SENATE—*Friday, June 4, 1971*

The Senate met at 9:30 a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

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

O Thou Ruler of men and nations look upon this land which Thou hast given us and redeem it for Thy service. We pray for the reconciliation of all races, creeds, and cultures. We pray for reconstruction of our brokenness—our broken homes and institutions, our broken buildings and broken lives. We pray for a reaffirmation of pristine principles and of the spiritual values which endure all time. We pray, O Lord, that out of discord Thou wilt bring harmony; out of division Thou wilt bring unity. Make and keep the people of this Republic good and strong and generous, to be indeed man's last best hope. Give Thy servants here a full measure of Thy spirit to shape our destiny according to Thy will. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, June 3, 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.

AMTRAK—S. 1698 TRANSFERRED FROM "GENERAL ORDERS" TO "SUBJECTS ON THE TABLE"

Mr. MANSFIELD. Mr. President, a conference was held on yesterday, attended by my distinguished colleague, the Senator from Montana (Mr. METCALF), now presiding, by Mr. Roger Lewis, president of the National Railroad Passenger Corporation, Mr. David W. Kendall, Chairman of the Board, and myself. At the conference, it was indicated that on a 3-day-a-week experimental basis, the Northern Pacific would begin railroad passenger operations between Minneapolis and Spokane, thereby covering 80 percent of the State of Montana which had been eliminated along with about 80 percent of the people of Montana at the time Amtrak began operations. The status of the Great Northern along the high line remains unchanged. I ask unanimous consent that Calendar No. 92, S. 1698, be transferred on the calendar from "general orders" to "subjects on the table."

It is anticipated that an announcement will be made by the Corporation early next week and that passenger service will begin on approximately June 15.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the majority leader? The Chair hears none, and it is so ordered.

DESIGNATION OF THE MINAM RIVER CANYON, OREG.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 134, S. 493.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The legislative clerk read the bill (S. 493) by title, as follows:

A bill to authorize and direct the Secretary of Agriculture to classify as a wilderness area the national forest lands adjacent to the Eagle Cap Wilderness Area, known as the Minam River Canyon and adjoining area, in Oregon, and for other purposes.

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

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized and directed to classify as additional wilderness those national forest lands containing approximately eighty thousand acres within the Wallowa-Whitman National Forest in Oregon in the Minam River drainage adjacent to the Eagle Cap Wilderness as generally depicted on a map entitled "Proposed addition to the Eagle Cap Wilderness dated August 1970" which is on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture. The Secretary of Agriculture shall promptly after such classification transmit to the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives a map and legal description of the addition to the wilderness area and such description shall have the same force and effect as if set forth in this Act: *Provided,* That correction of minor clerical and typographical errors in such legal description and map may be made. Upon its classification, such addition shall be deemed to be a part of the Eagle Cap Wilderness of the National Wilderness Preservation System and shall be subject to the same provisions and rules as those designated as wilderness areas by the Wilderness Act of September 3, 1964 (78 Stat. 890), except that any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–138), explaining the purposes of the measure.

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

PURPOSE

S. 493, introduced by Senator Hatfield with Senator Packwood as co-sponsor, would add approximately 80,000 acres of the Minam River Canyon area to the 220,000-acre Eagle Cap Wilderness, located in the northeastern section of the State of Oregon, which was established by the Wilderness Act of 1964. The Minam River Canyon area borders the northwest corner of the Eagle Cap Wilderness. The latter area embraces some of Oregon's highest peaks—up to 10,000 feet in elevation—and includes some of the best fishing waters in eastern Oregon.

DESCRIPTION

Pure, cold, and crystal clear, splashing and wandering through spectacular multicolored canyon walls, the Minam River merges with the Wallowa River at the town of Minam. Originating at Minam Lake on the alpine slopes of the northcentral Wallowa Mountains, the Minam River courses nearly 50 miles and drains approximately 240 square miles.

The bill would designate as wilderness that part of the drainage within the Wallowa-Whitman National Forest, from the boundary, approximately 8 miles from the mouth of the Minam, upstream to the boundary of the Eagle Cap Wilderness.

The elevation decreases from approximately 7,500 feet at Minam Lake to 2,540 feet where the Minam enters the Wallowa. In 1968 more than 5,000 persons enjoyed over 30,000 days of wilderness-type hunting and fishing in the Minam. This is one of the remaining quality elk hunting areas in Oregon where large mature bulls may still be found, and where trophy buck deer hunting is enjoyed by hunters willing to climb the steep and rugged ridges of the canyon. The river provides an important spawning and rearing area for a substantial run of Columbia River chinook salmon and steelhead. Other wildlife found in the canyon include cougar, mountain goat, bear, bobcat, fisher, marten, turkey, ptarmigan, bald eagle, and harlequin ducks.

Fears have been extensive that this area might be roaded, which could give rise to slides and earth movements that would cause siltation, result in destruction of the spawning beds of salmon, steelhead, and trout, and place barriers across natural game trails to prevent their use by the Minam River elk herd and other animals. The Minam fishery is of major significance. Steelhead, one of the most highly prized game fish in the Nation, enter the Columbia River from the Pacific Ocean in the summer months and reach the Minam and its tributaries the following May. Chinook and some Coho salmon arrive and spawn in the summer and early fall. Formerly, 29 percent of the salmon which passed McNary Dam spawned in the Snake River system above Hells Canyon Dam. Now no fish are able to pass Hells Canyon Dam, giving greater importance to the remaining spawning areas in the lower rivers such as the Minam.

The beauty of the lower Minam is partly in its gentle character, and the ease with which people, especially families with children, can hike through the valley. There are numerous flats and parklike areas in the evergreen forests along the sparkling stream. The climate is superior to the high lakes and accessible during the spring and early summer when the higher regions are blocked by snowdrifts and flooding streams.

Two other canyon areas, the Little Minam and Bear Creek, are part of the Minam watershed, and offer remote wilderness experience,

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with unique beauty spots. They contain numerous meadows, family camping areas, and offer smaller waters for good fishing.

LEGISLATIVE HISTORY

S. 1142, a bill similar to S. 493, was introduced by Senator Hatfield on February 25, 1969, and referred to the Senate Committee on Interior and Insular Affairs. Senator Packwood was a cosponsor of the legislation. Hearings were conducted in Washington on July 11, 1969, and field hearings at La Grande, Oreg., on July 27, 1970, by the Senate Subcommittee on Public Lands.

An identical bill to S. 1142, S. 2996, was introduced in the 90th Congress on February 20, 1968 by Senator Hatfield. No hearings were held on that bill.

At the Washington hearing, as at La Grande, there was extensive support from conservation and outdoor organizations favoring inclusion of the Minam in the wilderness system. The Forest Service, at the Washington hearing, voiced objection on grounds that the area had not been subject to the review procedures set out in the Wilderness Act, and pointed out there were remaining stumps as evidence of old logging activity, and that there were two private resorts in the canyon each served by an airplane landing strip. There was enthusiastic local support for the proposal at the La Grande hearing, although lumbering, and other interests expressed concern that wilderness classification for the Minam might result in reduction of the allowable timber harvest on the area's national forest land. Prior and subsequent to the La Grande hearing the Senate committee received a large volume of correspondence from Oregon residents urging approval of S. 1142. The Committee reported the bill October 9, 1970, and the bill passed the Senate October 13, 1970, but did not reach House consideration.

COMMITTEE RECOMMENDATION

The Senate Interior and Insular Affairs Committee unanimously reports S. 493 and recommends its enactment.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Does the minority leader seek recognition under the standing order?

Mr. GRIFFIN. No, Mr. President.

Mr. MANSFIELD. Mr. President, I do not care for any time, either.

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

The Senator from Missouri.

HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE AMENDMENTS OF 1971

AMENDMENT NO. 141

(Ordered to be printed and referred to the Committee on Labor and Public Welfare.)

Mr. EAGLETON. Mr. President, I am pleased to join with the distinguished junior Senator from Maine (Mr. MUSKIE) in offering an amendment to S. 934, a bill to amend title VII of the Public Health Service Act to expand and improve our Nation's resources for the training of physicians, dentists, optometrists, pharmacists, podiatrists, veterinarians, and professional public health personnel, and for other purposes.

Improvement of the Nation's health care system has become a dominant objective of this Congress and, in view of the magnitude of the problems involved, I daresay it will remain a major objective for years to come. Access to adequate health care is now accepted as a fundamental human right. Yet, despite great progress, achieved mainly in the last 50 years, the Nation is still beset with enormous health problems—reflected in high levels of premature death, infant mortality, and prevalence of disease and disability.

The consequences of these conditions has been an unprecedented focus of interest on proposed Federal legislation that would work fundamental changes in the existing structure through which health services are delievered. Congress is now considering a number of bills to establish a national system of comprehensive health care. More proposals embodying some variation or another on this theme will undoubtedly be forthcoming. Not only Members of Congress, but also long established organizations in the field of health care are vying with one another to advance their particular remedy.

It is far too early to predict what will emerge from this legislative ferment, but it almost certainly portends some substantial alterations in our health care system. We have all heard the conclusions of very responsible and very respectable medical authorities that America is experiencing a crisis in health care. By definition, a crisis is a turning point—things are either going to improve or they will deteriorate. It is a point at which change is inevitable.

It is equally certain that the most ingenious plan, the most elaborate mechanism, the most refined blueprint will be of little value without an adequate supply of trained health manpower to implement it. There will be no significant improvement—indeed, deterioration is the more likely prospect—if we fail to increase the numbers, and rectify the maldistribution, of health personnel in the United States.

This lack of manpower is felt in all of the health professions. The shortage of doctors and dentists is not the greatest in absolute numbers—it is estimated that we need something in the neighborhood of 150,000 more nurses as compared to about 50,000 doctors and 20,000 dentists—but it is the shortage most acutely felt because of the central role that physicians and dentists play in meeting health needs.

It is clear that a substantial and growing number of the Nation's medical and dental schools are in desperate financial straits. Many of them are engaged in a year-to-year battle to avoid being pushed into bankruptcy.

A number of schools, particularly the private schools, have literally begun to feed off themselves. Some have begun to exploit their endowments in order to meet on-going operating costs. Others have been forced to seek short-term loans at high interest rates in order to remain solvent. Clearly, these actions represent a slow sacrifice of the integrity of the institution. They can be sustained for only a brief period of time before the onset of deep financial crisis.

The success achieved under the present Health Professions Educational Assistance Act—despite its limited scope and even more limited appropriations, as compared with authorizations—demonstrates the significant contributions which the Federal Government can make in preserving existing schools and expanding the Nation's capacity for training in the health professions.

It has had a major impact on the education of physicians. In 1963, at the time of the passage of the HPEA Act, there were 87 U.S. medical schools with 8,772 entering students annually, a total enrollment of 32,001 M.D. candidates, and 7,335 total graduates. In 1970–71, 8 years later, the Nation has 102 medical schools admitting students—an increase of 15, with 12 more schools in development—first-year classes totaling 11,660—an increase of 2,588—a total M.D. student body of 40,333—an increase of 8,332—and a graduating class estimated to be 8,996—an increase of 1,661.

The other health professions covered by the HEPA program—dentistry, optometry, pharmacy, podiatry, veterinary medicine, and public health—have also received financial assistance and have increased their training capacity and output.

The expiration of the Health Professions Education Assistance Act at the end of the current fiscal year offers an opportunity to improve and expand it to meet the needs of the seventies. In my judgment the Kennedy bill is well designed to accomplish that end. It reflects the thoughful concern that the junior Senator from Massachusetts (Mr. KENNEDY) has long displayed for the health care needs of Americans.

The amendments that we propose today in no way detract from the basic strengths of the Kennedy health manpower bill. Rather, they are designed to build upon the structure of that bill to create an even more comprehensive program for educating the health professionals that are now in such short supply.

There are three major areas covered by our amendment:

First. Under section 722(b) of the present act, the full amount of a grant awarded for the construction of teaching facilities for the health professions must be obligated from funds appropriated for the year in which the grant is awarded. This requirement has proved wholly impractical.

Construction projects of the kind funded under this program are not built in 1 year, nor even 2 or 3 years.

Since the construction program began in 1965, grants totaling $791,287,000 for such projects have been obligated but the amount spent has been only $310,583,000—just 40 percent of the total.

The construction portion of our amendment would permit the secretary to obligate only a portion of the total amount of a grant in the year in which the grant is awarded. From an excess of caution, we have provided that one-half

of the grant amount shall be obligated in the first year if the project is estimated to require 2 years to complete and the balance in the next year. If the project requires 3 or more years, one-third of the grant amount must be reserved in the initial year and one-third in each of the two succeeding fiscal years. Funds for projects which may be completed within 1 year must be fully reserved at the time of the award, as under the present law.

The immediate effect of this amendment will be to break up the enormous backlog of projects that have been approved but not funded. There are 79 such projects for the construction of teaching facilities for the health professions with a total cost in excess of $1 billion and a Federal share of $614 million. The sponsors of 19 of these projects, with a total cost of $409 million, and a Federal share of $245 million, have their local matching funds in hand and are ready to begin construction as soon as Federal funds are available.

Given the present level of appropriations, it would require 5 years before all of these projects could be begun under the present law. The procedures which our amendment would implement would permit all of the approved projects for which local matching funds are in hand to begin within the next year and the remaining projects to get underway within the next 3 years, once local matching funds are assured.

I consider this proposal to be a major contribution to the present health manpower bill. The release of construction funds will have a major impact in allowing us to train thousands of additional physicians, dentists and other health professionals in the coming decade. If we do not start immediately in expanding these schools, we will never overcome existing shortages and cannot hope to meet increased demands in the future. It makes no sense to have appropriated funds lie idle, awaiting the continuation of construction projects, when our Nation desperately needs more skilled health personnel. Our proposal requires no increased expenditures—it simply provides a more efficient mechanisms for using the money we have. And it permits us to begin now on the construction of teaching facilities that we must have to educate tomorrow's doctors, dentists, and other health personnel.

Second. Another major provision of the amendment recognizes that the training of doctors and dentists does not end after 4 years. For almost all graduates, a period of postgraduate training is regarded as essential before they enter into practice.

The Carnegie Commission, in its excellent report on medical and dental education, has recommended that Congress assist in the cost of postgraduate education along with assistance for undergraduates in the health professions. Our amendment authorizes $140 million for this purpose for the next 5 years.

We have structured the program to attempt to overcome present problems of functional maldistribution. We know that more doctors are needed in areas of primary health care, yet the system now operates to persuade more and more medical graduates away from these areas and into narrow specialties. The program we would establish provides teaching institutions with $3,000 for each resident physician or dentist training in primary health care—such as family practice—or other shortage areas, and $1,500 for each resident training in other specialties.

Training programs operated by medical, dental and osteopathic schools would be eligible. Hospitals that are not affiliated with any accredited teaching institution would also be eligible if their training programs are approved by the Secretary under criteria to be prescribed by him.

We believe that this provision would have two major effects. First, it would provide financial relief for teaching institutions in conducting their costly postgraduate programs. Second, it would encourage these institutions to direct their training toward the areas of greatest need.

Third. This amendment also establishes a program to overcome the present geographical maldristibution of health personnel.

Witnesses before the Senate Health Subcommittee have repeatedly emphasized the problems that result from the concentration of many physicians and dentists in a relatively few affluent areas, while large rural sections and inner city populations experience a severe shortage of health care.

Our proposal would provide incentives to physicians, dentists, and other health professionals to practice in these shortage areas or to serve in the newly created National Health Service Corps, which has as its prime purpose serving such areas. Individuals who have received direct Federal loans, or private loans guaranteed by the Federal Government, for the payment of their educational costs, may have 50 percent of their loan obligations forgiven in return for 2 years services in such areas. Practitioners who agree to extend their service for an additional 2 years would have the entire loan forgiven, up to a maximum of $15,000.

Finally, Mr. President, we call for a report by the Secretary of Health, Education, and Welfare on several critical areas relating to the effects of increased Federal financial assistance for schools of the health professions. We are interested in knowing whether the schools are maintaining and increasing their own efforts, and whether they have sought to stabilize ever-rising tuition charges so that students may reap some of the benefits of Federal aid. Further, we believe that it is most important to determine what steps teaching institutions are taking to reform curriculums that are sometimes outmoded and overlong. The Carnegie Commission and other advisory groups have made valuable recommendations on these subjects and we believe that the Congress should be informed as to whether the schools are seeking to implement them.

Mr. President, I am convinced that health manpower is the key element for the immediate future in improving the delivery of health services to all Americans. We need more well trained health professionals and we need incentives that will lead to the rational distribution of their services.

These are the purposes of the amendment we offer today, Mr. President. I urge its favorable consideration by the Senate.

Mr. President, I send to the desk the amendment as offered by me and the Senator from Maine (Mr. MUSKIE). I ask unanimous consent that the amendment be printed at the conclusion of the remarks of the Senator from Maine, and I ask unanimous consent that, following the printing of the amendment itself, an explanatory document likewise be printed, to follow both my remarks and the remarks of the Senator from Maine.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibits 1 and 2.)

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

Mr. MUSKIE. Mr. President, I am delighted to join with the Senator from Missouri (Mr. EAGLETON) in sponsoring the amendment which he has so well described in his remarks this morning. It is an amendment to the health manpower legislation that is about to be considered by the Health Subcommittee of the Committee on Labor and Public Welfare.

This amendment, which contains four separate provisions, will add substantially to this legislation by providing an immediate release of funds for medical school construction, premedical training and an increase in the number of doctors trained to treat the normal medical needs of American families.

The distinguished Senator from Missouri has described the amendment. I should like to speak briefly as to the health care crisis in America, which has only recently emerged into the public consciousness.

We have begun to realize that our health care system does not do an adequate job of keeping Americans healthy. The health crisis affects every American. For those who are very poor, health care is unavailable because of cost. For those who live in our inner cities or in our rural areas, health services are too far away. For the average American family, health care is a problem because costs are rising at alarming rates; routine health care drains our pocketbooks, and serious health care can mean economic catastrophe to a family.

These are some of the stark facts:

Between 1966 and 1980, the number of workers who cannot work due to illness will climb from 18 million to 21 million.

That 75,000 newborn babies die in the United States each year.

The number of general practitioners has declined 35 percent since 1957—and foreign physicians now constitute more than 25 percent of our Nation's doctors.

That 150 counties across the country have absolutely no health professionals of any kind. In most central cities, the situation is as bad—or just a little better. In the Kenwood section of Chicago, for example, there are only two physicians for 46,000 people.

The cost of medical care has skyrocketed to over $60 billion annually. At the same time, the health insurance industry has used its actuarial studies to exclude segment after segment of our society from access to medical protection. The poor are abandoned to uneven and often inhuman public health services. And the average family is caught squarely in the middle—too well off to qualify for government help—too pressured to help themselves with comprehensive insurance.

In the end, millions of Americans go without adequate medical care. They cannot afford it. They are afraid it will break them. Or they cannot find a doctor. Some of them die. Others are left destitute. And most of them fall victim to needless pain and needless suffering. Who are they? They are our parents—our children—our friends and our fellow citizens.

As chairman of the Health Care Subcommittee of the Senate Committee on Aging, I held hearings in California during May to see what kind of health care our older citizens are receiving under the medicare and medicaid programs. The hearing clearly demonstrated that because of rising costs and because of poorly designed systems, literally tens of thousands of older Americans receive poor health care or no health care at all. Part of this is due to cutbacks in medicare and medicaid that put even the most basic health care beyond the reach of our elderly citizens. Part of this is a result of rigid and shortsighted regulations of the medicare and medicaid programs.

But the hearing made clear that even if the regulations were changed and finances made available, we still would not be able to have decent health care for our older Americans because we do not have the institutions that can deliver it. In minority communities, there are not enough doctors nor clinics. There are not the kind of people who can communicate with the community and earn their sense of trust. There are no means for getting older people to the doctors or, even better, the doctors to the older people.

To remedy this health crisis, we need a medical bill of rights for all Americans.

The first medical right of all Americans is care within their means. Admission to a hospital or a doctor's office should depend on the state of an individual's health, not the size of his wallet. And we cannot depend upon reform by half-way measures and half-hearted compromise. A right to medical care which would leave the burden of cost on the poor and the near poor would mock its own purpose. The only sure security is federally funded universal health insurance. That is our best hope for the future—and a priority goal in 1971.

Senator KENNEDY is leading the battle for this legislation, and I support his efforts in every way. National health insurance will mean that all Americans, no matter what their means, no matter what their needs, can afford quality health care. When this legislation is passed, it will be a landmark in the history of social justice in our Nation.

The second medical right of all Americans is care within their reach. For even if we guaranteed the payment of health costs, millions of our citizens could not find sufficient medical services. The system is not only inequitable—it is also undermanned and inefficient. It is on the verge of collapse. The Nation must now respond with Federal financial incentives that will insure real reform.

So health insurance alone is not enough. We need enough doctors and related medical personnel to treat those who will be able to afford decent health care under national health insurance. And we must provide the institutions to bring that health care to every American. We will need special health clinics and out-reach efforts for our inner cities. In rural areas, different systems for health care delivery must be developed. For the aged, we must create home health care teams that can move doctors to the elderly, when the elderly cannot move to the doctors. And we must devise the techniques to insure that every family in America can and will utilize health care facilities for its children.

Finally, the third medical right is health care on a regular basis so that everyone can receive the benefits of preventive medicine. We must provide enough health education, supervision, and periodic checkups so that health problems are caught in the beginning, when they can be cured, rather than in the end, when it is too late for cure. Not only is this health care maintenance approach vastly more economical than our system today, but it is also the only humane way to provide for health care treatment.

These tasks will require great changes. They will require great imagination. They will require great resources. But they must be done, if we are to guarantee to every American a healthy life. I plan to contribute to this effort by offering various proposals to increase our health manpower and to create new institutions for health care delivery. Today Senator Eagleton and I are introducing legislation that will allow us to overcome some of these health manpower problems.

Today, Senator EAGLETON and I are introducing a measure that would allow us to overcome some of these health manpower problems. I intend to propose others as time goes on.

First, we need more doctors and more medical personnel. By 1980 our estimated shortage of doctors will be 26,000; of dentists, 56,000; of nurses, 210,000; and of allied health manpower, 432,000. We simply do not have enough people being trained today to provide the health care for America tomorrow. In fact, we are losing ground, because the increase in the number of medical personnel has not kept up with the increase in our population.

Second, we must reorient our medical training so that doctors are trained in those types of medical practice where we have critical manpower shortages. The largest such category is the "primary care" area. This includes the practice of family medicine—a new kind of general practitioner—internal medicine, pediatrics, obstetrics, and gynecology. An estimated 90 percent of the health care needs of Americans can be handled by these doctors. It is only the unusual case, on a statistical basis, that requires the medical specialist. Yet, only one-third of medical students are now being trained in these areas. It does not make sense to train only one-third of our new medical personnel to take responsibility for about 90 percent of our health care needs.

