENATOR JAVITS

Mr. President, this is the fourth time in the last 18 months we have been required to take emergency action to head off nationwide paralysis threatened by a railroad strike. All of us here are rightfully dismayed at the need for Congress periodically to rush to safeguard the health and safety of the country in these crises. So far, fortunately, we have met our responsibility to the nation. But clearly what we need is permanent legislation to protect the health and safety of the country when it is threatened by this kind of labor dispute.

The record of the past 18 months has left no room for argument about the need for such legislation. I am, therefore, very pleased that the Chairman of the Committee on Labor and Public Welfare, the distinguished Senator from New Jersey, has stated that hearings on permanent emergency dispute legislation will commence in the very near future, probably before July 1, 1971. I am the ranking minority member of the Labor and Public Welfare Committee, and I have every confidence that under Senator Williams' able leadership our Committee will meet its responsibilities to the nation and fashion the legislation that this country so desperately needs to protect the public health and safety from catastrophic strikes and lockouts of the kind we are now undergoing.

There are three proposals now pending before the Committee: the Administration's bill, S. 560; my own bill, S. 594, and Senator Williams' bill, S. 832. Out of these measures, and other proposals which will no doubt be advanced as we begin to consider this matter seriously, I believe we will shape a measure which will protect the public health and safety, yet at the same time encourage, not discourage, free collective bargaining, in which I so deeply believe.

Insofar as the current dispute is concerned, and the resolution now before us, I believe that it will not only give the country the protection it needs against a continuance of the current strike, but will also contribute significantly to the achievement of greater stability in the labor-management relations in the railroad industry. It is this latter consideration which motivated me to author the amendment adopted by the Committee, and now incorporated in the resolution, which establishes the new strike or lockout deadline as October 1, 1971, rather than July 1, 1971, as originally proposed by the Administration, and provides for the payment of the wage increases recommended by Emergency Board No. 179 through April 1, 1971. Under ordinary circumstances, I would oppose Congress legislating wage rates in this manner. But there are unusual circumstances present in this case which, to my mind, make the course chosen by the Committee more desirable than that proposed by the Administration. An understanding of these unusual circumstances requires a brief summary of recent labor-management problems in the railroad industry.

Bargaining in the railroad industry has, up to now, been conducted on a fragmented basis. The carriers bargain with approximately 18 different unions. Some unions, such as the shopcrafts and several of the operating unions, bargain in groups; others, such as the signalmen, the engineers, etc., bargain singly with the carriers. In recent years these different unions or groups of unions have been playing leapfrog with one another, and the basic dispute in almost all cases has stemmed from attempts by some unions to break the "pattern" previously set by others.

During the past two years, a determined effort has been made by labor and management, and the representatives in the government directly involved in railroad labor negotiations, namely Secretary of Labor Hodgson, Assistant Secretary of Labor William Usery, and the members of the National Mediation Board, under the able leadership of Chairman George Ives, to rectify this inherent instability which has plagued the industry, by establishing a common expiration date for all collective bargaining agreements. This is one of the most commendable initiatives the Administration has undertaken in the labor-management field and has so far resulted in all unions, except the shopcrafts and the signalmen, agreeing to a wage package based on the recommendations of the Emergency Board No. 178 through June 30, 1973.

One of the key issues in the current dispute, as acknowledged by the Secretary of Labor and witnesses from the union and the carriers, is the maintenance of parity between the wages paid to signalmen and the wages paid to electricians, who are members of the shopcraft unions. The signalmen are reluctant to agree to any settlement until the new wage rates for electricians are settled also. It would therefore be highly desirable for the remaining negotiations with the shop crafts and the signalmen to proceed simultaneously, as far as possible. However, the shopcraft negotiations are just commencing; there is no assurance that they will be completed by July 1, 1971, the new deadline date for the signalmen suggested by the Administration. There is a reasonable prospect for their being completed by October 1, 1971, the date specified in the resolution reported out by the Committee.