Third, as I mentioned above, we must directly focus on the problem of training medical personnel to work in our inner cities and rural areas.

Fourth, we must take immediate steps to train ancillary medical personnel. These physicians' assistants and nurses should be trained to assume the routine tasks of examination and medical practice so that doctors will be free to spend more of their time to use their special skills. If we do not use our doctors more efficiently, we will never be able to provide decent health care for everyone.

Fifth, we must begin to introduce into our medical schools more training for interdisciplinary care and the health team approach. The physician and the supporting personnel must be prepared to work together effectively on a single health problem so that we can break down the fractured, disjointed approach to the health care of particular individuals that too often prevails today.

Finally, we must increase the number of minority and disadvantaged group members into medical training at all levels. Without these people we will never be able to fully serve the communities from which they come. Only they can establish the trust and communication with medical consumers which will introduce health care into many of our communities.

The legislation now being considered in the Senate Health Subcommittee begins to remedy many of these problems. I support this legislation. Today, the distinguished Senator from Missouri (Mr. EAGLETON) and I offer an amendment containing four proposals that our staffs have drafted jointly, and that we both feel will substantially improve the bill now under consideration by the Health Subcommittee. I hope the subcommittee will adopt these proposals to make its manpower bill even better.

Mr. President, may I say, in tribute to the Senator from Missouri, that without his leadership and his great assistance and that of his staff, we would not be in a position this morning to present this legislation. I am delighted and proud to join him in this effort.

EXHIBIT 1

AMENDMENT NO. 141

On page 4, line 1, redesignate Sec. 104 as Sec. 105 and insert before such Sec. 105 the following:

"SEC. 104. (a) Section 722(b) of the Public Health Service Act is amended—

"(1) by striking out '(b) Upon approval of' and inserting in lieu thereof '(b)(1) Except as otherwise provided in paragraph (2), upon award of a grant under'; and

"(2) by adding at the end thereof the following new paragraph:

"'(2)(A) Upon award of a grant, during the fiscal year ending June 30, 1972, or during either of the next two fiscal years, under any application for such grant pursuant to this part, the Secretary shall enter into an agreement for the full amount of such

grant and shall estimate the period which will be required for completion of construction of the project with respect to which such grant is awarded.

"'(B) If the Secretary estimates that construction of any such project will be completed in the fiscal year in which the grant with respect to such project is awarded, he shall in the fiscal year in which such grant is awarded, reserve (from any appropriation available for grants under this part for such fiscal year) an amount equal to 100 per centum of such grant.

"'(C) If the Secretary estimates that construction of any such project will be completed in the fiscal year following the fiscal year in which the grant with respect to such project is awarded, he shall—

"'(i) in the fiscal year in which such grant is awarded, reserve (from funds appropriated for grants under this part for such fiscal year) an amount equal to 50 per centum of such grant; and

"'(ii) in the fiscal year following the fiscal year in which such grant is awarded reserve (from funds appropriated for grants under this part for such fiscal year) an amount equal to so much of such grant as has not been reserved under clause (i).

"'(D) If the Secretary estimates that construction of any such project will not be completed until after the fiscal year following the fiscal year in which the grant with respect to such project is awarded, he shall—

"'(i) in the fiscal year in which such grant is awarded, reserve (from funds appropriated for grants under this part for such fiscal year) an amount equal to 33⅓ per centum of such grant;

"'(ii) in the fiscal year following the fiscal year in which such grant is awarded, reserve (from funds appropriated for grants under this part for such fiscal year) an amount equal to 50 per centum of so much of such grant as has not been reserved under clause (i), and

"'(iii) in the second fiscal year following the fiscal year in which such grant is awarded, reserve (from funds appropriated for grants under this part for such fiscal year) an amount equal to so much of such grant as has not been reserved under clauses (i) and (ii).

"'(E) The Secretary, in reserving amounts for grants under this section from funds appropriated therefor for any fiscal year, shall first reserve amounts for grants with respect to which amounts have (in accordance with the preceding provisions of this subsection) been reserved from funds appropriated therefor in a preceding fiscal year.'"

On page 5, lines 20 through 24, and page 6, lines 1 and 2, strike out subsection (c) and insert in lieu thereof the following:

"(c) Section 741(f) of such Act is amended to read as follows:

"'(f) In the case of any individual—

"'(1) who has received a degree of doctor of medicine, doctor of osteopathy, doctor of dentistry or an equivalent degree, doctor of veterinary medicine or an equivalent degree, doctor of optometry or an equivalent degree, bachelor of science in pharmacy or an equivalent degree, or doctor of podiatry or an equivalent degree;

"'(2) who obtained (A) one or more loans from a loan fund established under this part, or (B) any other educational loan authorized by Title IV–B of the Higher Education Act (20 U.S.C. 1071 et seq.) for his costs at a school of medicine, osteopathy, dentistry, veterinary medicine, optometry, pharmacy, or podiatry for tuition, fees, books, supplies, and other related education expenses included under regulations of the Secretary; and

"'(3) who enters into an agreement with the Secretary—

"'(A) to practice his profession for a period of at least two years in an area in a State determined by the Secretary, after consultation with the appropriate State health authority, to have a shortage of and need for persons trained in his profession, or

"'(B) to engage in the practice of his profession as a member of the National Health Service Corps for a period of at least two years: *Provided,* That such practice as a member of the National Health Service Corps is not in lieu of service as a member of the Armed Forces of the United States;

the Secretary shall pay whichever is the least, $7,500 or up to 50 per centum of the outstanding principal and interest on the total of such loans upon completion by that individual of the practice specified in such agreement: *Provided,* That if such individual shall extend his agreement for an additional period of at least two years, the Secretary shall pay whichever is the least, a cumulative sum of $15,000 or up to 100 per centum of the outstanding principal and interest on the total of such loans upon completion by the individual of the practice specified in such agreement as extended. The Secretary shall, on or before the due date thereof, in amounts not to exceed the maximum limits provided in this section, pay any loan or loan installment which may fall due within the two-year period (or four-year period) with respect to which the borrower has entered into an agreement (or an extension thereof) with the Secretary pursuant to paragraph (3), upon the declaration of such borrower, at such times and in such manner as the Secretary may prescribe (and supported by such other evidence as the Secretary may reasonably require), that the borrower is then engaged as described by paragraph (3), and that he will continue to be so engaged for the period required (in the absence of this sentence) to entitle him to have made the payments provided by this subsection for such period. A borrower who fails to fulfill an agreement (or an extension thereof) with the Secretary entered into pursuant to paragraph (3) shall be liable to reimburse the Secretary for any payments made pursuant to the preceding sentence in consideration of such agreement or for any additional payments made pursuant to the preceding sentence in consideration of the extension of such agreement.'"

On page 6, line 3, redesignate subsection (d) as subsection (e), and, on page 6, insert between lines 2 and 3 the following new subsection:

"(d) Notwithstanding the amendment made by subsection (c) to section 741(f), any individual who obtained one or more loans from a loan fund established under Part C of title VII of the Public Health Service Act and who on such date was engaged in a practice for which cancellation of all or part of such loans (including accrued interest) was authorized under such section (as so in effect), such section (as so in effect) shall continue to apply to such individual for purposes of providing such loan cancellation until he terminates such practice: *Provided,* That nothing in this paragraph shall be construed to prevent any individual from entering into an agreement for loan cancellation under section 741(f) of the Public Health Service Act (as amended by subsection (c) of this section) except that any individual who has previously had some portion of his loans from a loan fund established under such Part C cancelled shall have the total of such cancelled loans subtracted from the sum of $15,000 before a determination is made under subsection (c) as to the extent of the loans which may be cancelled under an agreement with the Secretary for a period of two years or an extension thereof for two additional years."

On page 11, strike out lines 18 through 20 and insert in lieu thereof the following:

"SEC. 304. Section 773 of the Public Health Service Act is amended to read as follows:

"'RESIDENT POSTGRADUATE TRAINING PROGRAMS

"'SEC. 773. (a) There are hereby authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1973, $30,000,000 for the fiscal year ending June 30, 1974, $45,000,000 for the fiscal year ending June 30, 1975, $50,000,000 for the fiscal year ending June 30, 1976, for the Secretary to make grants to—

"'(1) public or private non-profit schools of medicine, osteopathy or dentistry which are accredited as provided in section 721(b)(1)(B), and

"'(2) public or private non-profit hospitals, not affiliated with an accredited school of medicine, osteopathy, or dentistry, which conduct training programs approved by the Secretary as provided in section 774, for the support of the educational costs of approved resident postgraduate training programs in the practice of medicine or dentistry.

"'(b) The Secretary shall make an annual grant under subsection (a) to each such school or hospital equal to the product of the number of physicians or dentists in full-time resident postgraduate training programs in clinical facilities with which such school has a written agreement of affiliation, or in non-affiliated hospitals which conduct training programs approved by the Secretary under section 774, multiplied by—

"'(1) $3,000 in the case of physicians and dentists who are enrolled in approved resident postgraduate training programs in the area of primary health care or any other shortage area designated by the Secretary pursuant to section 774(c);

"'(2) $1,500 in the case of physicians and dentists who are enrolled in all other approved resident postgraduate training programs.

"'(c) In determining the amount of the grant under subsection (b) the Secretary shall count only—

"'(1) the number of first-year physicians and dentists in full-time resident postgraduate training programs for the fiscal year ending June 30, 1973;

"'(2) the number of first- and second-year physicians and dentists in full-time resident postgraduate training programs for the fiscal year ending June 30, 1974;

"'(3) the number of first-, second-, and third-year physicians and dentists in full-time resident post-graduate training programs for the fiscal years ending June 30, 1975, and June 30, 1976;

No physician or dentist shall be counted for more than three years for the purpose of calculating grants under this section.'

"SEC. 305. Section 774 of the Public Health Service Act is amended to read as follows:

"'APPLICATIONS FOR RESIDENT POSTGRADUATE TRAINING GRANTS

"'SEC. 774(a). The Secretary may from time to time set dates (not earlier than the fiscal year preceding the year for which a grant is sought) by which applications for grants under section 773 for any fiscal year must be filed.

"'(b) A grant under section 773 may be made only if the application therefor—

"'(1) is approved by the Secretary upon his determination that the applicant meets the eligibility conditions set forth in section 773(a);

"'(2) contains a specific program or programs which such applicant has undertaken to encourage physicians and dentists to enroll in resident postgraduate training programs in the area of primary health care or in other shortage areas to be designated pursuant to subsection (c);

"'(3) contains or is supported by assurances that such applicant will increase the number of post-graduate positions open to resident physicians and dentists in the area of primary health care or in other shortage

areas to be designated pursuant to subsection (c) under guidelines to be established by the Secretary pursuant to such subsection;

"'(4) provides for such fiscal control and accounting procedures, and access to the records of the applicant, as the Secretary may require to assure proper disbursement of and accounting for any such grants;

"'(5) contains a statement, in such detail as the Secretary may determine necessary, describing the manner in which any grant made pursuant to section 773 will be applied to meet the educational costs of the resident post-graduate training program, including any payments proposed to be made by the applicant from the proceeds of the grant to any clinical facility which participates in such training program under a written agreement of affiliation with the applicant and which shares in the payment of the educational costs of such program; and

"'(6) contains such additional information as the Secretary may require to make the determinations required of him and such assurances as he may find necessary.

"'(c) The Secretary—

"'(1) shall not approve or disapprove any application for a grant under section 773 except for consultation with the National Advisory Council on Education for Health Professions;

"'(2) shall define, in consultation with such Council, those health care fields included within the term 'primary health care' and shall designate any other health fields in which there is a shortage of qualified physicians and dentists; and

"'(3) shall, on an annual basis, establish guidelines specifying the absolute or percentage increases in the numbers of physicians or dentists receiving full-time resident post-graduate training which any applicant receiving a grant under section 773 shall be required to meet as a condition of such a grant.

"'(4) shall define those items of cost included within the term "educational cost", but which shall not include costs relating primarily to patient care;

"'(5) shall, by regulation, prescribe criteria for the approval of resident postgraduate training programs conducted by public or private non-profit hospitals not affiliated with an accredited school of medicine, osteopathy or dentistry.'"

On page 13, following line 16, insert the following new section:

"PART E—REPORT

"SEC. 501. The Secretary shall prepare and submit to the Congress, prior to June 30, 1974, a report on the administration of Title VII of the Public Health Service Act, which shall include analyses of:

"(1) the effects of financial assistance provided to teaching institutions for the health professions under this title with respect to increases or decreases in (A) total expenditures, and (B) non-federal expenditures for the educational costs of such institutions;

"(2) changes in the amounts of tuition charged by teaching institutions receiving financial assistance under this title, in sufficient detail for Congress to determine whether students at such institutions have shared in the benefits of such assistance through the stabilization of tuition charges;

"(3) significant improvements in the curriculums of such institutions receiving financial assistance under this title.

"For the purpose of preparing the report required by this section, the Secretary may require institutions receiving financial assistance under this title to submit such data, in such form, and in accordance with such accounting and reporting procedures, as he shall determine necessary."

EXHIBIT 2

EXPLANATION OF EAGLETON-MUSKIE AMENDMENTS TO S. 934

A bill to amend title VII of the Public Health Service Act to expand and improve our Nation's resources for the training of physicians, dentists, optometrists, pharmacists, podiatrists, veterinarians, and professional public health personnel, and for other purposes

1. CONSTRUCTION GRANTS

The full amount of any grant awarded under Part B of Title VII of the Public Health Service Act for the construction of teaching facilities for the health professions is now required, by Section 722(b) of such Act, to be obligated out of funds appropriated for the fiscal year in which the grant is awarded, even though the proceeds of the grant are normally expended over a period of several years thereafter, depending on the size of the project and the pace of construction. Since fiscal year 1965, when the program began, $791 million has been obligated, of which about 40% has actually been spent. Largely as a consequence of the Sec. 722(b) restriction on the use of appropriated funds, there is a backlog of 79 approved but unfunded projects, with a total federal share amounting to $614 million. The sponsors of 19 of these projects, with a total federal share of $245 million, have local matching funds in hand (usually 40% to 50% of the cost of the projects) and are ready to begin construction as soon as federal funds are available. The remaining 60 projects, with a total federal share of $369 million, have been approved subject to the final guarantee of sufficient local matching funds.

To reduce this backlog, Section 722(b) of such Act is amended to provide that, for a limited period, the Secretary of HEW shall obligate a portion of the funds appropriated for the construction of health education teaching facilities on a phased basis. The procedure prescribed by the amendment is as follows:

(1) For a project requiring three or more years to complete, the Secretary shall obligate one-third of the federal share of the cost of the project from funds appropriated for the fiscal year in which the grant is awarded. An additional one-third of the federal share shall be obligated from funds appropriated for each of the two succeeding fiscal years.

(2) For a project to be completed in two years, the Secretary shall obligate one-half of the federal share of the cost of the project from funds appropriated for the fiscal year in which the grant is awarded. The remaining one-half of the federal share shall be obligated from funds appropriated for the succeeding fiscal year.

(3) For a project to be completed in one year or less, the Secretary shall obligate the full amount of the federal share from funds appropriated for the fiscal year in which the grant is awarded.

(4) The procedure described above shall be followed with respect to all funds appropriated for fiscal year 1972. From funds appropriated for fiscal years 1973 and 1974, the Secretary shall first obligate the amounts necessary to continue or to complete the reservation of funds for grants awarded in prior fiscal years, and shall then obligate the balance (if any) of such appropriations for new grants in the same manner as in fiscal year 1972.

(5) From funds appropriated for fiscal years 1975 and 1976, the Secretary shall first obligate the amounts necessary to continue or to complete the reservation of funds for grants awarded in prior fiscal years, and may then obligate the balance (if any) of such appropriations for new grants. However, to insure that funds will not be obligated beyond the five-year period covered by the bill, any funds for new grants awarded in fiscal years 1975 and 1976 must be fully reserved from funds appropriated for the fiscal year in which the grant is awarded.

No new funds are authorized to effect the procedures described above since they do not necessitate the expenditure of additional funds, but rather permit the more efficient use of funds otherwise authorized.

GRANTS FOR POSTGRADUATE TRAINING PROGRAMS FOR RESIDENT PHYSICIANS AND DENTISTS

Grants are authorized to (A) accredited schools of medicine, osteopathy and dentistry, and (B) public or private non-profit hospitals which are not affiliated with an accredited school and which conduct training programs approved by the Secretary, for payment of the educational costs of approved resident postgraduate training programs in the practice of medicine or dentistry. Grants are to be calculated on the basis of—

$3,000 for each full-time resident being trained in the area of primary health care or in any other shortage area, as defined by the Secretary;

$1,500 for each resident being trained in all other areas.

The program is authorized to begin in FY 1973 to allow time for administrative preparations. In FY 1973, only first-year residents may be counted in calculating grants under this section. One additional class is counted each succeeding fiscal year until FY 1975, when all first-, second-, and third-year residents are counted for this purpose. No credit is received for such grants for residents in training more than three years.

Teaching institutions applying for grants under this section must undertake a program, to be approved by the Secretary, to encourage enrollment in resident training programs in the area of primary health care, or other shortage areas. Applicants must also assure the Secretary that they will increase the number of resident training slots in the area of primary health care, or other shortage areas. The Secretary is required to establish guidelines, on an annual basis, to specify the increased number of training slots necessary to qualify for grants under this section.

New authorizations for this grant program are—

FY 1973—$15,000,000
FY 1974—$30,000,000
FY 1975—$45,000,000
FY 1976—$50,000,000

3. INCENTIVES FOR PRACTICE IN SHORTAGE AREAS

The amendment entitles any individual who has—

(1) received a degree in one of the health professions for which student loans are authorized under Part C of Title VII, and

(2) obtained direct federal loans or federally guaranteed loans to finance the cost of his education to have up to 50% or $7500, whichever is less, of the principal and interest of such loans repaid by the Secretary upon completion by that individual of service in the practice of his profession, under an agreement with the Secretary, for a period of at least two years—

(1) in an area designated by the Secretary, in consultation with state health authorities, as having a shortage of persons trained in such individual's profession; or

(2) as a member of the National Health Service Corps, so long as such service is not in lieu of service in the Armed Forces.

The Secretary is further authorized to pay a cumulative sum of $15,000 or 100% of such loans, whichever is less, for individuals who extend an agreement to practice as specified

above for a period of two additional years. The Secretary shall also pay loans or loan installments that become due during a period of practice under an agreement with the Secretary pursuant to this section. A borrower who fails to fulfill an agreement made with the Secretary under this section is liable for reimbursing the Secretary for any payments made on the borrower's behalf.

4. REPORT BY THE SECRETARY

The Secretary of HEW is required to submit a report to Congress, no later than June 30, 1974, on the administration of Title VII of the Public Health Service Act, which covers federal assistance to schools for the health professions. The report must include analyses of:

(1) the effects of the federal financial assistance provided to such schools with respect to increases or decreases in both total expenditures and non-federal expenditures for educational purposes;

(2) any changes in tuition charged by such schools to determine whether increased federal assistance has helped to stem the steady rise in tuition costs, thus permitting students to share in the benefits of such federal assistance and increasing educational opportunities for low income students.

(3) reforms that have made in the schools' curriculums as, for example, shortening the course of study.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the distinguished Senator from Alaska (Mr. GRAVEL) is now recognized for 15 minutes.

NATO FOREIGN MINISTERS MEETING IN LISBON

Mr. GRAVEL. Mr. President, I take the floor this morning to cover several points which I think are relative to today's activities.

The first one refers to the activities taking place in Lisbon today and yesterday, as reported in this morning's Washington Post. These activities the Senate had no idea of, but, apparently, they are showing the administration's approach to the handling of the Brezhnev proposals or overtures.

The policy that seems to be unfolding strikes me as strange, indeed, because, apparently—of course, I could be wrong because I am basing my information upon the reporting in newspapers, and sometimes their reports are accurate and sometimes they are inaccurate, so I will be prepared to be corrected by the administration's representatives on this floor—the major thrust is that our Secretary of State, William P. Rogers, is suggesting to the other members of NATO that they all independently begin negotiations or probings with the Soviets regarding their proposal for developing a balanced force reduction.

The reason why we have this many-headed advance is to sound out what truly Mr. Brezhnev, General Secretary of the Soviet Communist Party, means in his suggestion.

All I can say is, it strikes me odd that we would lack such leadership in our NATO endeavors that we would want to sort of set everyone free and let everyone "do his thing" with respect to the Soviet Union in what might be a serious proposal.

I would suggest that, on the basis of the normal experience of organizations, this could be considered a way to scuttle any possibility of agreement.

What would seem to be a better way would be to coalesce the NATO group into arriving at a consensus, and then try to retake the initiative in seeking a reduction.

But that, of course, is not the chosen course of action. The chosen course of action is one of dismemberment, what appears to be a disordered, pellmell approach which lets everyone "have at it" a bit to see what can be developed.

I would suggest that although that may not doom these negotiations to failure, it certainly leads one to believe it will require an extensive period of time and even suggests there is no great desire to have any balanced force reductions.

However, Mr. President, I will hold my judgment in abeyance until I see what develops further at the Lisbon conference. I am sure that Secretary of State Rogers will be giving Congress and the Nation an extensive report as to what really did develop as a plan of action among our allies toward the Soviets, and the possibility of a reduction in forces.

Thus, along with other Members of this body, I will wait anxiously to see how the plan of action unfolds.

PLANNED NUCLEAR BOMB TEST IN ALASKA THIS YEAR

Mr. GRAVEL. Mr. President, at the request of Alaska Gov. William A. Egan, public hearings were held in Alaska last week on the environmental impact of the nuclear bomb test planned by the Atomic Energy Commission for detonation in Alaska later this year.

Many Members of this body have expressed their concern regarding the proposed test. A letter asking Federal officials to hold the Alaska public hearings was signed by 18 Senators. Many others have asked me to keep them advised of developments.

Because of this widespread interest, Mr. President, I ask unanimous consent to have printed in the RECORD sundry news articles regarding the hearings on the test itself as published in The New York Times and the Anchorage Daily Times; my statement on the Atomic Energy Commission hearings on the Amchitka Nuclear Test, May 28, 1971; and testimony that is representative of the Alaska hearings. Alaskans have expressed rather uniform opposition to the test. Many expert witnesses went to Alaska, on their own time and at their own expense, to testify against the AEC's plans. In general, virtually all of those testifying questioned the need for the test and expressed an unwillingness to assume the unquestioned environmental risks involved.

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

[From the Anchorage Daily Times, May 26, 1971]

NIXON CONSIDERS HALTING AMCHITKA NUCLEAR TEST: POLITICAL RISK OF EARTHQUAKE OVERRIDES NEED

(By Mary C. Berry)

WASHINGTON.—The Nixon administration is considering cancelling Cannikin, the underground nuclear test scheduled for this October on Amchitka Island.

According to reliable sources, the administration feels the potential political risk, should an earthquake occur following the blast, may be too great in light of the recent agreement to negotiate with the Soviet Union to limit defensive anti-ballistic missile systems.

The administration does not believe that the Cannikin explosion, which is expected to register 7.0 on the Richter scale, will cause an earthquake. According to the Atomic Energy Commission, the possibility that Cannikin will trigger an earthquake is "highly unlikely" and the administration accepts this evaluation as accurate.

But the administration no longer feels it is as necessary to test the four to five megaton device, intended as a warhead for the Spartan interceptor missile, part of the United States ABM system.

Therefore, the political risk is being given greater weight in making the final decision on Cannikin than it was prior to President Nixon's announcement last Thursday that the U.S. and the U.S.S.R. have agreed to talk seriously about limiting their ABM systems.

However, the administration has not made the final decision on whether to go ahead with Cannikin. That decision will be made by the President himself.

The warhead to be tested in October on the Aleutian island is intended for the Spartan missile, the defensive part of the ABM system presently being installed at two sites in the western United States.

The purpose of the Spartan missile is to destroy incoming missiles, not by direct contact but by exploding close enough to them so that sufficient radiation is released to make their electronic systems ineffective.

The further out in space this explosion is intended to occur, the more powerful the warhead on the Spartan missile must be.

Under the U.S. plan for twelve ABM sites, the explosion must occur at a high altitude in order to protect all these sites hence the need for a powerful warhead. The federal government presently has authority from Congress to construct only two of these sites.

According to informed sources, what the U.S. would like to negotiate in the talks with the Russians is an agreement that this country would limit its ABM installations to the two presently under construction and the Soviets would limit theirs to the existing ring of ABM sites around Moscow.

The administration hopes the Russians will also agree on some limitation on SS9s, the huge Soviet offensive missile. This is because the SS9 carries a large enough payload to destroy a "hardened" missile site. The offensive portion of the U.S. ABM system, the Polaris, is intended for use in industrial installations and cities, rather than for Soviet missile installations.

Should such an agreement be negotiated in the forthcoming talks with the Russians, the U.S. would not need a four to five megaton warhead on its Spartan missiles since the missiles would have to protect an ABM system only one-sixth the size of that originally contemplated.

In the light of what the administration hopes to accomplish in the talks, the political risk involved in Cannikin if an earthquake were to occur anytime shortly after the explosion and the opposition aroused by it, even if no earthquake occurs, may be too great to be worth taking at this time.

[From the New York Times, May 30, 1971]

WITNESSES OPPOSE ALEUTIAN H-BLAST

ANCHORAGE.—The Atomic Energy Commission concluded today three days of environmental impact hearings in which almost every witness not employed by it testified in opposition to a protected underground nuclear test.

Gov. William A. Egan, a Democrat, had asked the Environmental Protection Agency

to hold hearings in Juneau and Anchorage to consider the environmental impact of the five-megaton blast, the largest ever planned by the commission. It is to be held on the island of Amchitka in the Aleutian Islands National Wildlife Refuge this October.

Under the Environmental Policy Act of 1969, the commission is required to file with the Council on Environmental Quality an impact statement that includes possible alternatives to the test, code-named Cannikin. The commission produced 10 scientists who testified in Juneau and Anchorage on various aspects of the test.

Other witnesses peppered the commission with question about what they called "inadequacies" in its impact draft and cast doubt on the "compelling need" for an Amchitka test.

"NATIONAL SECURITY" CITED

Amchitka, a western island in the Aleutian chain, is 42 miles long, two to four miles wide and about 1500 miles from Anchorage, Canada and Japan. The Cannikin site is centered on a three-mile-wide south-central portion of the island. The environmental impact draft says that the commission must conduct Cannikin or "severely hamper the development of nuclear weapons technology of prime significance to our national security requirements."

Despite the commission's assurances to the contrary, many Alaskans fear that the explosion may pollute Pacific fisheries, release radioactive gases, kill wildlife or trigger an earthquake or tsunami, commonly called a tidal wave.

A number of witnesses also objected to the commission's reluctance to answer questions about the purpose of the test. State Attorney General John E. Havelock, using the trans-Alaska pipeline impact hearings as a legal analogy, said, "In the pipeline case, the national security issues were open to public scrutiny. In the case of the Cannikin explosion they are not or have not yet been open.

SENATOR DISCERNS RISK

"If that national security is unknown, there is no purpose in weighing the environmental degradation. The secrecy element, if it persists, carves a large exception in this case to both the letter and the spirit of the national Environmental Policy Act."

Senator Mike Gravel, Democrat of Alaska, in a written statement, said, "To go ahead with this test is courting a risk of magnitude we cannot determine. The risk is not worth taking. Our national security will not be imperiled if the test is canceled."

Dr. Jeremy J. Stone, director of the Federation of American Scientists, testified, "The AEC does not claim that a failure to proceed with Cannikin would, for example, preclude the deployment of a weapons system necessary to national security."

Cannikin is to be a test of the warhead designed for the Spartan missile in the Safeguard missile defense system.

Dr. Stone said the Spartan warhead has been replaced with an improved version of much less power.

RESPONSE BY GENERAL

Maj. Gen. Edward B. Giller, the commission's assistant general manager for military application, responded, "Certainly if the SALT talks [on limiting strategic armaments] go, or science changes or what have you, nobody's going to fire Cannikin just for the purpose of firing Cannikin."

General Giller earlier said, "The argument has occasionally been heard that the A.E.C.'s assurances regarding public safety amount to no more than a request to 'trust us, we know what is best.' I believe all our efforts to meet with public representatives to satisfy the legitimate questions existing in connection with our activities belie such an argument."

Alaska's Commissioner of Health and Welfare, Dr. Frederick McGinnis, and the Commissoner of Fish and Game, Wallace H. Noerenberg, disagreed with General Giller's assessment.

Both men questioned the commission's preparations in the event of seepage of radioactive water into the Pacific Ocean.

Mr. Noerenberg also challenged the validity of the standards and statistics used by the commission to evaluate the impact of nuclear testing on Amchita's sea otter, seal, sea lion and bird populations.

Representative Nick Begich, Democrat of Alaska, said, "Although Amchita is an isolated area, it is the fishing grounds of generations of Alaskan fishermen which are threatened by any mistakes in the expected results of the test. It [the Aleutian chain] is the home of a number of Alaskan natives."

[From the New York Times, May 30, 1971]

WARHEAD FOR ABM TERMED OBSOLETE—SCIENTISTS CAST DOUBT ON BIG H-BOMB DEVICE SLATED FOR TEST BLAST IN ALEUTIANS

(By John W. Finney)

WASHINGTON.—The Atomic Energy Commission is spending $190-million to test-fire an antimissile warhead that it contends is vital for national defense but that some scientists allege is obsolete.

At that cost, the underground test, scheduled for this October on the Aleutian island of Amchitka, will be one of the most expensive ever conducted by the commission. It is also proving to be one of the most controversial.

The test will involve a thermonuclear warhead developed for the Spartan missile, the long-range interceptor in the Safeguard missile defense system. Designed to destroy attacking missiles with huge bursts of X-rays in the vacuum of space, the Spartan warhead would have an explosive force of nearly five megatons—the equivalent of five million tons of TNT.

The commission has never publicly stated the specific purpose of the test but has argued that, in "the development of nuclear weapons technology," it is "of prime significance to our national security requirements."

Various scientific groups opposed to an antimissile system now contend that the warhead has become outmoded.

They contend that the warhead was originally designed for an antimissile system that was supposed to provide a defense of heavily populated areas of the United States against a small attack, such as might be launched by Communist China. Now that the mission of the Safeguard system has been changed to one of providing defense for Minuteman offensive missile bases, they argue that such a large warhead is no longer needed.

In order to contain the radioactivity from the unusually large underground explosion, the warhead will be detonated at the bottom of a 6,000-foot well that has been drilled through the volcanic rock of the isolated island.

In response to inquiries, a commission spokesman said that the test was estimated to cost $190-million and that $160-million has already been spent.

HIGH COST OF DRILLING

Much of the cost of the test, code-named Cannikin, has resulted from the difficult engineering task of drilling the well, 120 inches in diameter at the top and 5 inches in diameter in the lower part. Also included in the cost were a one-megaton "calibration shot," which was conducted on the island in October, 1969, to test the effects of a large underground explosion, and extensive environmental studies.

Much of the opposition to the Cannikin test has centered on the contention that the explosion could have adverse environmental effects. Testifying this week before the Senate Appropriations Committee, for example, the United Nations Association, which was instrumental last year in Congress is deferment of funds for the test, complained that the commission was minimizing the environmental hazards and overstating the defense value of the test.

TESTIMONY IN ALASKA

In a revised "environmental impact statement" issued last month, the commission said it was "highly unlikely" that the explosion would trigger a severe earthquake and "even more unlikely that it would cause a damaging seismatic tidal wave." The report also contended that radioactivity from the explosion would be "trapped deep underground."

The argument that the warhead, first conceived five years ago, is irrelevant to the changed mission of the Safeguard system, was made yesterday by Dr. Jeremy J. Stone, director of the Federation of American Scientists, in testifying before an A.E.C. board in Anchorage, Alaska.

"Basically," he said, "Cannikin is a bureaucratic oversight—an experiment that has been waiting to be canceled since, in early 1969, the President changed the rationale for the U.S. ABM away from the anti-Chinese system."

So long as the United States was proposing to build an anti-Chinese system, he conceded there was a need for multi-megaton warheads that could provide a curtain of X-rays over the nation against a small-scale attack.

But now that the Safeguard mission has been reoriented to protection of Minuteman bases, he said, there was no longer a "compelling necessity" for the large Spartan warhead.

For defense of Minuteman bases against a large-scale Soviet attack, he said, the primary reliance will be placed on short-range Sprint missiles, carrying relatively small warheads, with the Spartan at best playing a supplementary role in attempting to intercept some of attacking missiles before they enter the atmosphere.

The case for Cannikin, he said, has been "further undermined" by the Defense Department's announced intention to develop an "improved Spartan" with a warhead of "much lower yield." The "improved Spartan" is designed to give the Safeguard system a greater ability to intercept submarine-launched missiles as well as intercontinental missiles fired with a depressed trajectory so as to avoid detection.

"Many defense planners," Dr. Stone said, "believe that, in essence, there is nothing important which basic Spartan can do that improved Spartan cannot do better."

STATEMENT BY SENATOR MIKE GRAVEL, ATOMIC ENERGY COMMISSION HEARINGS ON AMCHITKA NUCLEAR TEST, MAY 28, 1971

The explosion of a five-megaton nuclear bomb more than a mile beneath the surface in one of the world's most seismically active regions presents Alaskans and the people of the Pacific Rim with some element of risk.

The risk is undeniable. The AEC admits it in the most recent environmental impact statement dealing with the Cannikin test. No competent government or scientific authority will testify that the test is absolutely safe.

What the AEC does say is that the risk is small and, when balanced against the importance of the test to our national security, the risk is acceptable.

Today the Federation of American Scientists will offer compelling testimony that the test is not necessary. Among the Federation's membership are many of the nation's leading weapons experts, many of whom have been in government advisory and policy-making roles.

They believe that the ABM weapon is not essential to our national security. But even

if it were, the Spartan warhead, which would be tested in Cannikin, is only a very supplemental missile in the ABM system. And, even if one believes the ABM is necessary and the Spartan missile is necessary, the proposed test will not significantly resolve the many uncertainties associated with performance of the basic Spartan.

Certainly, if Cannikin goes ahead as scheduled, scientists will learn something. But going ahead to marginally improve our arsenal of information is not the same as going ahead with development of a weapon to insure our very survival. The risk versus benefit scales tip differently.

Prior to the 1969 one-megaton test at Amchitka, I succeeded in having public hearings called before the Senate Committee on Foreign Relations. Our weapons program and national security needs were less clear in 1969 than they are today, and we were dealing then with a test one-fifth the megatonnage of the proposed Cannikin test.

In 1969, a number of competent authorities directed their attention to the benefit-risk question. Among them was Dr. Frank Press, perhaps the leading and most respected seismologist in the field. Here is what he said:

". . . I would associate a definite though small risk with large nuclear explosions in seismic belts like Amchitka. The very small possibility of very large damage must be balanced against national security needs. In my opinion, the need to test at these large yields must be *very compelling* to justify the risk."

Numerous authorities offered similar testimony. One was Dr. Kenneth Pitzer, then President of Stanford University and chairman of a commission appointed by the White House to investigate the safety of underground nuclear tests.

The commission's conclusions, published in what became known as the "Pitzer Report," were, in part:

"The Panel is seriously concerned with the problem of earthquakes resulting from large-yield nuclear tests. Although the possibility that underground nuclear tests might initiate one or more earthquakes has been suggested in the past, new and significant evidence demonstrates that small earthquakes do actually occur both immediately after a large yield test explosion and in the following weeks. The largest of the observed associated after-shocks have been between one and two magnitudes less than the explosion itself. However, there does not now appear to be a basis for eliminating the possibility that a large test explosion might induce, either immediately or after a period of time, a severe earthquake of sufficiently large magnitude to cause serious damage well beyond the limits of the test site."

Let there be no mistake and no doubt. The risk of earthquake exists. The extent of risk cannot be measured because no one knows with assurance the geologic substructure of the region, or the mechanism that creates earthquakes, or the effect of man-made explosions on a seismically volatile region.

That is why the AEC's environmental impact statement does not dismiss the possibility of earthquakes.

"Because the understanding of earthquake mechanisms is still developing and is not yet sufficient for exact calculations," the AEC report says, "the possibility of such an occurrence cannot be ruled out."

As evidence that the risk is small, the AEC offers the results of the 1969 Milrow test and experience at the Nevada Test Site.

Any competent statistician would question the use of the Nevada experience in calculating the odds for a five megaton test in Alaska. Our nation has never before conducted a five megaton underground test anywhere. And certainly, the Nevada tests, in a seismically quiet area, cannot be applied to the experience in Alaska where the earth is violently unstable.

Nevertheless, the AEC is confident that the five megaton test, a test without precedent, in an area about which nothing is known except its volatility, will produce no surprises.

In 1964, the AEC categorically claimed that underground nuclear tests would not trigger natural earthquakes except under extremely unusual circumstances. But after the experience of six one-megaton bomb tests at the Nevada Test Site, that assurance was completely reversed. Now the AEC says that large explosions invariably trigger natural earthquakes.

And, keep in mind, the Alaska test site was developed only because the planned explosions were found to be too big and too dangerous for Nevada.

In rationalizing in advance the possibility that a large earthquake may follow the Cannikin test, the AEC says that such an occurrence might be a blessing in disguise. The agency argues that by triggering a natural earthquake prematurely, the pent up energy would not be as great as it would have been if allowed to release naturally.

A vast body of scientific opinion views the earthquake in itself as a triggering mechanism. The great Alaska earthquake of 1964 began with a shock of about 6.5 and triggered itself to a peak of 8.4. The Aleutian Islands earthquake of September 11, 1969, began with a shock measured at 5.2 and peaked at 6.6.

Cannikin may provide a trigger of between 6.8 and 7.2. What type of energy can be released with that kind of trigger? No one knows.

We may discover that the bomb was exploded near a previously unknown fault line, that no natural earthquake was poised, waiting to occur, and the predictions of the energy will be borne out. I would say in all fairness, that the odds are on that side. The possibility of an accident is only that—a possibility—not a probability. But the risk is there because the test is a gamble with the unknown.

And suppose there is an accident, a mistake. Suppose there is, as the environmental impact statement says it, an imminent earthquake very near Amchitka, for which Cannikin is the trigger.

Would Cannikin's 7 point Richter scale reading, combined with a 7 point natural earthquake remain a harmless 7 point event?

The odds shift markedly against such an eventuality occurring without some toll.

The AEC believes the magnitude of shock would be slightly greater if both events occurred together. At 7 points on the Richter Scale we are already courting the birth of a tsunami wave. If 7 and 7 add up to 7.5, such a wave is a certainty. The AEC's own literature lists 7.5 as the level of shock at which a dangerous tsunami is certain to occur.

That is not the only danger. The movement of unsuspected subsurface faults would wipe out the base upon which the AEC has confidently made its argument about the containment of radioactivity. If the subsurface structure moves in unpredicted ways, the radioactive waste could find a funnel to the surface.

The bomb explosion will create a cavity about the length of two football fields and will do so instantaneously. The environmental impact statement assumes that the cavity will contain the radioactivity, both immediately and in the long term, to prevent underground radiated water from reaching the surface within 1,000 years.

But the impact statement also includes what the AEC terms an "unlikely possibility." That is, that the water within the cavity chimney system created by the blast becomes mixed and flows through a system of interconnecting rock fractures. This model is likened to an "open crooked pipe" through which radiated water would reach the surface within two or three years and flow into the ocean concentrations of radioactivity 1,200 times the level considered safe. That process would continue for an estimated 130 years.

The AEC downgrades this possibility and downgrades the effects if it should occur.

But the risk of error is taken seriously by Alaskans who have an enormous economic stake in the resources of the sea.

In these days when the nation is deeply concerned about mercury poisoning and the market for seafood products has fallen off sharply, even the suspicion that radioactive water is leaking to the surface could devastate the market for all fishery species of the North Pacific.

I am not satisfied by assurances that radioactive waste is diluted by seawater. Radioactivity reconcentrates in seafood. Those who dumped mercury in seawater told us it was safely diluted. But now we find that larger fish concentrate mercury at levels dangerous for those who eat them. DDT is such a problem it is being outlawed by some states. Comparatively, certain radionuclides like Strontium and Cessium have fabulously greater reconcentration features in the food chain.

The danger that radioactivity will escape is no less than the danger that an earthquake may be triggered. Indeed, these two actions could inter-react, the earthquake, affecting the cavity; not only the cavity caused by Cannikin, but the cavity caused by Milrow. For the Milrow test produced an enormous amount of radioactive waste that could still be brought to the surface by groundwater, or through an unsuspected fault opened by a natural earthquake or the Cannikin test itself.

And what if the Cannikin Milrow and Longshot cavities all leaked concurrently? That problem is not dealt with in the environmental statement.

One may accept without question the AEC's assurances that all will go well. But all too often, such forecasts have not been borne out by circumstances.

Last December 18, Project Baneberry was detonated at the Nevada Test Site. The earth at that location had an unexpectedly high water content. The explosion ruptured the ground and sent radioactivity spewing over many states, contaminating hundreds of workers.

No environmental impact statement issued prior to that test would have concluded that such a mistake was possible. Yet the geology of Nevada certainly is far better known than the geology of the Aleutians.

Project Long Shot, the 60 kiloton test conducted at Amchitka in 1965, was not expected to leak radioactivity for hundreds of years. But only a few months after the test radioactivity surfaced in at least two small fresh water ponds.

The AEC did not expect Strontium-90 to accumulate in milk.

The AEC did not expect its 1964 test in Mississippi to cause $600,000 in property damage.

The AEC did not expect its 800-kiloton test in January, 1968, in central Nevada to rock an area as wide as Salt Lake City to the East and San Francisco to the West—but it did.

Ten percent of the tests at the Nevada Test Site have unexpectedly leaked. Less is known about the affects of a five megaton explosion than any explosion the AEC has detonated anywhere in the United States.

Less is known about the effects of a five megaton explosion than any explosion the AEC has detonated anywhere in the United States.

Less is known about the geology of the Aleutians than has been known about any

subsurface area in which the AEC has conducted experiments.

To go ahead with this test is courting a risk of a magnitude we cannot determine. The risk is not worth taking. Our national security will not be imperiled if the test is cancelled.

Since this is an experiment, and it is the nature of experimentation that sometimes things do not go as planned, I wonder at the AEC's assurance that this is the last test at the Amchitka site.

If scientists do not learn what they hope to learn from this test, would not that necessitate a further test of equal magnitude?

If not, if we can stop testing at Amchitka regardless of the outcome of Cannikin, why is Cannikin considered so important to our national security?

This question is not answered in the impact statement, but certainly is critical to the entire issue.

In closing, I wish to point out that Alaska has had an extended and rather uniform history in dealing with Atomic Energy Commission proposals for tests in Alaska.

In 1960, the AEC proposed to blast a deep water harbor in northwest Alaska utilizing an atomic bomb. Plans went ahead until Alaska scientists and state leaders expressed their opposition. Such an explosion would have seriously affected the delicate food chain of the North. A food chain that already has suffered adverse effects from the atmospheric testing of the fifties and early sixties.

Even today, body burdens of radioactivity carried by some Eskimos and the Indians of the North are far beyond normal measurements.

When Project Long Shot was proposed for 1965, the AEC said it would not be the forerunner of any test series, but rather a one-shot experiment.

Yet, two years later, the AEC was back again, with massive plans for conversion of Amchitka Island—A Wildlife Refuge—into a major new test site.

Prior to the Milrow experiment considerable opposition was expressed by the Alaska public and by elected leaders. The day of the test, which the AEC confidently said would produce no harmful effects—the Civil Defense network was alerted all along the Northern Pacific Coast. The Navy moved its Kodiak Emergency Hospital to higher ground.

Now we face the largest test yet.

Along with other Alaskans, I wish to emphasize my opposition.

The test is not necessary, and it is not without risk. Alaskans and the people who live along the Pacific Rim should not be asked to accept such a risk for so questionable a purpose.

I urge that the test be cancelled, the island fully restored and that the AEC count Amchitka and Alaska out of any future plans for the detonation of atomic bombs.

FEDERATION OF AMERICAN SCIENTISTS' STATEMENT OF CANNIKIN NUCLEAR TEST BEFORE THE ATOMIC ENERGY COMMISSION, ANCHORAGE, ALASKA, MAY 28, 1971

(By Dr. Jeremy J. Stone)

The National Environmental Policy Act of 1969 requires agencies of the Federal Government to file a report on "major Federal actions significantly affecting the quality of the human environment"; besides discussing adverse environmental effects, this report must include "alternatives to the proposed action". In filing its redraft Cannikin Environmental Statement in accordance with the Environmental Policy Act, AEC has rightly conceded that its projected explosion is covered by the law—though planned before the law was enacted. And in discussing alternatives to its action, it has also conceded—rightly—that "no test" is a valid alternative under the law—as it obviously is, and must be. Indeed, the entire spirit of The Environmental Policy Act demands ensuring that risks to the environment are justified by the need for, or benefits of, the environment-threatening action.

RISKS

All agree that risks of the Cannikin test unquestionably exist. The AEC calls the threat that Cannikin will trigger an earthquake as large or larger than itself "highly unlikely" but an occurrence that "cannot be ruled out". The threat of a damaging tsunami tidal wave being caused by an induced earthquake was called "even more unlikely", but not denied. In other categories of adverse effects where the phrase "is anticipated" is frequently used, additional risks inevitably exist that these anticipations will not be borne out. And in matters of this kind there is always the unexpected. Cannikin is not only a nuclear *experiment* but an undesired environmental *experiment*.