The Secretary of Labor, in testifying before the Committee, acknowledged the relationship between the shopcraft negotiations and the signalmen's negotiations, and informed the Committee that on the eve of the strike he had proposed to the signalmen's union that they agree to a new strike deadline of October 1 in return for the three wage increases recommended by the Emergency Board through April 1, 1971, but that the union had turned down the proposal.

My amendment, as embodied in section 4 of the Committee resolution, essentially incorporates the Secretary of Labor's own proposal. However, it also makes clear that the wage increases specified in the resolution are subject to further negotiation. Indeed, I want to emphasize the fact that the action of the Committee in incorporating these wage increases does not constitute a judgment that these should be the final wage increases agreed to by the parties. It is merely done to accord the employees involved, who have been without a wage increase for 20 months, a measure of equity in return for depriving them of the right to take any action until October 1, 1971. Precisely the same considerations motivated Congress in December 1969 in P.L. 91–541 to grant wage increases recommended by Emergency Board No. 178 up to that time for the operating employees; surely the signalmen are entitled to no less consideration.

In sum, the unusual circumstances justfiying my amendment are:

(1) The Secretary of Labor offered a similar proposal to the unions on the eve of the strike;

(2) Extension of the new deadline to October 1, 1971 will give much greater assurance that the signalmen and the shopcrafts can negotiate to a settlement simultaneously;

(3) Extension of the deadline until October 1, 1971 requires, as a matter of equity, that the employees, who have not received any increases in 20 months, receive some quid pro quo;

(4) The action of the Committee in granting the signalmen the wage increases recommended by Emergency Board 179 is entirely consistent with the treatment given the operating employees in December 1970 under P.L. 91–541.

Mr. WILLIAMS. Mr. President, I accept the amendment offered by the Senator from Michigan. It preserves the essence of the Senate's position. It does accommodate one situation, certain changes that the House, we understand, will be adopting.

I accept the amendment and say that this reflects the same pattern used in December when the other unions were before us on an emergency strike.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan.

The amendment was agreed to.

Mr. CURTIS. Mr. President, I will take just a moment. I rise to express my support of the legislation. I do not particularly like it. I dislike the idea of Congress being called upon to fix wages. On the other hand, a railroad strike is unthinkable.

Mr. BYRD of West Virginia. Mr. President, may we have order in the Senate.

The PRESIDING OFFICER. There will be order in the Senate.

Mr. CURTIS. Mr. President, a railroad strike is unthinkable. This country can ill afford to have its economy tied up and brought to a standstill. Therefore, I shall support the pending measure.

It is my hope that before very long we can have before the Senate legislation permanent in nature that will take care of these situations in the transportation industry so that the country will not be subjected to strikes in the transportation industries. I use the word industries in the plural, because I feel that ofttimes there are strikes in the other modes of transportation which equally paralyze our economy.

Without expressing any criticism of any parties or their desires, I feel that we are faced with a situation where the

public good must be considered first and that Congress must do something that will in the future make a proceeding such as we have before the Senate today unnecessary.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. PACKWOOD. Mr. President, it is my intention to vote "no" on this bill. I ask that the record show I would have voted "no" had a rollcall vote been taken in this matter.

Mr. COOK. Mr. President, I, too, would like to state for the record that if a yea-and nay-vote had been ordered on this measure I would have cast a "no" vote. I want the record to show so.

Mr. BAKER. Mr. President, I have twice voted in opposition to these measures as a temporary expedient for resolving labor difficulties. I think it is a mistake. Since it may be that we will not have a record vote tonight on this matter I want to avail myself of the opportunity to register my objection now.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) shall apply and be extended for an additional period with respect to the above dispute, so that no change, except by agreement, shall be made by the carriers represented by the National Railway Labor Conference Committees or by their employees, in the conditions out of which such dispute arose prior to 12:01 ante meridian of October 1, 1971.

SEC. 2. Not later than ten days prior to the expiration date specified in the first section of this joint resolution the Secretary of Labor shall submit to the Congress a full and comprehensive report containing—

(1) the progress, if any, of negotiations between the National Railway Labor Conference and the Eastern, Western, and Southeastern Carriers Conference Committees and their employees; and

(2) any such recommendations for a proposed solution of the dispute described in this joint resolution as he deems appropriate.

SEC. 3. Not later than July 31, 1971, the Secretary of Labor and the Secretary of Transportation shall submit jointly to the Congress as full and comprehensive a report as feasible on the impact of the current work stoppage. Such report shall include an analysis of all the recoverable and non-recoverable losses suffered as a result of the stoppage; the extent to which rail traffic was diverted to other means of transportation, and the secondary effects on other industries and employment. Not later than July 31, 1971, the Secretary of Defense shall submit to the Congress as full and comprehensive a report as feasible on the impact of the current stoppage on movement of goods vital to the national defenses; the extent to which rail traffic was diverted to other means of transportation and the status of plans to provide for the movement of defense articles in the event of a railroad work stoppage or lockout.

SEC. 4. Notwithstanding the first section of this joint resolution, the rates of pay of all employees who are subject to the first section of this joint resolution shall be increased in accordance with the following table:

Effective as of:	Pay increase
January 1, 1970	5 per centum for all employees
November 1, 1970	30 cents per hour for leaders and mechanics.
November 1, 1970	18 cents per hour for assistants and helpers.

Nothing in this section shall prevent any change made by agreement in the increases in rates of pay provided pursuant to this section.

SEC. 5. It is the sense of the Congress that the living accommodations of some of the employees who are subject to the first section of this joint resolution, while they are on travel status, are unsatisfactory. Accordingly, the Congress does not intend, by limiting the effect of Section 4 to rates of pay, to endorse the continued furnishing of substandard quarters to employees and urges management and labor to negotiate an agreement to provide, as soon as possible, substantially improved living quarters for employees on travel status.

SEC. 6. This resolution shall take effect immediately upon enactment.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

Whereas the labor dispute between the carriers represented by the National Railway Labor Conference and the Eastern, Western, and Southeastern Carriers Conference Committees and certain of their employees represented by the Brotherhood of Railway Signalmen threatens essential transportation services of the Nation; and

Whereas it is essential to the national interest, including the national health and defense, that essential transportation services be maintained; and

Whereas all the procedures for resolving such dispute provided for in the Railway Labor Act have been exhausted and have not resulted in settlement of the dispute; and

Whereas the Congress finds that emergency measures are essential to security and continuity of transportation services by such carriers; and

Whereas it is desirable to achieve the objectives in a manner which preserves and prefers solutions reached through collective bargaining; and

Whereas the recommendations of Presidential Emergency Board Numbered 179 for settlement of this dispute did not result in a settlement. Now, therefore, in order to encourage these parties to reach their own agreement, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) shall apply and be extended for an additional period with respect to the above dispute, so that no change, except by agreement, shall be made by the carriers represented by the National Railway Labor Conference Committees or by their employees, in the conditions out of which such dispute arose prior to 12:01 antemeridian of October 1, 1971.

SEC. 2. Not later than ten days prior to the expiration date specified in the first section of this joint resolution the Secretary of Labor shall submit to the Congress a full and comprehensive report containing—

(1) the progress, if any, of negotiations between the National Railway Labor Conference and the Eastern, Western, and Southeastern Carriers Conference Committees and their employees; and

(2) any such recommendations for a proposed solution of the dispute described in this joint resolution as he deems appropriate.

SEC. 3. Not later than July 31, 1971, the Secretary of Labor and the Seccretary of Transportation shall submit jointly to the Congress as full and comprehensive a report as feasible on the impact of the current work stoppage. Such report shall include an analysis of all the recoverable and non-recoverable losses suffered as a result of the stoppage; the extent to which rail traffic was diverted to other means of transportation, and the secondary effects on other industries and employment. Not later than July 31, 1971, the Secretary of Defense shall submit to the Congress as full and comprehensive a report as feasible on the impact of the current stoppage on movement of goods vital to the national defense; the extent to which rail traffic was diverted to other means of transportation and the status of plans to provide for the movement of defense articles in the event of a railroad work stoppage or lockout.