The only high-level independent study of Cannikin was, of course, the Pitzer "Report of the Ad Hoc Panel on the Safety of Underground Testing" prepared for the President's Office of Science and Technology in 1968. Done at the request of the AEC, and reviewed by it in draft, this report was prepared by a most eminent Committee appointed by the President's Science Adviser.[1]

The Pitzer report reveals, in several references, that knowledge of seismic events is limited and rapidly changing and that there *is* something to fear. The Panel concluded that—

"The need for these tests as planned should be *compelling* if they are to be conducted in the face of the possible risks that have been identified." (Italics added).

It noted that it was dealing with underground explosions whose equivalent earthquake magnitudes were in the range 6–7. It reported "good evidence" that great earthquakes (magnitude 8.5) consist of a superposition of events of just this 6–7 size triggered in succession. It pointed out that Amchitka was more seismic than Nevada by "at least an order of magnitude". And it pointed out that an earthquake was "basically a process of instability" so that extrapolation from small explosions to larger ones was not possible—as AEC is trying to do, in part, from Milrow to Cannikin.

BACKGROUND

In assessing the costs of *not* proceeding with Cannikin, the AEC-Environmental Impact Statement says only that this would "severely hamper" (in 1970, they said "make impossible") the "development of nuclear weapons technology" that was "of prime significance" (in 1970, they said only "of significance") to our national security "requirements". Fortunately, every thing one needs to know about the purpose and origin of this experiment is well known.

In 1964, American scientists developed new techniques for destroying incoming ballistic missiles while they were still outside the atmosphere. With very long-range interceptors (now called Spartan) and very large warheads of several megatons (now called Spartan warheads), it became possible, in principle, to defend the entire coterminus United States against small nuclear attacks with no more than about 15 batteries of interceptors.[2]

That same year, the People's Republic of China exploded its first nuclear weapon; future attacks from China immediately became a widely discussed rationale—the only plausible rationale—for fearing a *light* attack and hence for buying this *thin* defense. In September, 1967, then Secretary of Defense Robert S. McNamara did indeed announce the Johnson Administration decision to build an anti-Chinese missile defense composed essentially of 15 batteries of Spartans.

HOW THE CHINESE RATIONALE DECLINED

Cannikin had been under consideration by the AEC since 1966–67 to test just such large-yield nuclear warheads for Spartan for this anti-Chinese defense.[3] But since that time, the justification for Spartan, and hence for Cannikin, has changed completely. In early, 1969, the new Nixon Administration reviewed the on-going ABM program, renamed it Safeguard, and emphasized that its primary purpose would be the ABM defense of Minuteman ICBMs against a Soviet attack.

The President continued to support a thin defense of U.S. cities against an attack from China as a *supplemental* purpose and as a future *option*. But, in 1970, the Senate Armed Services Committee concluded and reported that the wisdom of such an anti-Chinese defense was "yet to be demonstrated"; it withheld approval of funds for land-sites associated only with the area-defense (anti-Chinese) component of Safeguard. There is now ample reason to believe that a majority of the United States Senate will not support an anti-Chinese ABM.

Most recently, on May 20, 1971, President Nixon announced U.S. and Soviet agreement to "concentrate efforts this year" on a treaty "limiting" ABM systems. As early as January 9, 1971, a flow of authoritative, and undenied, newspaper accounts have revealed that both sides are talking of limiting ABMs to capitol cities only or, in the case of the U.S., to a few sites in the Minuteman ICBM fields designed to protect these hardened targets. *As will be seen below, none of the alternatives for limited ABMs being discussed at SALT require the Basic Spartan.*

In sum, seven years after Spartan was conceived as part of an anti-Chinese defense—and five years after Cannikin was planned to test its warhead—the Senate will not approve, such expenditures and the President is on the threshold of negotiating a treaty that would preclude such expenditures.

HOW A NEW RATIONALE FOR CANNIKIN AROSE

When in 1969, the Nixon Administration concluded its month long review of Sentinel and revised its primary purpose to be the defense of Minuteman, (and bomber bases and command authorities) it did not have time to consider the new-evident necessity for redesigning the Sentinel equipment to fit that new priority. And proponents of Safeguard—virtually all of whom anticipated and desired an eventual anti-Chinese thin defense—had every incentive to simply continue development and testing of all components necessary to that defense, including Spartan and its warhead.

But the defense of hardened ICBMs against a heavy Soviet attack is a much different business than the defense of soft cities against a light Chinese attack. In particular, the hardness of the ICBMs permits one to emphasize use of short range (Sprint) interceptors without risking destruction of the defended targets from enemy detonations at the intercept height. And the weight of incoming attack anticipated from the Soviets being much higher, the utility of the thin defense provided outside the atmosphere by Spartan was correspondingly much lower. Nevertheless, the case for Spartan came to rest on its role in supplementing Minuteman defense.

The case for Cannikin was further undermined by the announced DOD intention to develop an "Improved Spartan" with "much lower yield."[4] (Since the standard Spartan has been called only "somewhat higher" in yield that the Megaton range of Milrow—a range that has been tested at the Nevada site—it can be concluded that the Improved Spartan warhead either already exists or could be tested at Nevada also. Further evidence may be found in the AEC statement that it has no further plans to test in the

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Footnotes at end of article.

"foreseeable future." (However, since Cannikin is an "experiment," there can be no assurance that it will not have to be repeated.

IS CANNIKIN A COMPELLING NECESSITY?

The following questions arise in applying the "compelling" necessity criterion of the Pitzer report:

(1) Is Cannikin a compelling necessity to deploy the Basic Spartan?

(2) If so, is the Basic Spartan a compelling necessity for the defense of Minuteman?

(3) Is the Basic Spartan a compelling necessity for the defense of Bomber Bases or of national Command Authorities?

I. Is Cannikin a compelling necessity to deploy the basic Spartan?

The AEC Environmental Impact Statement argues only that a failure to proceed with Cannikin would "severely hamper" the "development of nuclear weapons technology." Thus the AEC does *not* claim that a failure to proceed with Cannikin would, for example, preclude the deployment of a weapon system necessary to national security. Indeed, confidence in Spartan, and estimates of its effectiveness, cannot be substantially improved even with unlimited tests. In the first place, there is little doubt that the Spartan warhead will detonate; and much can be known about its warhead's effectiveness through paper and pencil calculations. In the second place, the effectiveness of Spartan depends more critically on other considerations: the tactics used by the Soviets (numbers and kinds of decoys, simultaneity of arrival, separation of incoming warheads, etc.); the effects of blackout (interceptor fratricide, loss of control of Spartan, etc.); the failure of Spartan to fire (reliability of missile, computer software bugs, etc.).

Further, it should be pointed out that the entire Safeguard missile defense is being justified on the grounds that the Soviets cannot be sure that Safeguard will *not* work and will accordingly be deterred. In this context, Cannikin will be of essentially zero significance in changing Soviet perceptions of the likely effectiveness of the entire Safeguard system—involving, as this system does, so many other significant uncertainties.

In short, Cannikin is not a compelling necessity to deploy the Basic Spartan; from an overall perspective it may be no more than an irrelevancy.

II. *Is the Basic Spartan a compelling necessity for the defense of Minuteman?*

But even if Cannikin were to be judged necessary to deployment of the Basic Spartan—which we have judged is *not* the case—it would still be necessary to ask whether the Basic Spartan was a compellingly necessary part of Safeguard.

The Improved Spartan—which does not require Canninkin—will take over many Basic Spartan functions. According to DOD:

"(It) will carry a smaller warhead but to much higher velocities. This missile will enable the system to more effectively intercept SLBM's and depressed trajectory ICBM's. They will have a larger area capability than the standard Spartan and reduce the nuclear effects on the system."[5]

The Director of the Los Alamos Scientific Laboratory, Dr. Harold M. Agnew, put it this way in his recent testimony in favor of Safeguard:

Senator SYMINGTON. In your article you opposed the use of high-yield warheads for ABM such as the one used in the (Basic) Spartan. Do you still oppose their use?

Dr. AGNEW. I don't think I opposed the use. I said that they would be useful in a limited way, as I said in my previous testimony, with regard to breaking up high rate attacks and to provide a mechanism for high altitude attacks against very large yield weapons which might be used in a particular role which the Soviets might employ.[6]

Considering the large costs of Cannikin the total costs of Basic Spartan and Cannikin combined will be so large that the Basic Spartan is unlikely to be cost-effective from any point of view.[7] Remember that Cannikin was planned when there was no Improved Spartan. At that time the idea was to build an entire defense against the Chinese around the Basic Spartan missile. Cannikin may have been justified on cost-effectiveness grounds then; it seems much much harder to do so now.

Finally, Basic Spartan might even be counterproductive because it degraded the performance of the PAR (Perimeter Acquisition Radar). Thus:

"The deleterious effects on PAR performance can be produced by both offensive and defensive nuclear explosions. The attacker can deliberately plan an attack using "precursor bursts" to disable the PAR. Even more serious is the fact that the Spartan with its high yield, (deleted) warhead can produce a region up to (deleted) nautical miles in radius throughout which radar errors would be serious."

In short, far from being a compelling necessity, Basic Spartan is simply something that might be "useful in a limited way" against tactics the Soviets "might" adopt. But at the same time, it might assist the Soviets in degrading the performance of Safeguard. And its deployment is almost certainly a strategic mistake in allocation of Safeguard resources.

III. *Is the basic Spartan a compelling necessity for the defense of bomber bases or of national command authorities?*

The Air Force is engaged in dispersing its bombers to inland airfields. Its main fear is submarine launched ballistic missiles (SLBM) and depressed trajectory ICBM attack which might arrive with relatively little warning. Improved Spartan is specifically designed to be the best answer to this.

The defense of Command Authorities or Capitol cities will rely upon Sprints primarily, and upon Improved Spartan. Since the Capitol is not going to be defended against determined attacks—but against accidents or small attacks—the contingencies in which basic Spartan is likely to be useful (threat of "high-rate" attacks or "very large yield weapons" for high altitude attacks) are largely or completely irrelevant.

IS ABM ITSELF A COMPELLING NECESSITY OR IS IT NEGOTIABLE?

It should be added that neither the defense of bomber bases nor the defense of Capitols (or Command Authorities) nor the defense of Minuteman itself, can be called a compelling necessity. Indeed, according to authoritative spokesmen in background briefings, the United States has, at one time or another in the last few months, talked seriously with the Soviets about giving up each and every one of these possibilities in negotiatings. Admittedly, in the case of the defense of Minuteman, this offer is sometimes linked to a halt in the numbers of SS–9s. But numbers of SS–9s are less relevant in any strategic calculations of the threat to Minuteman than the number of MIRVs eventually placed on *each* SS–9—an issue *not* under serious negotiation. Thus, from a strategic point of view, the Administration itself is not acting consistently with its declared view that ABM defense of a portion of Minuteman is essential.

This is because, among other reasons, Minuteman is itself a supplemental part of our deterrent force—not the primary strategic force, a role played by Polaris submarines.

But it is also because many leading and completely informed American strategists consider Safeguard—as a whole—worthless. Thus, in 1970, four senior members of the Federation formally subscribed to the assertion of Wolfgang K. H. Panofsky that:

The protection offered by Safeguard for the Minuteman force is negligible. Even if Safeguard functions perfectly it offers significant protection to Minuteman only over a very narrow band of threats; if the threat continues to grow as rapidly as it is at present; Safeguard is obsolete before deployed; if the threat levels off, Safeguard is not needed. For Safeguard to have any significant effectiveness at all in protecting Minuteman, the Soviets would have to "tailor" their threat to correspond to it."[8]

On April 20, in 1971, W. K. H. Panofsky effectively repeated this assertion to the Senate Armed Services Committee.

SUMMARY

In summary, the case for Cannikin now turns on:

(a) The need for Cannikin in order to deploy a Basic Spartan in order to

(b) Supplement, for special purposes, the Improved Spartan that are themselves only

(c) Supplementing Sprints in the Safeguard defense of Minuteman—a defense

(d) Whose overall justification and effectiveness is under serious question.

Thus, those who reject Safeguard reject the necessity for Cannikan. Those who reject the necessity for Spartans in Safeguard reject the necessity for Cannikin. Those who reject the necessity for *Basic* Spartans in Safeguard reject the necessity for Cannikin. And even those who *want* the Basic Spartan still reject the necessity for Cannikin unless they insist on proof-testing it at great financial expense and at the environmental risks described previously. Under these circumstances, who can possibly call Cannikin a compelling necessity?

Basically, Cannikin is a bureaucratic oversight—an experiment that has been waiting to be cancelled since, in early 1969, the President changed the rationale for the U.S. ABM away from the anti-Chinese defense.

IMPLICATIONS FOR ENVIRONMENTAL IMPACT STATEMENTS

This entire episode illustrates the importance of requiring Government Agencies to explain in their Environmental Impact Statements those true purposes of their activities that might balance the adverse environmental impacts. The key to this entire question is the *purpose* of Cannikin. The effort to keep this a secret from the American people—when it can, by no stretch of the imagination, now be kept secret from the Soviets—can only sharpen the widening credibility gap in which American Governments are increasingly trapped.

FOOTNOTES

[1] Its members were: Dr. Kenneth S. Pitzer, Chairman; Dr. Ray W. Clough, Dr. Lawrence R. Hafstad, Dr. James R. Killian, Dr. Gordon J. F. MacDonald, Dr. Frank Press, Dr. William W. Rubey, Dr. Ronald F. Scott, and Dr. David K. Todd.

[2] See "The Case Against Missile Defenses" by Jeremy J. Stone, Institute for Strategic Studies, Adelphi Paper number 47, April 1968, pg. 2.

[3] See April 1971 Redraft Cannikin Environmental Statement, pg. 28; Testimony of Dr. Harold M. Agnew, Director, Los Alamos Scientific Laboratory of April 20, 1971.

[4] Pg. 259, Senate Armed Services Committee Hearing, Par I, Fiscal 1971.

[5] Statement of Dr. John S. Foster, Director, Defense Research and Engineering February 1970, Release No. 146–70.

[6] April 20, 1971, Testimony to Senate Armed Services Committee.

[7] In addition, the President's announcement on May 19 of a hopefully imminent agreement on SALT, that would limit ABMs, has important implications for this nuclear test. The SALT agreement would limit *numbers* of interceptors and force the Defense planners to choose between Sprints, Basic Spartans and Improved Spartans. Under these circumstances they might well choose to buy no Basic Spartans at all. Many defense planners believe that, in essence, there is nothing important which Basic Spartan can do that Improved Spartan can-

not do better. In short, the President's announcement represents an important new reason for deferring Cannikin until we discover whether SALT agreement can be reached this year, as seems to be expected by the Administration.

[8] These senior members were Herbert F. York, Chairman; Marvin L. Goldberger, Vice Chairman; Herbert Scoville, Jr., Chairman of the FAS Strategic Weapons Committee and Sponsor Jerome B. Wiesner.

STATEMENT BY JEROLD M. LOWENSTEIN

No island is an island—where radiation effects are concerned. Already every living creature on the planet has measurable concentrations of Cs–137 and Sr–90 due to fallout from atomic weapons testing in the atmosphere, fallout which will continue for another generation at least, supplemented by additional atmospheric tests of developing nuclear nations. Add to this the nuclear power network which is expected to exceed 50 stations by the year 2000, each emitting small but "tolerable" amounts of radioactivity directly into the environment and producing staggering quantities of radioactive wastes for which there is no known safe disposal method.

No island is an island—in either space or time. We are told that nearly all the fission and fusion products from this proposed 5 megaton "event" will be "contained" far underground. Admittedly some tritium and other long-lived isotopes will be dissolved in the ground water and find their way to sea, but thanks to the magic of dilution in an infinite ocean, these concentrations will immediately drop to negligible amounts. Never mind that some aquatic organisms such as oysters can concentrate radioactive zinc or cobalt by factors of a hundred thousand or a million, or that the Soviet biologist, Polikarpov, showed damage to fish eggs by very low concentrations of Sr-90, the most persistent and troublesome pollutant with its half-life of 30 years.

The AEC has indeed mustered an impressive group of consultants—from "radiobiology, soil mechanics, structural engineering, geophysics, hydrology, radiation medicine, ecology, geology, oceanography, tsunaminology, seismology, and hydrogeology"—which makes me think of Ambrose Beirce's definition of the word consult: "To seek support for a course already decided upon." Didn't any of these doctors say, "Don't do it. Stop smoking!"? No, they all apparently said "Well, if you must smoke, use filter tips."

The AEC environmental report is all about filter tips. It admits environmental damage has occurred and will occur on Amchitka, that radioactive pollution of the waters on and around the island may occur, but it claims that smoking is necessary "in the interests of national security."

Why does a report which is so filled with necessary statements somehow fail to reassure? Perhaps it is because the AEC, like the tobacco companies, has become a promoter and advocate of nasty habits which the public increasingly suspects are against its own health and interests. Perhaps they remember how the uranium mines were reassured about the safety of their work and later found to have an increased incidence of lung cancer. They may have found reassuring statements like this one from Mawson, in his book on radioactive wastes, 1965:

"Liberation of raodioactive material into the confined waters of harbors would appear very hazardous, and liberation at sea would contaminate an international resource, with no control other than that of the captain of the ship. However, similar problems concerning the discharge of fuel oil have been faced with considerable success . . ."

Finally, they may wonder how an event—a 5 megaton event—can benefit national security when its imminence is making so many people insecure.

I do not question most of the scientific facts set forth in this report. I do dispute the conclusion—that the test should be held. Whitehead said that in most works of philosophy the erroneous assumptions will be found on the first page and all the rest follows very logically. Under Part I—Background—Cannikin—What & Why—the first sentence reads, "Cannikin is an underground nuclear test which is a vital part of the weapons development program of the United States." No justification whatever is given for this statement. The next 30 pages or so are devoted to how little damage this test will do to the environment.

Even if I believed this report literally, I would still not be convinced or reassured. I have here a chart which shows how the "allowable limit" of exposure for radiation workers has been progressively reduced since 1902. At that time, it was set at 2050 RGM/yr., three times the mean lethal dose if given all at once. Since then it has halved on the average of every 6 years, as we gained more and more knowledge of the effects of low levels of radiation. The dashed line is a continuation of the trend to 1970, showing what the new limit might be predicted to be—and interestingly, this is exactly the new limit Gofman and Tamplin are demanding, and that the AEC and the nuclear power industry are claiming is ridiculously low.

Why have these values been progressively reduced over the last 70 years? Simply because the damaging effects of radiation emerge slowly. First we saw skin burns and cancer due to too much exposure to x-ray; later we began seeing increased incidence of leukemia; recently, Alice Stewart showed increased incidence of cancer in children whose mothers had had pelvic x-rays during pregnancy—with dose exposures so small that they hitherto were thought to be completely harmless. Finally, we have genetic effects at even lower levels, which may not show up for several generations.

Because of the cumulative pollution of the ocean by fallout, effluents from nuclear power plants, dumping, and nuclear tests such as this one, I have been concerned about radiation effects on aquatic organisms. The most alarming findings are those of Polikarpov, who found that very low concentrations of Sr-90 cause abnormalities, especially in the spinal cords, of developing fish eggs. He concluded, from his book, "Radioecology of Aquatic Organisms:"

"It has been shown that further radioactive contamination of the seas and oceans is inadmissible, because it entails great risk of a) producing irreversible changes in the hydrobiosphere, b) disrupting the resources upon which the fisheries depend and c) producing dangerous levels of contamination in the marine organisms consumed by man. To avoid these radiation consequences, it is essential to end all nuclear weapons tests and the dumping of liquid and solid radioactive waste into the seas and oceans."

I recently spoke with Polikarpov at a conference on Exploitation of the Oceans in Bordeaux. He has done numerous additional studies since 1967 and feels even more strongly that these conclusions were correct.

No island is an island when it stages a five megaton "event" that is as near to the Soviet Union, Japan and Canada as it is to the continental U.S. Furthermore, the native people of these sparsely populated island chains wonder why tests which are considered risky at home are somehow safer in their midst. I was present at Bikini when island people who believe that they lose their souls when they lose their land were uprooted and moved to other islands for the sake of our national security. Two months ago at Bordeaux, I was sought out by a representative of the Tahitians who believes that his people are suffering ill effects from the French atomic tests in their territory. This morning a spokesman for the Aleuts took me aside and expressed similar concerns.

As I sat for 3 hours this morning and listened to all that scientific testimony, I realized that the AEC really doesn't understand why people are so upset about this test despite all their careful factual reassurances, so perhaps I should spell it out:

People are upset because this test is a hostile act against the environment in a time of rising environmental concern.

It will add to the radiation burden of life on earth and in the ocean.

It is a massive military gesture at a time when the people of the U.S. are hungry for peace and finding alternatives to nuclear war.

It is an insult to native island peoples resentful of having their interests considered secondary to those of the testing powers.

I would like to commend the AEC for its valuable ecological and archeological studies of the island of Amchitka. As a nuclear physician and a concerned member of the human race of all life on earth, I would urge them to quit while they're ahead. As General Giller said this morning, weapons systems become obsolete with time. Therefore, there is no reason why even greater detonations cannot be justified on the same basis; and serve as justification for other nuclear powers to continue doing the same. Radioactivity is cumulative and the effects on humans and other life are slow to emerge. The only cure is prevention, and the time to start is now.

STATEMENT OF RICHARD A. FINEBERG, PH. D.

I do not know whether there is a significant hazard resulting from the military's dumping of munitions and lethal chemical agents in the western Aleutians. There is no mention of possible gas-related problems associated with the Cannikin event in the AEC's Environmental Statement. I wish to assure myself—as well as those who brought these reports to my attention—that the AEC has fully considered the problem when it assures the public (1) that the anticipated impact on marine ecosystems is relatively small (pp 2, 22) and (2) that environmental studies have been completed and that delay of the test for further study will serve no practical purpose (pp 4, 28).

A letter to Senator Gravel last week referred to "several thousand tons of war gas (mustard and Lewisite) dumped by the Army off of Amchitka and Shemya Islands in the spring of 1946." The author, who does not wish to be identified publicly, said that he was on a barge which dumped large steel drums containing mustard and Lewisite off Amchitka during the spring of 1946.

In addition, there are reports of an Operation Chase munitions dumping in the vicinity of Amchitka in 1967. Operation Chase (an acronym for "Cut Holes and Sink 'Em") is the program in which the military scuttles loaded Liberty ships in the ocean to dispose of obsolete and defective munitions. Several of the scuttled Chase ships have carried a cargo of nerve gas rockets and bombs.

These reports raise several questions:

(1) What information has the AEC examined concerning military munitions and lethal gas dumping in the Amchitka region?

(2) What chemical warfare material has been reported dumped in the Amchitka area, in precisely what quantities, at what locations and in what kind of containers?