SEC. 4. Notwithstanding the first section of this joint resolution, the rates of pay of all employees who are subject to the first section of this joint resolution shall be increased in accordance with the following table:

Effective as of:	Pay increase
January 1, 1970	5 per centum for all employees
November 1, 1970	30 cents per hour for leaders & mechanics.
November 1, 1970	18 cents per hour for assistants & helpers.

Nothing in this section shall prevent any change made by agreement in the increases in rates of pay provided pursuant to this section.

SEC. 5. It is the sense of the Congress that the living accommodations of some of the employees who are subject to the first section of this joint resolution, while they are on travel status, are unsatisfactory. Accordingly, the Congress does not intend, by limiting the effect of Section 4 to rates of pay, to endorse the continued furnishing of substandard quarters to employees and urges management and labor to negotiate an agreement to provide, as soon as possible, substantially improved living quarters for employees on travel status.

SEC. 6. This resolution shall take effect immediately upon enactment.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make technical and clerical corrections in the joint resolution.

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

Mr. COOPER. Mr. President, I want the record to show that I voted "aye."

THE MILITARY SELECTIVE SERVICE ACT

The Senate resumed the consideration of the bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize mili-

tary active duty strengths for fiscal year 1972; and for other purposes.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which the Clerk will state by title.

The assistant legislative clerk read as follows:

H.R. 6531, to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes.

The Senate resumed consideration of the bill.

Mr. BYRD of West Virginia. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

MODIFICATION OF AMENDMENT NO. 96

Mr. GAMBRELL obtained the floor.

Mr. NELSON. Mr. President, will the Senator yield for the purpose of permitting me to introduce a modification of my amendment?

Mr. GAMBRELL. I yield.

Mr. NELSON. Mr. President, I send to the desk a modification of my amendment No. 96 to the Mansfield amendment.

The PRESIDING OFFICER (Mr. BYRD of West Virginia). The clerk will state the amendment.

Mr. NELSON. Mr. President, I ask unanimous consent to dispense with reading of the amendment and that it be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the modification will be printed in the RECORD.

The modification is as follows:

On page 2, strike line 6 through 9 and add the following:

(b) No funds appropriated by the Congress may be used for the purpose of supporting or maintaining in Europe any military personnel of the United States in excess of 250,000 after June 30, 1972; 200,000 after June 30, 1973; 150,000 after June 30, 1974.

(c) It is the sense of the Congress that the President should enter into negotiations at the earliest practicable date to seek a mutual and balanced reduction of forces and armaments of the United States and the Soviet Union, and other members of the North Atlantic Treaty Organization and Warsaw Pact, in Europe.

(d) The provisions of subsection (b) of this section prescribing a force level of not in excess of 250,000 after June 30, 1972, shall become inoperative if prior to Dec. 31, 1971, representatives of the North Atlantic Treaty Organization and representatives of the Warsaw Pact countries, have entered into negotiations, or have entered into formal discussions regarding a mutual reduction by such organizations of their military forces stationed in Europe.

The PRESIDING OFFICER. Does the Senator from Wisconsin wish to explain the modification?

Mr. NELSON. No; I will explain it tomorrow.

Mr. GAMBRELL. Mr. President, tomorrow afternoon, this Body will vote on a number of proposals which contemplate the withdrawal of American troops from Europe, and also on the attempted revival of the supersonic transport program.

In connection with the latter subject, I ask unanimous consent to insert in the RECORD at this time an editorial from the Wall Street Journal, dated May 14, 1971, which strongly and eloquently opposes revival of the SST program.

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

THE MISSING SST INGREDIENT

Before the House voted to revive the supersonic transport plane, the lawmakers engaged in fairly lengthy debate. So far as we've noticed, though, no one was arguing that the SST is a solid commercial venture, badly needed by the airlines and the traveling public.

Instead there was a great deal of flag-waving. According to Rep. Harley Staggers (D., W. Va.), "We ought to vote for the SST for the good of the land and to carry our flags high." Other lawmakers appeared to see the plane as a sort of airborne public works project, since there was a lot of talk about the jobs it would provide.

Well, national prestige is nice, but there are better ways to enhance it. The government, for example, could do more to strengthen the dollar, whose troubles have been causing so much foreign concern in recent days.

Jobs are to be desired, too, but there must be more useful ways to provide them than through revival of a project whose economic viability—at the moment, at least— still appears highly questionable.

The airlines hardly seem ready to take on an entirely new generation of aircraft right now. After financing development of an SST, would the government then feel obligated to finance purchases of the planes by the troubled airlines?

It's true that Britain and France are well along on the supersonic Concorde, and that Russia has its own SST, but it's much too early to tell just how much of a factor either plane will be internationally. Strong sentiment exists in many states of the U.S.— those that have major airports—to bar landings by any SST, domestic or foreign.

Understandably enough, the major SST contractors, Boeing and General Electric, are less than enthusiastic about the House action. GE may have indicated growing doubt about the project's viability when it insisted that, in any new contract, the government would have to pay all development costs, not just the 90% provided by the first contract.

Perhaps the weakness of the economic argument helped to explain why the plane's backers relied so heavily on legislative log-rolling. Lawmakers who opposed the SST but favord federal aid to troubled Lockheed Aircraft Corp. were told that they had better vote for the supersonic transport if they wanted help for Lockheed.

No doubt an American SST will eventually fly. We're convinced that the nation will be better off, though, if the project waits until the commercial prospects brighten. In the House debate this week, the missing ingredient was economic common sense.

Mr. GAMBRELL. Mr. President, it is an accurate reflection of my own sentiments on this subject, both at the time it was first voted on, and at the present time. The editorial makes this significant statement:

No doubt an American SST will eventually fly. We are convinced that the nation will be better off, though, if the project waits until its commercial prospects brighten. In the House debate this week, the missing ingredient was economic common sense.

Mr. President, precisely what I would like to urge today is a little more "economic commonsense," on several fronts.

Having been appointed to this body, I come here with no campaign commitments, and in many respects, I am probably freer than most to select the causes which I will support and those which I will oppose. It is also true that, since I am not tied to any ongoing programs by having voted for and supported them in the past, I am freer than many to view them objectively, and to withhold support, and call for new directions in our national policies.

On April 13 of this year, I had the honor of addressing the Second Annual Lyceum Series of lectures at Georgia Southwestern College in Americus, Ga. The gist of my remarks on that occasion was a defense of my first vote against the SST program and a call for a reordering of our national priorities.

I recalled to the group assembled on that occasion the quip which Will Rogers made famous when I was a small boy, when he said "the United States is the only country in the world in which a man will ride to the poor house in a Cadillac." But I remarked that this quip is less funny when it is our Government which is headed for bankruptcy, and when the vehicle is traveling at supersonic speeds.

I undertook on that occasion, more than a month ago, to set forth some of the areas in which economies might be effected.

Most urgently needed would be the elimination of prestige spending programs such as the SST, and those which simply do honor to Government leaders who have sponsored them.

Next, it was pointed out that there should be cutbacks and deferrals of deep space explorations until needs on earth can be attended to.

Additionally, I remarked:

Countries around the world whether they be friends, neutral or in the enemy camp who are smart enough to compete with the United States in textile production, steel, electronic equipment, and automobiles, should be considered strong enough to support and defend themselves.

I further stated:

If we can expect the South Vietnamese in the infancy of their government to assume a major role in self defense and self support, we ought to be able to require the so-called major powers of the world to do likewise.

In the execution of these stated objectives, I have opposed and will continue to oppose the funding of the supersonic transport program.