(3) What attempts have been made to verify the accuracy of these reports and to insure that these are the only instances of gas dumping in the western Aleutians?

(4) Presuming that these reports are reliable, what experiments have been performed to determine the possible effects—if any—of the projected ground shock and overpressure on these materials?

(5) What are the effects of mustard on invertebrates and fauna of the marine ecosystem which, the Environmental Statement says, is biologically richer than the island of Amchitka itself? Have the consequences of exposure to mustard been observed by AEC researchers?

(6) Has AEC made a thorough study of the

reports on other ocean-poisoning episodes which may relate to gas dumping such as:

(a) the USCG weather station at Peale Island in the Wake Island cluster, which was temporarily abandoned in April 1968. According to one account, the Coastguardsmen manning the station became ill when gas containers dumped in the water during World War II began breaking up. Gas masks had to be used and the station was temporarily evacuated.

(b) the fishermen reportedly exposed to a mustard-type gas in the North Sea during the summer of 1969?

With regard to point (2) above, the discrepancy between the Army's report and the letter to Senator Gravel troubles me.

The Army has acknowledged gas dumping off Attu, more than 250 miles northeast of Amchitka in 1947, but the Army told Gravel that it can find no record which confirms that chemical agents were disposed of in the ocean near Alaska or the Aleutian Islands in 1946. Senator Gravel's informant says he can attest to having participated in one 1946 dump off Amchitka—perhaps 50 miles from the island, he estimates—moreover, he believes there may have been other dumpings off Amchitka during the early months of 1946. Since he was honorably discharged from the Army later in 1946, he says, the Army's 1947 report must refer to a different disposal operation. Has the AEC satisfied itself that the Army's records on ocean dumping are reliable?

With regard to point (3) and (4) above, it would be appropriate to ask technical questions along the following lines:

What is the likelihood that the steel containers dumped in 1946 and/or 1947 are still intact? If intact, could the overpressure or ground shock from the blast rupture them? If not longer intact, is the gas still likely to be present in the vicinity? What empirical experiments have been conducted in this regard?

I am informed that Lewisite hydrolizes (neutralizes) rapidly in water. Mustard, however, freezes at 57 degrees fahrenheit. Consequently, mustard could conceivably sit in large blocks on the ocean floor. In solid state, the Army says, there would be a slow dissolving of the mustard. The rate of breakdown into non-toxic components would depend on the surface exposed and the turbulence. What is that rate of dissolution? Is it possible that during this process a few curious fish might come in contact with the blocks and die of mustard poisoning? Could their decay attract other fish into the area, who would in turn be poisoned? Could the overpressure or ground shock from Cannikin break these blocks and set them in motion? What would be the effects of such an occurrence? Would the AEC consider this train of events significant to the marine ecosystem?

I would like to emphasize that I am NOT asserting that nerve gas has been dumped off Amchitka, nor am I asserting that mustard or nerve gas dumping would necessarily increase the hazard associated with the proposed Cannikin event. I do not have the technical information and knowledge necessary to answering these questions. But I am concerned about this matter, and I see nothing in the AEC statement to assure me that the AEC has taken the time to explore this area carefully. I believe that these are important questions to which the Cannikin Environmental Statement should address itself.

ADDENDUM TO LETTER OF MAY 20, 1971, CONCERNING ALLEGED DUMPING OF WAR GAS OFF AMCHITKA IN 1946

We agree not to use the name of the individual who brought this matter to the attention of Senator Gravel in any public statement without first obtaining a written release from the individual.

Mrs. Adelaide Bloomfield,
Anchorage Assistant to Senator Gravel.
Richard A. Fineberg, Ph. D.,
College of Business, Economics and Government, University of Alaska.
May 28, 1971.

May 20, 1971.

To the Senator:

With reference to the proposed test of nuclear material at Amchitka, it may be of interest to inquire of the U.S. Army what the effect of this explosion may be on the several thousand tons of war gas (mustard and Lewisite) dumped by the Army off of Amchitka and Shemya Islands in the spring of 1946, in one half-inch steel containers.

The gases were in liquid form in steel drums, each container, as I recall, weighing about two tons when full. I believe the larger quantity was dumped off Shemya during this period; however, the quantity dumped off Amchitka was many hundred tons.

It may be that these containers have rusted through and the contents already dissipated. It may also be possible that many are intact or nearly rusted through and a large blast could rupture the drum releasing a large quantity of poison gas into the environment, either into the sea or into both sea and atmosphere.

I have not contacted the executive departments or the press on this matter since the ramifications should first receive an objective and scientific review to ascertain any potential environmental danger. If your office will pursue the matter, I will leave it at that.

Please be advised, however, that several thousand tons of liquid war gases are enough to devastate a very large area if released. I do not know the equivalent effect on marine life, such as on plankton, fish, sea mammals, crustaceans and other aquatic plants and animals, as well as on sea birds.

Sincerely,

———— ————.

I have talked with the gentleman at length, examined his discharge and, on the basis of his statements, supplementing this letter, believe that this is an honest and straightforward attempt to assure that there are no dangers from gas he helped dump off Amchitka, in 1946.

RAF.

May 26, 1971.

Statement by Dr. Lidia Selkregg

My name is Lidia Selkregg. I have been an Alaskan resident for 13 years and I am testifying as a concerned citizen. I am a professional geologist and for the last 10 years I have also worked as a planner, applying my knowledge of geology to the development of criteria for sound land use, planning and regional economic development. Following the March 27, 1964 earthquake, I participated in the development of geological data and assisted in the preparation of reconstruction plans for all the communities that had been effected by the earthquake.

I am not here to challenge the competency of the many scientists who have been involved in the preparation and interpretation of data used for the development of the criteria followed to insure safety in the proposed test. It would be pretentious of me to do so, after having read only the environmental statement and listening to the presentations made here by the panel members yesterday morning.

I am here because I am deeply concerned. My experience in dealing with data related to earthquakes, groundwater and other geological factors, has taught me to recognize how limited is our knowledge in regard to the behavior of the earth's crust in reaction to natural or induced forces. This knowledge is limited, not because we do not know the principle involved or the reactive mechanism triggered, but because it would be only if the earth was made of a homogeneous material of which we have complete and full knowledge from every physical aspect, that we could completely and surely predict the results. But we know that the geological condition at the test site is not so. As represented in the impact study, we are dealing with volcanic rocks and volcanic debris of various types. The test site is located between two known large faults and test borings have been limited to certain locations. It is my opinion that the conditions encountered at the site of the test borings cannot be projected with assurance to the areas which have not been tested. Groundwater, as an example, in this type of material is found principally in cracks, crevices or pockets which may be interconnected or separate. What assurance do we have that the force induced by the atomic test may not change the present groundwater condition by allowing confined water to move through newly formed cracks and crevices and therefore, changing the present groundwater system and allowing for a larger amount of water, then predicted, to flow in the chimney at a faster rate. This, then, could shorten the time span predicted for the water to reach the ground surface, or shorten the time span predicted for the water to move from the chimney to the sea. These and many other unpredictable results of the proposed test are what concern me.

I am sure that studies equally thorough were made prior to the Baneberry test. Yet a leak occurred! The experience gained from that test, I am sure, was applied in developing the criteria used for the design of the proposed Cannikin test. But what other unknown or valuable information exists? If this was a laboratory test, I would share the challenge of research. But we are dealing with an atomic test of a magnitude never tested before at a site with particularly precarious seismic conditions!

Last week I attended, in San Francisco, an international conference on earthquakes held under the sponsorship of Nato's Committee on the "Challenge of Modern Society." The purpose was to develop criteria for the development of an international exchange of knowledge and assistance in the prevention, immediate relief and long-range planning of disasters resulting from earthquakes. The conclusion reached by the various panels was that much is still unknown on the causes, effects and catastrophic changes resulting from earthquakes, and that much is unknown in respect to the behavior of faults and the potential of tsunamies. The recommendation of the conference was that an international team of scientists be gathered to allow for interchange of knowledge and studies related to increasing world knowledge on these topics. It was also proposed that an international committee of scientists be formed to study methods of prevention and recovery from earthquake-induced disasters. I was overwhelmed by this approach of trying to find solutions to one man's problems in unison and considered myself privileged to have a part in the conference. I was also impressed by the President's message to the participants in the conference. He stated:

"Natural disasters have no national boundaries. If men are to cope with the threat of earthquakes and the tragedies they too often leave behind, it is imperative that all governments join in sharing ideas and resources freely and imaginatively."

I am sad to say that I find the words of the President completely inconsistant with the intent of the proposed Cannikin atomic test which is the topic of this hearing.

COMMENTS RELATING TO THE TEXT OF "DRAFT ENVIRONMENTAL STATEMENT CANNIKIN," FOR DELIVERY TO THE PUBLIC HEARINGS SCHEDULED FOR MAY 26–MAY 28, AT JUNEAU, ALASKA, AND ANCHORAGE, ALASKA, RESPECTIVELY

My name is James Bohlen. I do composite-materials-research, and over the past 20 years have been engaged in work which concerned the DEW Line, Minuteman, Polaris, and Sprint missile systems, and have been granted Secret Security clearance by the U.S. Government. In 1967 I emigrated to Canada. I represent the Sierra Club of British Columbia in the capacity of Conservation Chairman, and carry with me the endorsation for my remarks by the British Columbia Environmental Council, and Pollution Probe, an eastern Canadian anti-pollution group. These groups total over 100,000 members.

The cloak of security surrounding previous nuclear device testing on Amchitka has apparently been lifted somewhat concerning Cannikin, as attested to by conducting these hearings. Further progress is indicated by permitting Canadian residents to express their opinion regarding the environmental impact of Cannikin. Elation over this progress must be tempered by the observation that for the AEC to conduct these hearings concerning its own project is somewhat analagous to the "fox being given the job to watch over the safety of the chickens". We are, quite frankly, not optimistic that any Canadian opposition to the Cannikin test will effect the U.S. decision making process, and for reasons which are not germane to these hearings. However, not to represent the cause for promoting more humane world environment at each afforded opportunity, would amount to endorsement of ecological vandalism which Cannikin represents.

Widespread Canadian concern over the effect on the Canadian environment of nuclear tests initiated in 1968 when Schooner, a 35 Kiloton cratering experiment utilizing nuclear explosives, leaked radiation onto Canadian soil. In November 1969, Prof. Martin Kalkstein, of State University of New York, told a U.S. Senate Subcommittee that radioactive debris from Schooner violated the 1963 International nuclear test-ban treaty.

Evidence exists that a more recent event, the Dec. 18, 1970 Banebury underground nuclear test, leaked radiation into Canada. The Vancouver Sun Ottawa bureau reported in Jan. 1971 that Federal Gov't. readings in the Toronto area (Pop. 2,000,000) and Windsor area (Pop. 300,000) registered increases on Dec. 25 and Dec. 27 from the normal background radiation of .01 to .03 picocuries to more than doubling to .05 to .07 picocuries. The radiation was reported to have consisted of fission products which are often associated with nuclear devices. Toronto is approximately 2,100 miles northeast from the Nevada testing grounds. Amchitka is approximately 2,500 miles due west from Canada's British Columbia. In view of radiation biologist Dr. John Gofman's (of the AEC Livermore Radiation Laboratory) widely publicized statements that there are NO safe levels of radioactivity, we are indeed deeply concerned.

Amchitka, which is located between the 51st and 52nd parallel lies approx. 2500 miles due west, as mentioned above, of the lower half of British Columbia, the home of 2,000,000 people. Practically all of Canada's populated areas lie within the vicinity of these parallels. In the event of leakage from Cannikin, the prevailing west to east winds will deposit any vented radioactive debris on us along with the heavy precipitation which is encountered in B.C. during the autumn and winter months. Cannikin, in the range of 5 megatons will be 250 times larger than Banebury. Clearly then, Cannikin poses great potential for vastly increasing the human radiation dose rate over background radiation. Due to the relatively long-lived nature of the radioactive debris, there is a strong possibility that other infected organic substances will enter the food chain and ultimately find their way into us, and thus multiply our dose by an unknown amount. The statements in the Draft Environmental Statement are qualified sufficiently so that one cannot infer from them that venting will not occur. Cannikin has the potential for infecting all of us with increased levels of radiation, and if leaking occurs, we will pass on to those yet unborn a heritage which may include cancers, monster aberrations in appearance or behaviour, premature death, and possibly the seed for exterminating all living things on this planet. The environmental impact statement does not deal with this potential, because it accepts the assumption that there exist "safe" levels of radiation dosage. *We suggest that this assumption is invalid*, that no conclusive evidence exists to suggest that there are any safe levels of radiation dosage beyond that of nature's normal background radiation.

The Environmental statement on P. 6 states that Amchitka was, in part, chosen for a test site due to its "remoteness from human populations". Clearly with respect to venting, distance does not protect human populations from the harmful effects of testing. There may be little irreparable damage done to Amchitka, per se, but what of the possible radio nuclide infection of millions upon millions of human beings, many yet unborn; our fellow creatures with whom we share this earth, and other organisms present on the earth. Certainly venting possesses the potential for creating an irreversible impact on the environment.

Equally unacceptable, and for the same reasons as given above, are the statements regarding the potential damage caused by radio nuclides seeping out of the test area by various means, for the ". . . pocket of radioactivity will remain indefinitely". Suppose, some time during this indefinite future, Amchitka should blow up, releasing this tremendous amount of poison into the air and the sea around it. Canadians are equally concerned over this potential radionuclide leakage into the water, as the waters off Amchitka lie within the Kuro Siva (Black Current) which will rapidly carry this infected water to Canadian shores, where all living things, through the food chains will ultimately transmit the poison to us.

The possibilities of earthquakes, tsunamis, and other seismic effects are dealt with at some length, upon which we should like to comment. "the possibility of Cannikin triggering an earthquake . . . cannot be ruled out". Highly unlikely that an earthquake will be triggered, more unlikely that a tsunami will be created. "Cannikin will be no more than a slight perturbation to natural processes", yet the statement is NOT sure about "triggered ground motion".

It is of interest to us as to how these conclusions were reached. It appears that a rather large number of prestigious institutions are involved in contributing to the decision (A–6) that "unless the event is detonated near a fault on which an earthquake of this magnitude is imminent", no earthquake from an explosion will occur. It is not our intention to denigrate the unnamed individual scientists who undoubtedly gave considerable thought to this problem, but to pose as a matter of grave concern, how a responsible agency of the U.S. Government could so simplistically correlate the evidently vast body of seismic knowledge and/or opinion into this statement. Certainly some scientists cast dissenting opinions regarding seismic effects. If so—the concerned public is entitled to know about them, as well. For your information, some dissenting opinion.

Dr. James N. Brume, California Inst. of Technology stated (Vancouver Province Sept. 22, 1969) and quoted from "Science": "There is no logical reason why a nuclear explosion couldn't be the initiating event in a series of events causing a major earthquake. The larger the explosion, the greater the possibility of its triggering such a series". Dr. George Sweig, also of Cal. Tech. in the Vancouver Sun Dec. 4, 1970, was quoted as saying that the Cannikin test could "start a major earthquake and a trans-Pacific tidal wave".

Can anyone state with absolute certainty that the underground testing of nuclear devices in the Nevada desert had no part in contributing to the recent earthquakes in Los Angeles, which resulted in loss of life and millions of dollars worth of property damage?

Canadians remember the damage done to our coastline from the 1964 Alaskan earthquake.

The seismic effects of Cannikin may not prove immediately catastrophic, but certainly it is outside of man's capability to even comprehend long term effects, especially when the explosive equivalent of 5,000,000 tons of TNT is involved.

If man were able to predict ecological consequences of his actions we would not, today, be threatened by extinction from long lived pesticides, which are wiping out whole species of wildlife and other organisms. We cannot extrapolate the adverse environmental effects of *any* pollutant which retains its ability to pollute over an extended period of time, nor do we know the mechanisms by which these long lived pollutants infect all organisms. Therefore we must not engage in any further activity which injects long lived pollutants into our planet.

There exists an anomaly of our times which on one hand promises for long, healthy lives, yet which subverts the most potentially creative and productive minds of our times into thinking and creating the means by which to destroy all life on planet Earth.

The potential ecological vandalism, represented by Cannikin, must be prevented from happening, and you, the human beings associated with the Atomic Energy Commission must find the inner strength, for you have the power, to do it. As someone has remarked, "Amchitka may be the link in a chain of events which will bring human history to an end".

We therefore suggest alternative 1 (p. 28) "Not testing this particular explosive".

THE DOMINION OF CANADA AND PROJECT CANNIKIN

(Submitted by Paul T. Cote, a director of the "Don't Make a Wave Committee")

Gentleman, my name is Paul Cote. I am a Canadian citizen and a director of the "Don't Make a Wave Committee." I am speaking to you today on behalf of an estimated 70,000 concerned Canadians, who have expressly indorsed the purpose and activities of the Committee in respect of Project Cannikin. This committee, incorporated under the Societies Act of British Columbia, has as its registered objects the fostering of public awareness of the possible environmental effects of the detonation of nuclear explosives and the support or conduct of research in the area of environmental preservation.

Among those organizations represented by my presence today are:

1. The Association of Western Canadian Universities
2. The British Columbia Conference of the United Church of Canada
3. The Canadian Voice of Women
4. The Sierra Club of British Columbia
5. The Sierra Club, Pacific Northwest chapter

6. The Student Christian Movement of the University of British Columbia
7. The Society for Pollution and Environmental Control (B.C.)
8. Pollution Probe of Ontario, and
9. The Law Student's Association of the University of British Columbia.

We wish to go on record as being unalterably opposed to nuclear weapons testing anywhere, at any time, by anyone, and in particular, we oppose the planned test of a five megaton device on Amchitka Island. We strongly urge the United States to unilaterally cast the first stone towards attaining world disarmament and in so doing demonstrate its sincerity of purpose in this critical international matter.

The "Don't Make a Wave Committee" came into existence following the spontaneous massive demonstration by 18,000 Canadians who, for the first time since the war of 1812 closed the Canada-U.S.A. border at the time of the Milrow detonation in October of 1969.

At that time, our country was swept by a feeling of both fear and revulsion at the prospect of facing the possibility of being infected by radioactive debris from the Milrow test. This strong feeling was heightened by the awareness that the Atomic Energy Commission was conducting the test in spite of strong protest notes from both the Japanese and Canadian governments and that, in this age of nuclear overkill, the only result that could flow to the A.E.C.'s credit would be the increase in efficiency of such overkill and the stimulation of the other nuclear powers to strive harder in the nuclear arms race—the race no one can win.

Today, we are faced with another nuclear detonation and must again draw conclusions about its potential effects on *our* environment. I say "our" because, while no man can claim possession over the state of the earth, should this planned test give rise to earthquake, tidal wave or more potentially; radioactive leakage, those most directly affected will be, save the residents of Alaska, Canadian citizens who lie directly in the path of prevailing sea currents and winds. What man or nation could, in good conscience, take *any* risk in these circumstances.

In assessing the possible effects on Cannikin, we, as laymen, must rely basically upon (1) The record and credibility of the A.E.C. in the way it has performed to date and, (2) informed scientific opinion.

On each of these counts, the Cannikin test appears as sheer madness. Of the underground tests conducted on the continental United States in recent years, leakage has occurred in slightly over 8% of them, in spite of the extensive precautions and guarantees that such results were nearly impossible. As recently as December 1970, leakage occurred from a Nevada test and was detected in Canada. This fact, I should add, points to a specific breach of the 1963 Geneva Test Ban Treaty. Now, the A.E.C. has retreated to Amchitka Island in the Aleutians to conduct a test in one of the most seismically active areas of the world and of a magnitude many times greater than any underground test yet undertaken by them.

In an effort to ascertain the bio-environmental effects of the Milrow test, The "Don't Make a Wave Committee" evaluated the A.E.C. report entitled "Bioenvironmental Safety Studies, Amchitka Island, Alaska, Milrow, D+2 Months" prepared by James B. Kirkwood of Battelle Memorial Institute. When querying, by letter of December 12, 1970, the finding by a skindiver of "A probable discovery of recent submarine movement of rock along what may have been a fault trace" return communications from the A.E.C. unexplainably ceased. In such circumstances we frankly cannot help but conclude that the A.E.C.'s activities, in part, reflect a desire to maintain its public image to the detriment of an open and honest assessment of those activities.

The second criteria by which one can assess the possible results of the test is scientific opinion. In this regard there appears a clear delineation of opinion between those who are and those who are not employed or funded by the A.E.C. Needless to say those who do not derive their livelihoods from the Commission generally view the test as a serious environmental threat while those who do derive their living from the Commission are driven to such absurd conclusions as the statement that the test could be beneficial by way of releasing pent-up energy and/or stress prior to its accumulating to larger proportions. Implicit in such a statement is knowledge of existing stress factors of which there is little. Using the A.E.C.'s own logic then, it is just as likely that large seismic stress factors exist at this time and that it could be released causing a catastrophic earthquake or tidal wave, especially when triggered by the explosive force of 5,000,000 tons of T.N.T. for which there is no precedent.

A good insight into the Canadian view on Amchitka is, I believe, contained in an article appearing last week in The Vancouver Sun newspaper. Its author is Mr. Bob Hunter, a regular Sun columnist, who, in 1970 won the Governor-General's Medal for Literature (equivalent to the U.S. Pulitzer Prize).

ARTICLE BY BOB HUNTER

There is an outside chance that Amchitka Island will amount, in political terms, to Custer's Last Stand.

The U.S. Atomic Energy Commission plans to set off an underground blast there in October which will be nearly five times as powerful as the 1.2-megaton bomb they popped off underneath the island in 1969.

The earlier blast made waves. It sent a tide of people from Vancouver down to the Blaine border crossing where they sealed off the U.S.-Canada border for the first time since the War of 1812. It unleashed a flood of students down to the American border right across the country. It even rocked the federal government out of its normal niceynicey diplomatic straitjacket.

This new blast—called Cannikin—will cause further waves.

How big those waves of protest will be remains to be seen. But at this point in our history, they may be just enough to leave the Atomic Energy Commission foundering, even in danger of sinking.

Protest movements have a way of merging with other movements at certain critical points. For instance, in the United Sates the civil rights movement and the anti-war movement were on quite separate orbits for a long time.

Then, suddenly, they joined. They had a common cause. And from the movement of blending-together, they had a lot more muscle.

Right now, the ecology movement is operating for the most part on its own.

The connection between machines of war and machines of pollution has not been clearly established.

How, someone might ask, do you bring the energies of the environmentalists and the energies of the anti-war movement together?

Well you might ask the weapons makers to perform some act of wildly-irresponsible vandalism. That would do it. The energies of both movements might thus be brought into a single focus.

The test this October up in Amchitka might be just the thing.

Agencies like the AEC are, at the moment, more on the defensive than they have ever been. The old knee-jerk support they used to command has been appreciably gnawed away.