I will likewise, in the mark-up and future management of this year's space authorization bill in the Aeronautical and Space Sciences Committee, oppose the commencement of any new multi-billion dollar space exploration ventures. Whatever may be the economic, social, scientific, and political benefits to be gained from such exploration, I feel confident that they can wait until the day

when this country is economically better able to afford them.

Finally, I expect to support the establishment of a policy of orderly restriction of military and economic support to foreign governments, beginning with those most able to support and defend themselves.

The objectives which I set forth at Georgia Southwestern College were prior to the recent dollar crisis in Europe, and the devaluation of our currency by various foreign powers.

I certainly do not blame these governments for acting in their own best economic interest, and can see no reason for us to fail to do likewise.

Mr. President, I do not consider the withdrawal of a substantial number of our troops from Europe as a lessening of national defense apparatus, or that of the NATO countries. If they do not consider the defense of their own countries to be important enough to replace such troops as are withdrawn with their own troops, then I do not see why we should undertake to defend their soil with a insignificant number of our troops. On the other hand, they have every reason to rely on our promise to help them, if they are willing to the extent of their abilities to help themselves.

The administration has taken a hard line in standing by its commitment to maintain NATO troop levels. This is done in the face of overwhelming public and congressional sentiment to the contrary, and threatens our foreign policy with being taken over by legislative mandate. I am sure most Senators have great reluctance to intervene in the President's conduct of foreign affairs.

I have opposed the establishment of mandatory requirements with respect to our withdrawal from Vietnam, stating that so long as the administration announces and deliberately pursues an orderly plan of withdrawal, I would support the Commander in Chief in his policy. However, with reference to our European troop commitment, the President has announced no policy of orderly cutback, and in fact, sternly refuses to propose or accept any modification of his position. This leaves an individual Senator, like myself, no alternative but to select from among the proposals which are pending, the one which is most nearly consistent with his views.

I hope not to be faced with the ultimate of taking no action on this subject, or of voting in favor of an inflexible short-term plan of withdrawal. However, I will not support any halfhearted resolution on this subject, particularly one to be carried out by an administration which stands by an announced policy of doing nothing.

The entire situation would be relieved, and I believe many Senators would be happy to put aside the entire subject, if the administration would announce a policy of substantial troop withdrawal to be pursued over the next 12 to 18 months.

In conclusion, may I state that I consider our national defense systems to have the highest priority. I support extension of the draft. I do not favor unilateral disarmament, the abandonment of strategic bases essential to our security, permitting our military hardware to become obsolete, or failure to maintain standing military forces of sufficient strength and mobility to deter any enemy who might be tempted to attack us. However, it is my firm conviction that we must stay on firm economic grounds, if we expect to take firm stands on domestic and foreign matters. The actions which we take tomorrow with respect to the SST program and the maintenance of troops in Europe will demonstrate our determination to sustain the American economy, which has been the cornerstone of international security for more than 30 years.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

(During the rollcall, Mr. ALLEN assumed the chair briefly, and was succeeded by Mr. GAMBRELL.)

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AUTHORITY FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE OF REPRESENTATIVES AND FOR THE PRESIDENT PRO TEMPORE OR THE ACTING PRESIDENT PRO TEMPORE TO SIGN DULY ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the recess of the Senate until 8:30 tomorrow morning, the Secretary of the Senate be authorized to receive messages from the House of Representatives, and that the President pro tempore or the Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

Mr. GRIFFIN. Mr. President, would the majority whip indicate whether that request is made in order that it may be possible that the rail emergency legislation could still get to the President tonight?

Mr. BYRD of West Virginia. The distinguished assistant Republican leader is correct.

Mr. GRIFFIN. I thank the Senator.

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

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements made during the transaction of routine morning business tomorrow be limited to 3 minutes.

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

THE MILITARY SELECTIVE SERVICE ACT

The Senate continued with the consideration of the bill (H.R. 6531) to amend the Military Selective Service Act of 1967; to increase military pay; to authorize military active duty strengths for fiscal year 1972; and for other purposes.