The days when they used to be able to trigger atomic blasts in the atmosphere virtually at will are gone. They have had to go underground. And even in this area they are on the run.

The test is being conducted up in the Aleutian Islands simply because the AEC was effectively chased out of the mainland of the United States by mounting protests and fear of radioactive contamination.

The AEC is possibly at its last ditch.

A determined effort now, a "shove" not just by the antiwar people, but by the fast-growing ranks of environmentally-aware people, could conceivably produce more static than the AEC, in its weakened position, can handle.

The blast might yet be stopped. Or, if enough pressure can be brought to bear, the AEC might still go ahead with the blast but it will be strictly a Pyrrhic victory. The "cost" in terms of erosion of public support for weapons-testing might be more than it can bear without going politically bankrupt.

Who knows? I don't. But it is a possibility now and I don't think it could have been described as even a remote possibility five years ago. There have been a lot of changes in attitudes lately.

The Don't Make A Wave Committee is sending a ship, the Greenpeace, up to Amchitka, hopefully to blockade the blast—or at least to put bodies on the line and thus draw attention to the fact that such tests are harmful to human beings and other living things.

With one ship and one crew—including myself—ready to go, the committee is trying to get other ships to join the protest, possibly fishing boats from Alaska, from the U.S., perhaps even from Japan and Hawaii. A flotilla would presumably be more effective than a lone ship floundering around in the October storms three miles off the island.

The more effort, the more support, the better. In the past, one could be certain that such efforts would be dismissed as the work of cranks.

But the climate, the mood, public opinion itself, have been shifting, and the possibility at least exists that Amchitka may be the Little Big Horn of the weapons and war freaks.

In defense of the necessity of Cannikin, General Giller has stated that although he personally wishes the project were not necessary, the "real world" and the interests of "national security" demand it. The implication of this statement is that those who oppose this test are ignoring one or both of these considerations. Nothing could be more erroneous.

We fully recognize the necessity for security on a national basis but reject in its entirety, the concept that this interest can be served by building bigger and better bombs. We would contend that such a simplistic approach to this crucial matter is, in fact, detrimental to the "national security" of the United States because: First, the principal effect of this test will be to stimulate nuclear arms development in other countries and to increase the apprehension in those countries about the true motives of the United States—especially in light of the fact that while the country is jubilant at the recent successes in the S.A.L.T. talks, the A.E.C.'s complicity in the Cannikin test is undermining this country's political successes by doing the very thing which the State Department is currently seeking agreement not to do.

Secondly, and more importantly, the term "national security" must in its true sense, include the freedom from threat from any source. Therefore, in light of a statistically demonstrable threat by radioactive contamination from underground testing, the only

justification for Cannikin must come by way of a proportionately greater reduction of a threat from another source. In view of the established pattern of escalation in weapons technology resulting from increased activity on the part of any one of the nuclear powers, it is today clear that technical advantage in this field is a relative and temporary thing. As a consequence, to proceed with the test in this circumstance would be to demonstrate a sadly distorted concept of what constitutes "national security".

Underlying all of these considerations, of course, is the knowledge that between the nuclear superpowers, there is enough destructive capability to annihilate the world's population eight times over. Even for the purposes of the most perverted of national priorities, it is obvious that completing this task once will constitute both total victory and total defeat. Cannikin then appears as a further example of the A.E.C. attempting to pour a gallon of destruction into a one-quart jar.

It is manifestly clear that in terms of the "real world" Cannikin can only be seen as a substantial threat to the "national security" of the United States of America.

In conclusion, I would like to state what we believe is the clear choice facing the A.E.C., namely—to test the device and escalate the arms race and possibly do irrepairable harm to man and his environment or to cancel this test and take a meaningful step towards world disarmament, which is today, the only real form of national security.

STATEMENT OF SENATOR ALFRED E. ALQUIST

My name is Senator Alfred E. Alquist of California and I am Chairman of the Legislative Joint Committee on Seismic Safety.

The Joint Committee has been commissioned by the State Legislature to examine in depth the public policy questions related to seismic safety in California and to propose legislation designed to minimize injury, death, and destruction resulting from earthquakes and related problems in our state.

Some of the finest minds in the country on these subjects serve as advisors to our committee and we believe that important interdisciplinary recommendations will be adopted by the California Legislature.

As I'm sure you know California is faced with an amazing number of potentially dangerous geologic hazards. In the last 100 years we have had 17 major earthquakes that have killed or injured people and destroyed property. In the past, engineering and scientific problems such as building on faults, soil stability, landslides, dam security, and the Tsunami caused little serious concern. However, we now have more people than any other state and enormous urban centers with high population densities.

Many structures, including hospitals like the Olive View Sanitarium in San Fernando Valley, dams such as the Van Norman Reservoir in the same area, schools, utility lines, freeways and overpasses, are built near or, in some cases directly on fault lines.

Besides these difficult problems, another earthquake hazard in California is the Tsunami. Fortunately, most sections of California are not geographically susceptible, but on the evening of March 27, 1964, the 8.5 Alaskan Good Friday Earthquake generated a Tsunami that California residents will not soon forget.

Damage from the earthquake occurred all along the American Coast; Alaska, British Columbia, Washington, Oregon, the San Francisco Bay area and Santa Cruz, and particularly Crescent City, California. The geography of Crescent City area helped to compound the situation when a twelve foot wave caused $11 million in damage, destroyed 27 blocks of the downtown area, and crushed over 300 buildings while miraculously causing only five deaths.

California is aware of the seismic risks in the Pacific Basin and, I believe, fully prepared to take steps to protect life and property wherever possible.

We are also very aware of the fact that what happens in other regions of the Pacific can cause serious problems at home.

Consequently, I have come to Anchorage to urge a careful reappraisal by the AEC of the proposed Cannikin test at Amchitka.

In California, the basic issue we face in deciding what laws to recommend to the legislature in the area of seismic safety is what we call acceptable risk—how far are we willing to go to prevent death and destruction?

Engineers tell us that buildings can be designed that will withstand just about any earthquake. City planners report that communities can be located in low seismic risk areas instead of astride major faults. Geologists insist that fault traces and zones can be clearly mapped and measured. Disaster experts assure us that proper coordination and organization to adequately prepare for a major tremor can be developed.

But it all costs a great deal of time and money.

The question is, how far do we want to go.

A perfect example of what we face in California is the San Fernando Valley earthquake in northern Los Angeles County.

An hour before sunrise, at 6:01 a.m., PST, on February 9, 1971, the San Fernando region was struck by one of the most devastating earthquakes in California history. Although the Richter magnitude of the temblor was 6.6, ranking it as moderate to large, but not great, it shook a wide, heavily populated area, leaving death and destruction in its wake.

Sixty-five lives have been charged to it, and damage has been estimated at more than half a billion dollars. It was California's third worst earthquake in terms of lives lost (exceeded by San Francisco, 1906 and Long Beach, 1933) and second in terms of property damage (exceeded by San Francisco, 1906).

The greatest damage was in the San Fernando area, near the front of the San Gabriel Mountains, where three hospitals were badly damaged (one of them accounting for the greatest loss of lives). Freeway interchanges collapsed (killing two men in a pickup truck under one fallen overpass), reservoirs were in danger of imminent failure, forcing people living below them to evacuate, and houses and commercial buildings collapsed or caught fire.

The earthquake was not, or should not have been, unexpected. In the southern California area—from Point Arguello to Nevada and from the Mexican border to Owens Valley—seismic records suggest that 37 shocks of this magnitude or greater might be expected in a century; indeed, one might expect two shocks with a magnitude of 8.0 or more.

Much of the damage and loss of life that happened in that earthquake could have been avoided had we been concerned enough to develop the necessary procedures and set high standards of acceptable risk .

It seems to me that the problem of determining acceptable risk is exactly what we face when discussing the Amchitka test. Is the knowledge to be gained important enough to accept the risks involved?

We know certain important facts: (1) The five megaton device is the largest device ever to be tested in this manner; (2) The island of Amchitka is astride one of the most active seismic zones in the World; (3) Seismic faults in the area are not clearly identified; (4) The AEC has reported that the Cannikin experiment can be expected to generate seismic waves up to 7.0 on the Richter Scale; Scientific evidence indicates that such an earthquake could trigger a more serious quake which in turn, could create a Tsunami headed toward land. (5) The Scientists admit that there is some possibility of dynamic venting and/or rock fracturing which could cause escape of radioactive material; and (6) Scientists report that some vertical displacement of the continental shelf is possible, and that this could also lead to a Tsunami in the Pacific Basin.

On the other hand, it is obvious the Government wants the test and thinks it very important. I am not in a position to judge the need for this nuclear test, but certainly the seismic related risks involved should not be dismissed without a careful reappraisal. Is the Federal Government prepared to assume responsibility for liabilities incurred if something goes wrong at Amchitka. Certainly California could not be expected to contribute its tax dollars to pay for damage incurred from a test that accidentally generates a Tsunami that strikes our coast.

While the chances of a Tsunami resulting from this test may be slim, all the successful tests in the world will not stop the loss of life and destruction that may occur should this test be a mistake.

I urge you to carefully reevaluate this test in terms of what can happen in far-off California, as well as here in Alaska.

STATEMENT BY GENERAL GILLER, AEC ALASKA HEARING

I am very pleased to be here today to discuss with you the preparations for the Cannikin underground test which is being planned for detonation on Amchitka Island this fall.

In coming to Alaska, we wish to emphasize our desire for full disclosure of our Amchitka operations. We are also glad to have this opportunity to restate our firm commitment to safety, to document the reasons for testing in general, and to explain why Amchitka was selected as an underground testing site for a very limited program of special experiments. Most important, we appreciate the chance to listen to your comments regarding our activities and to discuss our program with you. Such mutual discussion can, I believe, play an important role in aiding the Commission to meet adequately its responsibility and be truly responsive to the public's genuine concerns regarding the testing program. Your views will certainly be taken into account and considered in our review of the environmental effects of Cannikin.

Throughout our activities at Amchitka, the AEC has been well aware of the concerns which the citizens and officials of Alaska have had in connection with the proposed AEC tests. Consequently, we have made every effort to inform Alaskans of all our activities and to demonstrate to them the importance of safety considerations in all of our work.

In late June 1969, an AEC team headed by former commissioner Francesco Costagliola inspected operations on Amchitka and later visited the principal cities of Alaska to meet with local citizens and Alaskan officials to inform them of many aspects of the operations associated with our Milrow tests. Between July 1969 and October 1969, the AEC ran a public information office in Anchorage, Alaska, which served as a clearinghouse for information about activities at Amchitka for the public and news media. For the Cannikin test, the AEC has already opened another public information office in Anchorage to serve an identical clearinghouse function. Since October 1967, more than 200 documents and public announcements have been issued or made available to the public through the news media, and depository libraries, treating such specific Alaskan concerns as sea otter "transplants," employment of native Alaskans, preservation of archaeological artifacts, and the site selection procedure.

Returning to Cannikin specifically, we have already briefed many of Alaska's officials. These include Governor Egan, U.S.

Senator Ted Stevens, the staff of U.S. Senator Mike Gravel, and Representatives of the Alaska legislature. We hope to be able to schedule an early briefing for your new U.S. representative, Mr. Nicholas J. Begich.

Finally, we have established four depositories in Alaska at which technical information, studies and reports about the AEC programs on Amchitka are available to the public.

Now I would like to focus for a moment on why the AEC conducts underground nuclear tests.

In order to provide for the Nation's security and to assist in providing for the security of the rest of the free world, it is the policy of the United States to maintain a strong nuclear force to discourage attack by any potential aggressor.

Under the Atomic Energy Act of 1954, the AEC is responsible for conducting experiments and doing research and development work relative to nuclear weapons, and for producing nuclear weapons. The AEC carries out these responsibilities on the basis of nuclear weapons requirements developed by the Department of Defense in support of stated U.S. policies, and, of course, in accordance with prerequisite presidential direction and approval. As a matter of fact, no underground nuclear test is conducted unless it has been approved by the White House.

Unfortunately, time has the habit of rendering technological systems obsolete and this is particularly true with respect to nuclear weapons. As a result, keeping the nuclear force up to date requires an on-going research and development program. And, as is the case with any scientific endeavor, at every stage of nuclear weapons research and development, evaluations must be made of what step to take next. Some of these evaluations cannot be made without conducting tests, the absence of which makes further advances impossible. In addition, tests of device designs are essential to assure their credibility as workable weapons. Other tests are necessary to assure that such weapons can be transported, stored and maintained without the possibility of an accidental explosion.

In short, only through technological advancement can we provide an effective nuclear force to counter potential actions by others. Accordingly, testing is essential for providing these technological advances—from the testing of new concepts to the testing of finished weapons.

In conducting its testing program, the AEC has always considered the matter of safety as the consideration of overriding importance. Our working principle has always been that no test will be conducted unless the commission is convinced that the test can be conducted safely. Regardless of the importance of the specific information an experiment is designed to provide, safety remains the principal consideration in the final determination of whether or not to proceed. The Commission has always realized that, while the primary responsibility for the safety aspects of each tests rests with our Nevada operations office, the final responsibility for public safety in connection with the nuclear testing program rests squarely with the Commission members themselves. I can assure you that each member of the Commission takes this responsibility very seriously.

Over the years we have developed an elaborate review procedure to implement our safety responsibilities. For tests large or small, or, indeed, for any test conducted outside the Nevada test site, this procedure is purposefully repetitive to assure the protection of the public safety. Reviews are made by the sponsoring laboratory, either Los Alamos scientific laboratory or Lawrence radiation laboratory, as the case might be, by numerous NVOO committees, subcommittees and panels, by AEC headquarters staff and the Atomic Energy Commission members themselves, and by representatives of other government agencies and independent consultants. As I have already stated, no AEC underground nuclear test can be conducted without Presidential approval. By the time the President considers a test, it has already undergone reviews such as I just mentioned, plus a separate review by the under secretaries committee of the National Security Council. Together, these numerous reviews are made by an extraordinarily broad range of scientific and technical talent in a wide range of disciplines, including radiation, radiobiology, ecology, geology, geophysics, hydrology, medicine, oceanography, rock and soil mechanics, and structural response, among others.

The argument has occasionally been heard that AEC's assurances regarding public safety amount to no more than a request to "trust us, we know what is best". I believe all our efforts to meet with public representatives and satisfy the legitimate questions existing in connection with our activities belie such an argument. Indeed, if we agree that under present international conditions we must test, I sincerely cannot conceive of anything more which the AEC can do. If anyone can offer additional specific suggestions on this score, I assure you that we at the commission would be very receptive.

Finally, allow me to explain how Amchitka Island came to be chosen as the site for the Cannikin event. The ultimate selection of Amchitka Island in the Aleutian chain over more than 20 other potential supplemental test sites was made for a number of reasons, including its isolation from human population centers. In addition to the need for acceptable geological and hydrological conditions, AES selection criteria for the supplemental test site also required:

That any underground test be conducted without hazard to personal safety;

That the location afford good containment consistent with the constraints of the limited nuclear test ban treaty; and

That all activities be conducted without significant impact upon the area's wildlife and environment.

Two sites other than Amchitka received extensive study. These new (1) central Nevada and (2) the north slopes of the Brooks Range in Alaska. The central Nevada area, about 90 miles north of the present Nevada test site, was found readily acceptable as a site for underground tests in the megaton range; however, it was not selected as the site for the most energetic underground test because of its proximity to Las Vegas, Nevada (175 miles), and Salt Lake City, Utah (250 miles). The unusually high costs predicted for development of a test site on the north slopes of the Brooks Range and the formidable logistic and environmental problems precluded selection of that area as a test location for this activity.

In closing, let me assure you that despite the great expanse of miles between our headquarters in Washington and your great state of Alaska, there is no gap in our respect and appreciation for those assets which you have. You obviously are justly proud of your great wilderness, your beautiful waterways, and your abundance of fish and wildlife. We know these assets cannot be replaced. We know that Alaska is one of our nation's most distinct settings, and we certainly are not going to be responsible for a change in this distinctiveness.

As I have traveled through your state, I have come to realize how strongly and deeply your citizens feel about their homeland. During the time of the Milrow test, I was confident that our activities were fully compatible with the desires of not only Alaskans, but all Americans. I was confident that we could carry out the Milrow test without harming people or the environment. And we did. The Milrow results were as we predicted they would be.

We have the same confidence with regard to the Cannikin test; otherwise, I would not stand here and tell you so today. We do have that confidence, and accompanying me today to share with you the basis of that confidence are people who are recognized for their scientific and technical competence in varying fields. Between us I am sure we shall be able to respond to all of your points of concern.

Thank you!

CANNIKIN PREDICTIONS FOR CONTAINMENT AND PHENOMENOLOGY

(Dr. James E. Carothers)

LAWRENCE RADIATION LABORATORY

I have been asked to describe what happens when a high yield nuclear device is detonated deep underground and to tell you what steps we have taken to insure containment when the Cannikin device is detonated.

We have obtained a great deal of information regarding what happens during an underground detonation since the United States began to test underground in 1958. Based on actual experience, we have developed guidelines that enable us to predict with good accuracy what will happen as a result of most underground detonations. As a matter of fact, if we restrict our concern to tests involving nuclear devices with a yield greater than 100 kilotons, we can increase our confidence in our predictions greatly because no test over 100 kilotons has not been completely contained. Surprisingly, we have had more trouble with low yield detonations than with high yield ones. This is probably due to two major reasons. First, the depth at which a nuclear device is buried depends on the yield of the device. The higher the yield, the deeper the device must be buried. What seems to work in our favor at the greater depths is the increased number of distinctly different layers of rock, etc., between the shot point and the surface. This seems to make it nearly impossible for a crack developed at depth due to the detonation to find a continuous path to the surface. Second, when a nuclear device is detonated underground the magnitude of the effects on the surrounding medium depends on the yield of the device. The higher yield shot vaporizes more, melts more and compresses more of the medium and as a result tends to seal off the cavity produced by the explosion more effectively than is the case for lower yield detonations.

The Cannikin depth of burial is 5875'. This is more than a mile below the surface. The detonation will take place in a layer of basalt. The Atomic Energy Commission has announced that the Cannikin yield will be less than five megatons. This means that it will release on detonation something less than the energy that would be released if five million tons of TNT were to be detonated at one time. The actual depth chosen for Cannikin was determined by using our guidelines to select a rock layer suitable for mining at a conservative depth for an experiment of this yield.

I will give as an example what we would expect from a five megaton detonation at the same depth and in the same medium as Cannikin. Remember that the actual Cannikin effects will be somewhat less since its yield is less than five megatons. Before I go further, I would like to cover a point that has come up before. Dr. Ogle described the Milrow calibration test in which a device with a yield greater than one megaton was detonated at 4000' below the surface. I'm sure some of you are wondering how we can say that a device with a yield a few times as large as Milrow can be safely buried only one and one-half times as deep. It is really quite simple if we remember that the energy released goes out in all directions, down and to the sides as well as up from the shot point

and that the effects we are considering depend on the amount of energy available in a given volume near the ground surface. The volume of the sphere with Cannikin at its center and the ground surface at one edge has a volume roughly three and one-half times as large as a similar but smaller sphere with Milrow at its center and the ground surface at one edge. As you can see then, the maximum effects of Cannikin and Milrow at the surface will be about the same even though effects at lesser levels will extend over a larger area for Cannikin due to its larger yield. The fact that the energy goes in all directions leads to what we call cube-root scaling since this causes many effects of nuclear detonations which effect a volume of material to vary as the cube root of the yield of the device. For example, it means that in order to double the effect, other things being equal, the yield must go up eight times. This works in our favor when we test a nuclear device underground because we can reduce many of the surface effects by a factor of eight by simply burying the device twice as deep.

Now let us look at what happens when a five megaton nuclear device is detonated more than a mile underground in a thick layer of basalt. (Show slide-Cavity-Chimney) When the nuclear device is detonated, the energy equivalent to the detonation of five million tons of TNT is released in millionths of a second. The material in the nuclear device is vaporized instantly and raised to a temperature of several million degrees. A strong shock wave moves out from this source and vaporizes the surrounding rock in a few thousandths of a second. At this point, a cavity has been formed having a diameter of about 200' and containing rock vapor at a pressure of 15 million pounds per square inch. The cavity continues to expand initially by melting the rock on the cavity walls and then by simply pushing the cavity walls outward until the pressure in the cavity drops to a value equal to 6000 pounds per square inch which is roughly the pressure exerted by the weight of the rock above the cavity. The cavity will grow in this way to a diameter of 800'. While the cavity is growing, the main shock from the detonation is moving toward the surface. It arrives at about the time the cavity stops growing and causes the surface to rise momentarily about 20' into the air. These then are the early time effects of a nuclear detonation. It is all over in a few seconds.

The situation after these early time effects have taken place is that underground we have a cavity full of high temperature rock vapor at a pressure of 6000 pounds per square inch while on the surface we may have a permanent uplift of as much as a few feet over a large area surrounding ground zero. I will not discuss movement on existing faults due to the detonation as other speakers will cover that in detail. Our calculations indicate that the underground cavity will stand as is for a few hours. The molten rock will of course flow down the walls and rain off the roof forming a puddle of molten rock in the bottom of the 800' diameter explosion cavity. All of this time the cavity gases are cooling by simple heat transfer to the walls of the cavity. After a few hours, the temperature drops to the point that the rock gases condense into molten rock which coats the cavity walls and then flows into the puddle. The transfer of heat into the surrounding rock through the cavity walls results in a large difference in temperature in the rock layers immediately surrounding the cavity which causes the cracking and flaking of rock on the cavity surface. This enhances the cooling rate as these pieces of rock fall into the puddle cooling it to the point it begins to fuse and also exposing cooler rock on the cavity walls which reduces the temperature of the remaining gases. Continued cooling leads to the condensing of such condensable gases as water vapor. Of course, at this time, the temperature and pressure is well below that imposed by the overburden. The cavity roof can no longer support itself and it collapses on to the fused glass on the cavity floor. The collapse contains upward in a few seconds through the material cracked by the explosion and forms a chimney of rubble. The rubble quenches the remaining condensable gases in the cavity. If the chimney does not encouter a rock layer strong enough to support the remaining overburden as it spans the top of the chimney, collapse will continue to the surface. We do not believe that in the case in point, or in Cannikin, that the collapse would stop before it reaches the surface. As the collapse proceeds to the surface, it does so in its own good time. We can not predict with any certainty when it will reach the surface. It probably will occur within a few days but it could take weeks or even months. As it collapses toward the surface, we expect the chimney to open outwards. Our prediction of the contour of the surface after collapse reaches it is that we will have a depression about a mile in diameter going from a depth of zero at the edge to about 50' in the center. The rubble chimney causes the many layers of rock near the surface to simply sag without actually breaking up into many small pieces and falling into a void piece by piece. The remaining non-condensable cavity gases now at a pressure of only a few pounds per square inch are trapped in the rubble and can reach the surface only by a long and tortuous path. We have never experienced leakage to the surface for any deeply buried event whose yield was greater than 100 kilotons. Because of the high yield and more than adequate burial depth, the probability of any leakage to the surface for Cannikin is extremely low. I hope I have been able to give you a clear picture of what happens deep underground when a controlled test of a nuclear explosive device occurs. We know what to expect and we take adequate precautions to see that the energy released by the detonation is contained.

I would like to talk now about how we plan to contain the Cannikin event. First and foremost, Cannikin will be detonated 5875' below the surface of the ground on Amchitka. This great depth and the geologic medium in which the detonation will take place combine to give us great confidence in the containment of the energy released by Cannikin. (Show slide-Cannikin Stemming Plan.)

In order to conduct the Cannikin experiment, it was necessary to drill three holes down to shot depth or deeper. These were an emplacement hole, a de-watering hole and an instrument hole. I will discuss each of these holes in turn and let you know how we intend to stem them or fill them in order to prevent any venting of the high pressure cavity gases up through these deep drill holes.

The largest and most important hole is the emplacement hole. It was drilled at 90" and it has had a 54" internal diameter steel casing cemented in place within the drilled hole. This 54" casing provides access for the emplacement of the nuclear device and diagnostic canisters. When emplaced, the top of the steel diagnostic canister will be at about 5600' below the surface. We then plan to stem around the canister and for a few feet above it with sand. From the top of this sand to about 4400' we will fill the casing with pea gravel. At this point, we intend to place a 50' long coal-tar-epoxy plug that will perform two functions: One, it will prevent the stemming above this point from falling into the cavity produced by the explosion, and second, it will help block any gas from the cavity from migrating through the stemming past this point. We are incorporating into all cables used for detonation or diagnostics that are not continuously gas blocked a special gas block that will be located so as to fall well within this 50' long epoxy plug. Above this plug, we intend to place pea gravel up to about 3000' below the surface where we will place a 100' long sand plug. We will then continue filling the casing with pea gravel except for another 100' sand plug at 2000' and 1000' below the surface. At about 170' below the surface, we intend to place another sand plug and on top of this a special epoxy plug consisting of a rigid section 28' long, a semi-liquid section 5' long and a rigid section on top of that 14' long. This top plug is designed to stop any small amount of gas that somehow got into the casing above the 4400' deep epoxy plug from getting out at the surface. This last effort is in keeping with our goal of not letting anything out at all if we can help it. The rest of the hole will be filled with sand. I think you can see we are taking great pains to effectively contain all the products of the Cannikin detonation by the stemming plan we have developed for the emplacement hole.

The dewatering hole presents a much different problem and accordingly is solved in a much different way. Since the mined chamber in which the detonation takes place is not water tight, provisions have to be made to remove the fifty thousand gallons of water that flow into the sump each day. To this end, we will have a number of powerful pumps in the sump below the cavity that will pump the water up some 6000' through a 2⅞" tube that is cemented in place in the dewatering hole. Prior to detonation, the pumping will be stopped and the water drained from this 2⅞" tubing. When this is done, three high pressure oil field packers will be installed in special sections of the tubing located 1000', 2000', and 3000' below the surface. Upon detonation, the lower thousand feet of this dewatering tubing will be crushed by the great pressure generated by the explosion. The packers which are nothing more than mechanical plugs will then stop any gas that may be able to enter the pipe from reaching the surface. These packers have been tested by the manufacturer in special test wells and they will contain gas under pressure from 2 pounds per square inch up to 10,000 pounds per square inch. We have included three of these packers in series in order to insure that there will be no leak of cavity gases through the dewatering tubing to the surface.

The third hole to depth is the instrument hole. It was plugged back with cement from its total depth of 7000' to about 4900' some time ago. It was originally drilled as an exploratory hole to determine the geologic suitability of the Cannikin site. Its current use is to provide a facility for the emplacement of instruments that will measure the acceleration and velocity of the rock deep underground as the shock wave from the detonation passes by their locations. This hole will be cemented full to the surface and will not provide a path for the escape of any cavity gases.

I hope this discussion of what happens when a high yield nuclear device is detonated deep underground and our containment plans for Cannikin has provided you with a better understanding of these matters. I can only add that I for one understand my responsibilities and am committed to executing Cannikin only if it can be done safely.

Thank you.

MILROW PREDICTIONS AND EFFECTS

(Dr. William E. Ogle)

LOS ALAMOS SCIENTIFIC LABORATORY

I wish to speak to you on the subject of the approximately one megaton shot, Milrow, fired at Amchitka in October of 1969. That detonation was intended purely as a calibration of the Amchitka region from the point of view of effects. The intent was to be as positive as possible that the predictions of effects determined from theory and previous experience in Nevada could be properly extrapolated in Amchitka up to the energy releases of Milrow and later on Cannikin. From the very beginning of nuclear testing, the United States Government and the Atomic Energy Commission have been very sensitive to the problems of the safety of their tests. Previous to the Nuclear Test Ban Treaty of 1963, the United States tested many devices of yields appreciably greater than Milrow; however, we had not had experience with large yield shots underground. During the nineteen sixties a proving ground was developed in Nevada that was good for yields slightly greater than a megaton but clearly could not go appreciably larger.

The major problem with high yield detonations in Nevada is that the modern high rise buildings of Las Vegas resonate due to the ground motion produced by very large shots. Predictions were that for somewhat larger detonations that motion could cause structural damage. When it became clear in 1966 or 1967 that there were overwhelming reasons for the United States to conduct tests in an energy region larger than were safe at the Nevada Test Site, the test organization conducted an extensive survey of all those regions available to the United States to fire larger underground shots.

The areas had to be sufficiently remote that no serious damage to structures would occur. The first slide shows some of the areas that were surveyed. Further study narrowed the choice down to the five sites shown on the next slide. As you will note, two of these were on foreign territory, Christmas Island and Western Australia. At that time the United States Government did not feel it proper to subject its testing program to the whims of another nation. Therefore, there were three possibilities, the region somewhat north of the Nevada Test Site, so-called Central Nevada, a second region north of the Brooks Range in Alaska and a third region, the Aleutian Islands, specifically Amchitka.

The Central Nevada region was still quite close to Las Vegas, Salt Lake City, Reno and San Francisco. While there was some question about how much of the program could be done in Central Nevada, work continued in case a calibration shot would show that the predictions were over-pessimistic and that the area might be satisfactory. A calibration shot was fired in that region with the conclusion that a detonation the size of Cannikin did not appear reasonable.

Parallel with that exploration, the region north of the Brooks Range was investigated and the region of Amchitka. It was necessary to have geology that would allow the construction of a room some six thousand feet below the surface of the earth. The geology of Amchitka was moderately well known, but the region of Brooks Range not at all.

Work on Amchitka was predicted to cost two to three times as much as work in Nevada, whereas it was predicted that work north of the Brooks Range would cost some ten times as much as work in Nevada. The total expenditure expected at Amchitka was of the order of one hundred and fifty to two hundred million dollars.

At the beginning of this investigation, it was recognized that the ecological problems in these sites were serious. Specifically in the region of Amchitka we knew that there would be problems concerning the sea otters and the bird life on the island.

North of the Brooks Range we were very well aware of the possible problems concerning the lichen, caribou, Eskimo food chain that concentrated radioactive materials in the Eskimo. This problem is well known as a result of fallout in Northern Alaska from Russian tests. While we had complete confidence that any shot to be fired would be completely contained, we recognized at the time difficulty of convincing others of that feeling of confidence. The Government therefore elected to go forward with preparations in both Central Nevada and Amchitka, recognizing that either proving ground could prove unsatisfactory for some reasons in the long run. As I mentioned, in order to investigate both proving grounds, calibration shots were fired. Milrow was the calibration shot for Amchitka. For the region of Amchitka, it was intended to show that our predictions of ground motion, water motion, radioactivity release, effect on the ecological system and other factors were either correct or over-pessimistic. We predicted that there would be no ground motion of significance except in the immediate region of the detonation on Amchitka and certainly nothing of significance away from that island.

The possibility of human beings feeling the ground shock was recognized for both Shemya and Adak as being probably just under the threshold of detection. (Slide showing locations.) The results are that no one on Shemya felt the motion. There are rumors that one person on Adak, forewarned of this shot, felt it. We predicted that there would be no significant motion in the water surrounding the islands. Our instrumentation during Milrow did not show any detectable motion. The ground motion on Amchitka was very similar to that predicted.

Our most pessimistic predictions concerning the sea otters for Milrow were that some half-dozen or so sea otters might be killed. We deliberately captured sea otters and put them in pens in the ocean close to the detonation. As far as we can tell, none of the sea otters were damaged by the detonation. One did die later for unexplained causes and several were sacrificed to look for damages from the detonation. It might be of interest to point out that sea otters are now being harvested from the region of Amchitka because there are more there than the region will properly support.

After we were committed to the investigation of Amchitka to the extent of intending to do the Milrow shot, the question was raised as to the possibility of the shot at Amchitka causing a serious earthquake because of the fact that it is a seismic region. As is characteristic in such questions, it turned out to be impossible to prove that there was no such possibility. Investigations of the Nevada detonations of similar size showed that small aftershocks, a factor of 100 or so smaller than the shock from the original detonation, did occur and that these sources were as far as ten or twelve miles away from the detonation. No aftershocks were observed of intensities resembling that of the original detonation. However, we could not then, and cannot now guarantee that a detonation placed specifically and properly alongside a major fault cannot cause that fault to then slip and hence cause an earthquake centered at that point. However, no one has suggested that a detonation at Amchitka can in any conceivable fashion cause an earthquake in the inhabited portions of Alaska. If it caused one it would only cause it close to Amchitka. It should be noted that earthquakes of this size occur frequently in the Aleutians.

The second possibly more serious point that was raised was that if such an earthquake should happen, could it cause a water wave, a tsunami, a sometimes misnamed tidal wave, that then would cause serious trouble elsewhere?

The evidence before Milrow indicated that earthquakes in the region of Amchitka, because the motions are horizontal rather than vertical, did not cause serious tsunamis. That indication has been strengthened by investigations since Milrow. Therefore, our predictions at the time of Milrow were that a roughly one megaton shot could not cause any serious earth motion in another part of the world and that any motion at Amchitka would not cause serious water wave action, and that we would not, in any significant fashion, affect the ecological system.

The results of Milrow show that to be so. Both the ground motion and water wave motion were equal to or less than our somewhat pessimistic predictions. Ecological damage is almost solely due to our presence on the island, and we have taken great care to minimize that. There was no serious damage from the detonation itself, except for the ground slump within a few thousand feet of the detonation point.

Investigations since Milrow have shown us that Cannikin presents no problem to the rest of the world, specifically to other parts of Alaska. Since Cannikin will be buried some 50 per cent deeper than Milrow, noticeable damage at the surface is expected to be very similar to that of Milrow, but spread over a slightly larger area, i.e., perhaps 1500 yards in diameter rather than a thousand yards. Therefore, damage to the island as a result of Cannikin should be noticeable within a few thousand yards of the zero point, but we are convinced that there will be no effects of significance away from the island. Specifically, we do not find it conceivable that there should be any effect on the mainland of Alaska from a detonation the size of Cannikin at Amchitka.

SITES SERIOUSLY STUDIED

Red Desert, Wyoming; Desert Valley, Nevada; San Augustine Plains, New Mexico; Kaiparowits Plateau, Utah; Fortification Range, Nevada; Steens Mountain, Oregon; Hualapai Mountains, Arizona; Paradox Bais, Utah-Colorado; White Sands, New Mexico; Davis Mountains, Texas; North Brooks Range, Alaska; Hawaiian Islands; Black Rock Desert, Nevada; Yuma-Tule Area, Arizona; San Juan Basin, New Mexico; Hyco Range, Nevada; Pancake Range, Nevada; Panamint Valley, California; Owyhee County, Idaho; Jemez Mountains, New Mexico; Delaware Basin, New Mexico; Amchitka, Alaska; Christmas Island (British); Western Australia.

SITES RECOMMENDED AND PROBLEMS

Amchitka: Uncertain geology, ecology, weather, cost.

Central Nevada: Ground water, ground shock (yield limitation).

North Brooks Range: Uncertain geology, caribou-lichen, time, cost.

Christmas Island: Foreign.

Western Australia: Foreign.

Mr. GRAVEL. Let me say briefly, Mr. President, with regard to this test, that it will be in the 5-megaton range, which will take place on Amchitka Island sometime in October.

Competent, scientific testimony given at Anchorage and Juneau states clearly that the 5-megaton test would be in connection with the Spartan missile, a facet of the Spartan missile which at this point is obsolete.

To subject Alaskans to this risk for the sake of a technology which at this point has become obsolete strikes me as strange indeed.

There have been reports in the Alaskan press that the President may contemplate canceling the test. I would certainly hope so.

I would hope so because I think that this testimony, if nothing else, reveals

the false priorities that this Nation is pursuing.

The tests cost about $20 million. That sum of money is more than this colossal Nation is spending on drug habits and drug control and research. This Nation with thousands of people suffering as a result of drugs cannot make a larger effort because of the lack of funds.

Then we find that an excessive amount is being spent on some windward island in the Aleutian chain for a bomb that is of questionable relevance to our defense posture. That it something very difficult to believe.

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

The ACTING PRESIDENT pro tempore. The Senator from Alaska has 7 minutes remaining.

Mr. GRAVEL. Mr. President, I yield back the remainder of my time.

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business not to exceed 30 minutes with the statements therein limited to 3 minutes.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. SPONG. 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.

URGENT NEED FOR BETTER UTILIZATION OF DULLES AIRPORT

Mr. SPONG. Mr. President, this week, I called upon the Civil Aeronautics Board to reopen its investigation of the use made of Washington area airports as a result of policy changes made by the FAA. The CAB discontinued a similar investigation a year ago after the Department of Transportation argued that the problem of congestion at National Airport had corrected itself during the 2½-year course of the hearing.

On the same day that the CAB discontinued its earlier investigation—April 27, 1970—I was reporting to the Senate the decision of the FAA to allow Boeing 727–200 jets to begin operating at National. These aircraft, which are larger than the largest model of the Boeing 707, can carry up to 40 percent more passengers than the jets heretofore permitted at the facility. Their introduction radically altered the growth prospects for the area's airports and by the admission of the FFA's own experts, undermined the contention that congestion problems at National were solved.

Mr. President, the stretch jet decision was strongly opposed by the experts within the FAA itself. Two separate studies, conducted independently by the Bureau charged with managing National and Dulles and by the FAA's Office of Aviation Economics, were highly critical of the decision. Both warned that the new policy would hamper the growth of Dulles and could return National to the chaotic conditions which existed in the summer of 1966. I have previously made public the Bureau study in question but the FAA has refused thus far to provide the General Accounting Office with a copy of the Office of Aviation Economics report.

In addition to these two reports, other studies have been done within the FAA which show that the additional traffic generated at National by stretch jets will seriously overload existing parking facilities and interior roadways. One of these studies concludes that the FAA has literally paved every conceivable piece of remaining land at Washington National Airport and the only possible way of increasing parking capacity is through construction of multideck structures as part of an extensive modernization and expansion program. Such a project would also have to take account of the seriously deficient interior road system at the airport and the already overtaxed terminal facilities. In short, congestion at National Airport can be resolved only by soaking the American taxpayer who has already paid out more than $110 million for the construction of Dulles Airport. The purpose of that airport was to relieve congestion at National, but that purpose is being systematically subverted by FAA policies.

The use of stretch jets will also increase the airlines' ability to use National as a base for long haul flights either on a one stop or a nonstop basis, to cities far beyond the 650-mile limit supposedly in effect at National.

Mr. President, I will not take the time of the Senate to go into the details of this study or other studies mentioned but ask unanimous consent that they be printed in the RECORD together with my letter to the Chairman of CAB at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. SPONG. Mr. President, another study which bears on the question of congestion at National Airport and on the need for remedial policies was done by the CAB itself, several months after it discontinued its Washington/Baltimore Airport investigation. The study, which was undertaken in response to a House Appropriations Committee request, is dated December 1970, although it was received in my office only last week.

The study notes that—

> The annual operations "at National" during 1969 totaled 337,084. The practical annual capacity for Washington is 295,000 operations.

Thus the airport is overtaxed by about 42,000 operations a year according to the CAB's own calculations.

The results of such overcrowding are significant gate delays during arrival and departure and delays in getting the aircraft into the air. The CAB study noted that during a 2-week survey period, gate and taxi delays at National amounted to 2,444 hours for a total of 8,499 flights or an average delay of 17 minutes per flight. The study goes on to rank Washington National 10th in airline delays for the calendar year 1969 of a total of 251 airports.

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

Mr. BYRD of West Virginia. Mr. President, if the Chair will recognize me, I will be glad to yield my 3 minutes to the Senator from Virginia.

The ACTING PRESIDENT pro tempore. The Senator from Virginia is recognized for an additional 3 minutes.

Mr. SPONG. Mr. President, I thank the Senator from West Virginia for his courtesy.

Mr. President, I recognize that the CAB did not and could not take account of the Boeing 727–200 in deciding to terminate the Washington/Baltimore airports investigation. However, given the information that is now available on the subject, all pointing to a serious misuse of the area's airport resources, I believe the Board has a responsibility to reopen its investigation and to hold prompt hearings.

My hope is that this investigation will result in a rethinking of the CAB policy with regard to certifying air carrier service to this area on a regional rather than on an airport basis. The FAA has testified that even if it wanted to, it has no power to order the air carriers to make better use of Dulles. That can only be accomplished through CAB action to certify air carrier service to a particular airport or otherwise to specifically limit the use of National. I urge the CAB to act accordingly.

EXHIBIT 1

U.S. SENATE,
COMMITTEE ON COMMERCE,
Washington, D.C., June 4, 1971.

Hon. SECOR D. BROWNE,
Chairman, Civil Aeronautics Board,
Washington, D.C.

DEAR MR. BROWNE: A year ago the Civil Aeronautics Board terminated its investigation of congestion at National Airport after the Department of Transportation argued that the situation had corrected itself during the two and one-half year course of the hearing.

On the same day that the CAB issued its discontinuance order (April 27, 1970), I reported to the Senate the decision of the FAA to allow Boeing 727–200 jets to begin operating at National. These aircraft, which are larger than the largest model of the Boeing 707, can carry up to 40% more passengers than the jets heretofore permitted at that facility. Their introduction radically altered growth prospects for the area's airports and undermined the DOT contention that congestion problems at National were solved. That point was made by the FAA's own airport managers who wrote to the Administrator in January 1970 as follows:

"The (stretch jet) decision is also inconsistent with the position being taken by the Department for dismissal of CAB's Washington/Baltimore Airport investigation. The draft motion to dismiss this investigation rests largely on the argument that congestion at Washington National Airport has been contained and that increases in passenger levels can be accommodated under existing controls by increases in passenger facilities constructed by the air carriers. Specifically the motion states that public areas have been increased by 44% since the investigation began while passenger levels have increased only 10%. This argument will be difficult to

sustain in the face of a decision that is almost certain to increase passenger levels by an additional 31% and produces a potential for an increase of almost 60%.

"The motion also states that there has been substantial improvement in parking facilities but admits that there is still a problem in parking capacity. This problem will be dramatically compounded as a result of the stretch 727 decision at least until such time as additional capacity can be constructed. Unmentioned in the motion but equally important (perhaps even more important) is the capacity of the interior roadways to keep airport ground traffic moving to and from the terminal building without interference with Mount Vernon Parkway. This problem will also be dramatically compounded by the decision at least until planned improvements to the roadway system are in place.

"The motion further states that the long-range answer to congestion at Washington National Airport is ownership of the area's three airports by a single enterprise. As indicated earlier, Departmental efforts to organize such an enterprise may be jeopardized by the stretch 727 decision and its depressing effect on the growth of Friendship International Airport."

The conclusions of the Bureau study, a copy of which is enclosed, were paralleled by a second study conducted independently by the FAA's Office of Aviation Economics. Both studies warned that introduction of the stretch jet at National could reverse passenger trends and return National to the chaotic conditions which existed in the summer of 1966. I believe these studies alone justify the CAB's reopening of its investigation, but, in addition, other information bearing on the airport situation is now available.

One such report is the FAA's own ten-year forecast of passenger traffic at the three major Washington airports. Since the advent of Boeing 727–200's at National, the FAA has substantially changed its figures from what was predicted only a year earlier. Despite the fact that the overall number of passengers will decline from 44 to 41 million, National Airport will increase its share of the market from 35.7 to 40.4 percent and its number of passengers from 16 million to 16.6 million. On the other hand, the changed figures show Friendship losing more than 3 million passengers from what had previously been forecast and Dulles more than a million passengers. As I note in my enclosed statement, the only new factor which has occurred to explain the differential impact on the airports is the introduction of stretch jets at National.

The significance of stretch jets at National goes beyond mere numbers of passengers to the kind of role National Airport will play. As you know, there is now a 650-mile limit on flights at National, excepting a small number of longer flights under a grandfather provision. What has not been generally recognized, however, is that this 650-mile limit applies only to non-stop travel and that a very large number of flights at National terminate at cities much further away after first stopping at Chicago or St. Louis. I am enclosing a study which documents this situation and explains the importance of the large stretch jets in maintaining National's long haul business.

It is clear from this report that National Airport today offers superior and, in some cases, the only service to a number of cities outside the 650-mile limit which should be served from Dulles or Friendship. It is apparent that this service has detracted from the growth which was expected for Dulles and Friendship as long haul airports of the region, and that the Boeing 727–200 will greatly expand the capacity of the air carriers to continue long haul service from National.

I believe the CAB has a particular responsibility in this matter since the scheduling of long range flights from National deprives travelers in this area of non-stop service to the same cities from Dulles or Friendship and circumvents the recognized role that National has to play. Also, in direct contradiction to the claim that congestion at National Airport "is a thing of the past," I am enclosing two memoranda concerning the harmful impact that stretch jets will have on the capacity of National's roadways and parking facilities. This material has not previously been made public.

The CAB itself has found that National Airport is overused to the inconvenience of travelers. In its "Congressional Airport Congestion Study" (December 1970), it is stated on page DCA–1 of Appendix A that "The annual operations during 1969 totaled 337,084. The practical annual capacity for Washington is 295,000 operations." Thus, by CAB's own data the airport is overtaxed to the extent of more than 42,000 operations a year.

As a result of such misuse of the airport, passengers suffered an average delay of 17 minutes per flight according to the CAB study which went on to rank National tenth in airline delays for calendar year 1969 out of a total of 251 airports receiving scheduled air carrier service.

The Air Transport Association has testified in Congress that all the air carriers serving this region favor the use of stretch jets at National Airport. I know this not to be the case and I am enclosing for your information a letter from the President of Delta Air Lines specifically objecting to the policy change. Other air carriers, especially commuter lines which have been crowded out of National also object to the new policy.