Mr. BYRD of West Virginia. Mr. President, what is the pending question before the Senate?

The PRESIDING OFFICER (Mr. GAMBRELL). The pending question is on agreeing to the amendment of the Senator from Wisconsin (Mr. NELSON), No. 96, as modified.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 8:30 a.m. Following the recognition of the two leaders under the standing order, there will be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, the period not to extend beyond 9 a.m.

At 9 a.m., H.R. 6531, the unfinished business, will be laid aside and debate will be resumed on the Proxmire amendment, No. 94, to H.R. 8190—the so-called SST amendment—and will continue until 11 a.m.

At 11 a.m., the unfinished business will again take its place before the Senate, and there will be 1 hour of debate on the Nelson amendment, No. 96, as modified, to the Mansfield amendment; under the previous agreement, there will be 1 hour each on any other perfecting amendments to the Mansfield amendment No. 86—for example, the perfecting amendments by the Senator from Indiana (Mr. BAYH) and by the Senator from Illinois (Mr. PERCY), et cetera, ad infinitum, following which there will be 1 hour on the Mathias amendment, No. 87, as modified.

Following that, there will be 3 hours to be equally divided on the Mansfield amendment (No. 86); the vote on the Mansfield amendment, as amended, if amended, will not occur before 5 p.m.

Following the vote on the Mansfield amendment (No. 86) the Schweiker amendment (No. 76) will become the pending business. Immediately thereafter, the Schweiker amendment (No. 76) will be temporarily laid aside and the vote will occur on the Proxmire SST amendment (No. 94), following which there will be votes on any other amendments to H.R. 8190, the supplemental appropriation bill, on which the yeas and nays have been ordered. At that time, further amendments to H.R. 8190 will be in order but there can be no debate thereon.

So, Mr. President, there will be a number of rollcall votes tomorrow. Senators have been put on notice. The Pastore rule of germaneness will govern for 5 hours upon the laying down of the unfinished business at 11 a.m.

Mr. GRIFFIN. Mr. President, if the majority whip will yield, it is quite obvious that Senators should be prepared to stay in the Chamber quite late tomorrow

night; it is quite likely that we will take some time to complete that business, does not the Senator agree?

Mr. BYRD of West Virginia. Yes, I do agree, and it is hoped that the Senate will complete action on H.R. 8190, the second supplemental appropriation bill, tomorrow evening. Whether or not it will complete action will depend upon the outcome of the vote on the Proxmire amendment (No. 94), the so-called SST amendment. Of course, once the matter is settled one way or the other, the Schweiker amendment will resume its status, and will be the pending business.

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

Mr. BYRD of West Virginia. I yield.

Mr. ALLEN. Actually, then, there is no assurance that the Mansfield amendment will come to a vote tomorrow, because the order of business is that it cannot be voted on prior to 5 o'clock.

Mr. BYRD of West Virginia. It cannot be voted on prior to 5 o'clock.

Mr. ALLEN. And there is no set time for a vote on the amendment?

Mr. BYRD of West Virginia. There is no specific time for a vote on the Mansfield amendment.

Mr. ALLEN. It could conceivably be carried over to the next legislative day, which would carry the vote on the SST over until the same day.

Mr. BYRD of West Virginia. It could conceivably carry over, yes, in the event perfecting amendment after perfecting amendment ad infinitum were offered. But I would hope and believe that we would reach a decision on the Mansfield amendment and on the SST amendment tomorrow evening, albeit late.

Mr. ALLEN. I thank the Senator.

Mr. BYRD of West Virginia. I thank the distinguished Senator from Alabama.

RECESS UNTIL 8:30 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 8:30 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 49 minutes p.m.) the Senate recessed until tomorrow, Wednesday, May 19, 1971, at 8:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 18, 1971:

ENVIRONMENTAL PROTECTION AGENCY

Robert W. Fri, of Maryland, to be Deputy Administrator of the Environmental Protection Agency, (new position).

U.S. ADVISORY COMMISSION ON INFORMATION

John Shaheen, of Illinois, to be a member of the U.S. Advisory Commission on Information for a term expiring January 27, 1974, vice Morris S. Novik, term expired.

U.S. DISTRICT COURTS

Solomon Blatt, Jr., of South Carolina, to be a U.S. district judge for the district of South Carolina, vice Donald Stuart Russell, elevated.

Robert F. Chapman, of South Carolina, to be a U.S. district judge for the district of South Carolina, vice a new position created by Public Law 91–272, approved June 2, 1970.

U.S. ARMY

The following-named officers for temporary appointment in the Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

TO BE BRIGADIER GENERAL, WOMEN'S ARMY CORPS

Col. Mildred Caroon Bailey, [redacted], U.S. Army.

TO BE BRIGADIER GENERAL, ARMY NURSE CORPS

Col. Lillian Dunlap, [redacted] Army Nurse Corps, U.S. Army.

HOUSE OF REPRESENTATIVES—*Tuesday, May 18, 1971*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Draw near to God and He will draw near to you.—James 4: 8.

O Thou who art the God and Father of all mankind, we pray that Thou wilt touch our spirits and transform our lives as in all reverence we wait upon Thee.

Kindle within our hearts an awareness of Thy presence that we may be equal to the experiences of this day and adequate for any activity which comes our way.

Endow these representatives of our people with creative wisdom and confident faith that they may build a world where truth and righteousness shall rule in every land and peace and good will shall reign in every heart.

In the spirit of Him who is Lord of all we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5352. An act to amend the act to authorize appropriations for the fiscal year 1971 for certain maritime programs of the Department of Commerce; and

H.R. 7500. An act to provide for the placement of Lt. Gen. Keith B. McCutcheon, U.S. Marine Corps, when retired, on the retired list in the grade of general.

NO RELAXATION OF U.S. STANDARDS FOR FOREIGN SST'S

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLFF. Mr. Speaker, the fate of the American SST is in doubt. However, there have been disquieting rumors that we might permit foreign SST's landing rights in the United States.

Today I am introducing legislation which would prevent the Concorde and the Russian SST from landing in or flying over the United States unless two conditions could be met: First, Congress would have to approve findings that the operation of SST's would not have a detrimental effect on man or the environment. In addition to that, the Secretary of Transportation would have to make certain that the operation of the SST's would meet present noise and safety standards at least as strict as those now in effect for other aircraft in commercial service.

If we permit foreign SST's to land in this country or even fly over it at subsonic speeds, we may be permitting foreign airplanes to do what American aircraft will be prevented from doing.

Mr. Speaker, I ask the support of my colleagues in this regard. I therefore urge early action on this bill, a copy of which I am including at this point in the RECORD:

H.R. 8521

A bill to prohibit commercial flights by supersonic aircraft into or over the United States until certain findings are made by the Administrator of the Environmental Protection Agency and by the Secretary of Transportation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful to operate a supersonic aircraft, manufactured in the United States or in a foreign nation, for a commercial flight at supersonic or subsonic speeds in the navigable airspace of the United States until—

(1) the Congress by law, approves findings by the Administrator of the Environmental Protection Agency that the operation of such supersonic aircraft in the navigable airspace of the United States will not have detrimental physiological or psychological effects on persons on the ground and will not have detrimental effects on the environment; and

(2) the Secretary of Transportation shall have made affirmative findings, and submitted a written report thereon to the Congress, that the operation of supersonic aircraft in the navigable airspace of the United States meets all noise and safety standards prescribed by the Secretary with respect to the operation of aircraft capable of operating at supersonic speeds.

Supersonic aircraft shall be required to meet noise, environmental, and safety standards at least equal to those already established for other aircraft in commercial service.

SUPERSONIC TRANSPORT PROGRAM

(Mr. WHALEN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous matter.)

Mr. WHALEN. Mr. Speaker, during my 5 years as a Member of this body, I have supported the supersonic transport pro-