I recognize that the CAB did not and could not take account of the Boeing 727–200 in deciding to terminate the Washington/Baltimore Airports investigation. However, given the information that is now available on the subject, all pointing to a serious misuse of the area's airport resources, I believe the Board has a responsibility to reopen its investigation and to hold prompt hearings. I want to urge you in the strongest possible terms to initiate such action.

I would hope that this investigation will result in a rethinking of the CAB policy with regard to certifying air carrier service to this area on a regional rather than on an airport basis. The FAA has testified that even if it wanted to it has no power to order the air carriers to make better use of Dulles. That can only be accomplished through CAB action to certify air carrier service to a particular airport or otherwise to specifically limit the use of National.

I stand ready to provide the Board with any additional information that I may have and which may assist it in pursuing this matter. I look forward to hearing from you in the very near future.

Sincerely,

WILLIAM B. SPONG, Jr.

ENCLOSURE I

On 9 April 1970 operations with B727–200 aircraft began at DCA on a nonscheduled basis. On 1 May 1970 scheduled operations began with six daily flights by American Airlines, two of which flew on Chicago service.

Since that time there has been a steady replacement of 200's in Chicago service and, in addition, flights have been added in this market. As of 1 April 1970 there were 61 flights between Chicago and the Washington area airports, 40 operating out of DCA. On 25 October 1970 there were 65 flights to and from Chicago, an increase of five at DCA and one at IAD. The loss of two flights at BAL resulted in the net increase of four schedules per day.

The increase in flights at DCA has resulted in an annual increase of 358,795 seats in the DCA/CHI market due mainly to the substitution of the larger equipment. Of the 45 current schedules at DCA, 18, or 45%, operate with B727–200's.

Of the 65 daily scheduled operations between Chicago and the Washington area airports, 45, or 69%, of these originate or terminate at Washington National Airport; 15, or 23%, at Friendship International Airport, and only 5, or 8%, at Dulles International Airport, including one which is inbound only. Thirty-seven of these operations at DCA use O'Hare International Airport at Chicago with only eight using Midway.

Of the 45 operations scheduled at DCA, only 13 originate or terminate in Chicago. The remaining 32 originate from or terminate at points beyond Chicago which are well out of the 650-mile perimeter established as the area which DCA will serve as a short-haul, commuter airport.

It therefore appears that service from DCA to Chicago, particularly to O'Hare, is being widely used to accommodate long-range operations which should really be handled at either Dulles or Friendship.

Examination of through plane operations between Washington and a number of cities outside of the 650-mile perimeter shows that DCA is often the best or the only way to go.

For example, six of the seven flights between Albuquerque and the Washington area originate or terminate at DCA. Five of the six flights are via Chicago, and the other is via St. Louis. Service to Des Moines bears the same 6:1 ratio with four of the six at DCA operating via Chicago. The four area flights to Omaha are all at DCA, with three of them operating via Chicago. Reno, Spokane, and San Jose have service *only* from DCA. There are five area flights to and from Tucson, three of which operate out of DCA through the Chicago gateway. Of the ten flights to Phoenix, six are out of DCA and of these six, four operate via Chicago. One round trip per day operates between DCA and El Paso with B727–200 equipment via Chicago. The only other El Paso service is an arrival at Dulles. This round trip has extremely high load factors, averaging in the upper eighties.

Service to the aforementioned cities is better at DCA than the other area airports and the bulk of it operates via Chicago. Service to Oklahoma City is equally divided, five from DCA and five from the other two airports. Three of the five from DCA operate via Chicago. Service to and from Salt Lake City is composed of two at DCA and three at the other area airports. Both of the flights at DCA operate via Chicago.

No nonstop service is available from the Washington area to any of the above cities.

This analysis includes flights to and from St. Louis which serve the same markets beyond the perimeter. Of the 14 flights to and from St. Louis, ten operate out of DCA. Of these flights, three operate beyond the St. Louis gateway.

Total B727–200 schedules at DCA as of 25 October 1970 show the following relationship:

[In percent]	
To and from Chicago (25.5)	18
To and from St. Louis (4.4)	3
All other (69.1)	47
Total (100.0)	68

NUMBERS OF FLIGHTS—BOTH DIRECTIONS

	DCA				BAL/IAD			
	Via Chicago	Via St. Louis	Via other	Total DCA(—200)	Nonstop	Other	Total	Total flights
San Antonio	2			2 (1)		10	10	12
Salt Lake City	2			2 (2)		3	3	5
Dallas	5		6	11 (5)	20	1	21	32
El Paso	2			2 (2)		1	1	3
Oklahoma City	3		2	5 (2)		5	5	10
Tulsa	1		2	3 (1)	2	3	5	8
Tucson	3			3 (1)		2	2	5
Albuquerque	5	1		6 (2)		1	1	7
Phoenix	4	1	1	6 (2)	2	2	4	10
Las Vegas	1	1		2 (1)		5	5	7
Kansas City	2	2	2	6 (2)	4	4	8	14
Des Moines	4		2	6		1	1	7
Omaha	3		1	4 (1)				4
Denver	2			2 (1)	11	1	12	14
Reno	1			1				1
San Diego	1			1	4	2	6	7
Spokane	1		3	4 (2)				4
San Jose	1			1				1

Enclosure II

EFFECT OF ADMITTING THE 727–200 ON THE ROAD SYSTEM AT WASHINGTON NATIONAL AIRPORT

The dominant feature of the Washington National Airport internal road system is the rotary in front of the main terminal building. From a survey in late 1967, when the yearly passenger volume was approximately 8.5 million, it was concluded from observation that the capacity of the rotary was in the range of 1700 to 1800 vehicles per hour. At that time, this capacity was frequently reached during the evening peaks on Thursdays and Fridays and was evidenced by the backing up of traffic beyond the rotary. During this survey period, the average daily traffic entering and leaving the airport was 50,000 vehicles.

While a slight increase in the rotary capacity is theoretically possible through forcing it to accept a higher demand such an increase would be self defeating and would result in very significant delays caused by disruption of the traffic flow pattern with attendant "jam ups."

With the current yearly passenger volume of 10 million, we estimate that the daily traffic entering and leaving the airport has increased to about 60,000 vehicles. The adverse effect of this increased demand on the rotary is becoming increasingly obvious. The backups during the evening peaks on Thursdays and Fridays are now more frequent and pronounced and of longer duration. These backups are also now quite frequent during the evening peaks on Mondays through Wednesdays.

The possible increase in traffic to 13 million passengers per year by admitting the 727–200 would increase the daily traffic entering and leaving the airport to about 75,000 vehicles. This could only tend to aggravate the present traffic problem by causing longer delays and more frequent tie-ups and would produce a peak demand on the rotary 50% over its practical capability.

The capacity of the airport road system is largely a matter of circulation dictated by the existing layout and available parking and is one of the most critical problems at Washington National. It is at present seriously deficient—any increase in passenger volume will immediately add to this inadequacy.

Enclosure III

EFFECT OF ADMITTING THE 727–200 ON AVAILABLE PUBLIC PARKING AT WASHINGTON NATIONAL AIRPORT

For some years there has been an acute deficiency in parking at Washington National Airport. In 1965, this problem was one of the most serious matters facing the Bureau. At that time, the 1515 public parking spaces provided 240 spaces per million passengers yearly. By 1968, we had increased the public parking spaces to 2885 and were providing 335 spaces per million passengers yearly. This ratio provided a very marginal capacity to meet demand, and from the observed pattern at National any lesser provision would place the airport in a serious deficiency posture. Since 1968, public parking capacity has increased to 3446 spaces and for the first time in many years, we do not have a deficiency although other problems have developed because of remoteness of some of these lots. Based on the above ratio of 335, we estimate that the present parking capacity could handle a yearly traffic volume of about 11½ million before the problem again reached crisis proportions. Since admitting the 727–200 could rapidly advance the yearly passenger volume to 13 million, this change in parking could have very serious consequences on parking capacity.

We have literally paved every conceivable piece of remaining land at Washington National Airport. The only remaining way to increase parking capacity is by building multi-deck structures which is only appropriate through modernization.

From a survey conducted by the Bureau of other airports, it was concluded that a minimum requirement for public parking should be on the order of 500 spaces per million passengers yearly. Kling in the Master Plan Report for National Airport recommended a ratio of 460. We are certain that the increased passenger potential of the 727–200 will quickly "eat-up" the slight excess in public parking that we presently enjoy.

Enclosure IV

DELTA AIR LINES, INC.,
Atlanta, Ga., July 23, 1970.

Mr. J. H. SHAFFER,
Administrator, Federal Aviation Administration, Washington, D.C.

DEAR JACK: Thank you very much for your letter of July 2, 1970. Although Delta does not operate 727–200 equipment, we are very much concerned about the possible relaxation of restrictions permitting the use of 727–200 aircraft into National Airport.

We certainly agree that during periods of interrupted service, such as the recent controller sickout, there is a need to maximize the number of seats available on every operation. Once such a period is past, however, we are not able to reconcile the continued use of 727–200 equipment in view of the Department's announced policy to avoid overloading the National facilities and cultivating the growth of Friendship and Dulles.

It appears that continued operation of the 727–200 will serve only to increase the number of seats per operation and will result in pulling traffic away from the two area airports into a more congested National Airport. This new analysis appears to be in conflict with the Department's announced long-range objective and it is also a discrimination against four-engine aircraft of the CV880 type (the 727–200 operates nominally at ⅓ more passenger load than the CV880).

Although we do not propose to request CV880 authorization to serve National at this time, we regret to see the diminution of growth at Dulles and Friendship. Further, we believe that aircraft of the DC–9, B–737, and B–727–100 type are adequate to meet the public needs in the area lying within the present service patterns.

We take the position that continuation of 727–200 service at National is not in the best interest of National Airport or the other airports in the area. We do not believe that airport and terminal improvements warrant a relaxation of the originally-agreed criteria for operation into National.

Sincerely,

TOM.

STATEMENT BY SENATOR WILLIAM B. SPONG, JR.

Mr. President, a few weeks ago, the Federal Aviation Administration issued its annual 10-year forecast of passenger traffic at the three major Washington area airports—Washington National, Dulles International and Baltimore Friendship.

The accompanying press release notes with satisfaction that both Dulles and Friendship will register healthy gains during the period. But what the FAA has not told the public either in its report or in its press handouts is that these figures are significantly changed from what was forecast only a year earlier and that the change is all in the direction of a greater share of the market for National.

Thus, last year, it was forecast that National would have a 35.7 percent share by 1981. This year, the figure has been raised to 40.4 percent, an increase of almost five percent or some 2 million passengers. Corresponding downward revisions have been made in the percentage forecast for Dulles and Friendship. Where Friendship last year was expected to have 35.7 percent of the market, this year the forecast has dropped to 31.4 percent. Dulles' share declines from 28.6 to 28.2 percent.

Mr. President, these figures represent percentage shares of the passenger market and not absolute numbers. As such, they are not affected by general economic slowdowns and slumps in airline business, but by conscious decisions on the part of the FAA on how to make use of the region's airport resources.

Even, so, a look at the actual numbers of passengers expected to use the three facilities confirms that National will be playing a larger role and Dulles and Friendship a smaller role than was forecast a year ago. Notwithstanding a downward revision in the total number of passengers involved from 44.8 to 41.0 million, National airport's expected share increases from 16 to 16.6 million. The other two airports, it seems, not only will bear the full brunt of the overall slowdown but also lose established business to National. Thus, the number of passengers at Dulles declines from the 12.8 million forecast last year to 11.6 million in this year's report. Friendship suffers an even greater loss from 16 million to 12.8 million. All of this, again, while National is recording an increase of 600,000.

Mr. President, this substantial but unannounced revision in FAA forecasts can only be explained by the presence of some new factor in the region's airport picture which was not there a year ago. And the only significant new factor of which I have knowledge is the FAA's decision to permit stretch jets to use National airport.

That decision was made despite warnings from the FAA's own airport managers that the larger stretch jets would "change the entire pattern of growth of aeronautical activity in the Washington metropolitan area" and "substantially alter the prospects for growth of Dulles and Friendship." The revisions in the FAA forecasts which I have cited indicate that that is exactly what is happening.

Mr. President, this is not the first time

the FAA has adjusted its forecasts of market allocation for the airports to take account of decisions it has made in favor of greater use of National. In 1959, for instance, the FAA concluded that by 1975 Dulles should have 45.8 percent of the region's passenger traffic, National 33.9 percent and Friendship 20.3 percent. It was on that basis and with the expectation that Dulles would become the major jet port of the region relieving congestion at National, that Congress appropriated the money to build the new facility. Over the years, however, the FAA has adjusted its forecasts to compensate for such changes as its 1966 decision to allow jets to use National. The result is that today the predicted distribution of traffic for the same year is Dulles 20.5 percent (less than half of the original forecast), National 53.5 percent and Friendship 26.0 percent.

All of this tampering with the forecasts has permitted the FAA to maintain the clumsy fiction that "Dulles' development is right on schedule." I fully expect that a year from now the FAA will trot out the same argument in answer to those who opposed the stretch jet decision as harmful to Dulles. Dulles will be shown to be right in line with forecasts. What won't be mentioned is that those forecasts themselves have been altered to fit the situation the FAA has created.

Mr. President, despite all the denials by the FAA that the use of stretch jets at National would in any way affect Dulles and Friendship, the fact remains that the FAA itself has quietly and without explanation changed its forecasts to reflect a significant change in "the pattern of growth of aeronautical activity in the Washington metropolitan area."

[From the CONGRESSIONAL RECORD, May 28, 1970]

STRETCH JETS AT NATIONAL AIRPORT

Mr. SPONG. Mr. President, contrary to every assurance it has given the public and Members of the Congress, the Federal Aviation Administration is now permitting larger jets to operate at Washington National Airport.

That abrupt decision came only 2 weeks after I was informed by FAA Administrator John Shaffer that there were no immediate plans to change the longstanding policy and that the odds were 99 to 1 against it ever being changed.

Only a few months before that, FAA representatives testified at hearings of the Senate District of Columbia Committee that the large stretch jets and air buses would continue to be excluded from the airport.

When I first brought this matter to the attention of the Senate on April 27, my chief concern was over the way in which the Congress and the public had been misled. And I have found little to dissuade me from that view in the Administrator's explanation that "no decision is immutable."

Since making that speech, however, I have had the opportunity to look further into this decision and learn that not only was it contrary to assurances given the Congress but it was also against the strongest recommendation of the FAA's own staff of experts.

Those recommendations are contained in a study prepared by senior budget officials of the National Capital Airports Bureau which is charged with operating National and Dulles Airports for the FAA. I obtained a draft copy of the study from the General Accounting Office, but have since received a copy of the revised study which was approved by the Bureau chief and transmitted to the FAA Administrator on January 21, 1970.

At the close of my remarks, I will ask that the revised study be printed in its entirety, but at this time, I would like to read certain excerpts which will give the Members of the Senate some idea of the nature and strength of the objections posed by those whose sole job is to operate these Federal airports in the public interest.

After estimating the value of the decision to the airlines at between $40 and $120 million with a potential for pure profit of 50 percent, the study observes:

"If the decision to admit the stretch 727 to DCA (National) has already been made and is irrevocable, the price we extract from the benefiting air carriers in return for this decision must be based, in our judgment, not only on the substantial financial gain they can realize from that decision but also on the substantial loss the Government and its stockholders, the taxpayers, stand to suffer as a result of the decision."

The study continues:

"As we see it, that loss is immeasurable because the decision will change the entire pattern of growth of aeronautical activity in the Washington metropolitan area, seriously compromising the Bureau's and FAA's ability to carry out responsibility for fostering the growth of Dulles International Airport and damaging the future of Friendship International Airport to an extent which will certainly jeopardize, if not foreclose, prospects for a regional airport system."

Mr. President, Dulles International Airport was built in 1962 at a cost to the taxpayers of $110 million. Since that time, the airport has operated at a deficit totaling about $50 million, principally because the FAA has not established meaningful limits on the use of National Airport. So long as the air carriers can continue to crowd more and more passengers into that facility and so long as the FAA continues to bend every restriction to make it possible, Dulles will continue to be underutilized and the taxpayer of this country will continue to pay the bill.

The Bureau study made this clear to the Administrator:

"The hard, cold facts are that the stretch 727 cannot be employed profitably at DCA (National) without substantially altering the prospects for growth of Dulles and Friendship. The Bureau and the FAA have a responsibility to foster the operation of Dulles as a successful airport serving the public interest. The taxpayers have a right to expect that it will fulfill that role. Economic self-sufficiency for Dulles, even if it could be totally achieved as a price for increased use of DCA (National) will not serve that right or fulfill that duty. Moreover there is every reason to believe that financial self-sufficiency for Dulles cannot be attained as the price for this decision."

Mr. President, it is incredible that in the face of this clear statement of the cost to the taxpayer and the harm to the public interest this decision would ever have been made. It would be even more incredible now that the facts are known if the decision were allowed to stand.

As this study makes clear, the large stretch jet is only the camel's nose under the tent for the even larger air buses which will be coming into operation in late 1971 or 1972. These three-engine aircraft are capable of carrying anywhere from 250 to 400 passengers and of using National Airport runways.

The same rationale which has been offered for the introduction of the stretch jet; namely, that the airlines must be allowed to make flexible use of the equipment they have in service, can be used to justify the introduction of the air bus when that time comes. But the result will be unlimited expansion of National Airport from the present 10 million passengers a year to as many as 30 or 35 million, and the continued waste of the enormous public investment in Dulles Airport.

Mr. President, I want to make it clear that I believe National Airport has an important role to play in meeting the air transportation needs of this region, but I do not believe it serves the interests of the taxpayers of this country or of the residents of this area to allow it to grow without limit and without concern for the impact on the other airports in the region. Certainly, it is not in the public interest to take an action which is clearly going to jeopardize the future growth of the publicly supported Dulles Airport.

I have no objection if the FAA wishes to give further study to the feasibility of allowing stretch jets to operate at National. But, given the weight of evidence and expert opinion now available, it is unconscionable to allow those jets to operate pending such further study. In fact, what would have to be proved under those circumstances is a negative proposition of sorts. It would have to be shown that had the decision not been made, Dulles and Friendship might have grown at a more rapid rate. This, I submit, is all but impossible.

The only resolution of this question is to remove the stretch jets first. Then studies can continue for as long as the FAA likes. But, if the jets are ultimately allowed back, the FAA should establish firm conditions which would assure that their operation will not injure the growth of Dulles and Friendship or lead to a substantial enlargement of National.

Mr. President, on the same day that I was informing the Senate of the FAA decision to keep stretch jets at National, the Civil Aeronautics Board issued an order discontinuing its long-delayed investigation of congestion at National Airport. Principal among the reasons cited for that action was the contention of the Department of Transportation and the FAA that the problem had been resolved.

The study to which I have been referring makes it clear, however, that the introduction of stretch jets changes all of that and is inconsistent with the position being taken by the Department for dismissal of CAB's Washington/Baltimore airport investigation.

Mr. President, I recognize that the Administrator is free to disregard the views of his subordinates no matter how expert they may be when making a policy decision of this kind. But he cannot disregard his responsibility to the public and the Congress to justify the action which he takes.

The Bureau study I have mentioned is only one of three studies that I know of on this subject.

A second FAA study sent to me by the Administrator warns that the introduction of the 727-200 could reverse passenger trends at National and return that facility to the chaotic conditions which existed in the summer of 1966.

The third study which was carried out by the National Capital Planning Commission also strongly urges that stretch jets and other larger aircraft continue to be prohibited at National.

Mr. President, again, I find it incredible that the FAA would make the decision it has in the face of this overwhelming opposition to it by the FAA's own top staff and by other experts in the field. This is a matter which I believe should concern every Senator.

I ask unanimous consent to insert in the RECORD a study which was prepared by the Bureau of National Capital Airports and transmitted to the Administrator of the FAA on January 21, 1970.

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

ADMISSION OF THE STRETCH 727 TO WASHINGTON NATIONAL AIRPORT

Admission of the stretch 727 to Washington National Airport can and probably will change the entire pattern of growth of aeronautical activity in the Washington metropolitan area.

The aircraft is 20 feet longer than any aircraft now used at the airport and on the average weighs 11,000 more pounds and has 31 more seats. Nine of the 12 carriers now

using DCA already have the aircraft in their fleets or on order. Exhibit A shows that full use of the aircraft by seven of the trunk carriers serving the airport could increase daily seating capacity by almost 16,000 or 30% and annual seating capacity from 18.3 million to almost 24.2 million or by more than 5.8 million. Assuming continuance of the current load factor at DCA of 56%, the passenger volume would increase from 10.2 million to 13.6 million annually. Under present restrictions, this is roughly the equivalent of adding 192 operations daily, an increase of 31% over current levels.

(A) POTENTIAL PROFIT FOR AFFECTED AIRLINES

Although this is a theoretical and ultimate potential which may never be fully realized and will not materialize overnight, it represents a rich market opportunity for some of the air carriers. They can be counted on to push hard for full exploitation of this chance to use Washington National Airport to offset losses that are occurring elsewhere in their systems. It is estimated (very roughly) that this decision offers a potential increase of around $120 million in annual gross revenues to the airlines involved. It appears that at least 50% of this potential or $60 million would be pure profit since the marginal revenues to be realized from use of the stretch 727 far exceed the marginal costs of using the aircraft to replace existing equipment. It is important to note, however, that this potential gain to individual carriers is not all new business for the Washington/Baltimore area. Much of it, perhaps the bulk, will be generated by diversion of passengers from the service of other carriers at DCA or from service at Dulles and Friendship. Because of the lack of data and time for study, this estimate of the potential financial impact of the 727-200 is at best rough and loose. The order of magnitude, however, clearly spells bonanza to some of the airlines and presents a fertile avenue for cutting down system-wide losses.

(B) PROBABLE PROFIT FOR AFFECTED AIRLINES

Proceeding from this theoretical picture of potential and ultimate gain to a hard-nosed, practical assessment of probable impact, Exhibit B shows a probable capacity increase for the seven major airlines involved of almost 5,000 seats daily or 1.8 million seats annually. On the basis of the current 56% load factor this means 1 million additional passengers at DCA annually. At an average ticket value of $40, this 10% increase in production for affected carriers would increase their annual gross revenues by some $40 million with the profit increase estimated conservatively at $20 million. (It is impossible to estimate the extent to which this profit potential would be offset for the benefitting carriers by losses on competing service they themselves may maintain at Dulles and Friendship. This effect is therefore discounted in the discussion that follows but should not be overlooked.)

Based on the best estimates it is possible to produce under the circumstances, it therefore appears that admitting the stretch 727 to DCA is probably worth $40 million to the air carriers involved with a potential worth of up to $120 million. The potential for profit would seem to range from a probable minimum of $20 million to a potential of about $60 million. Rough as these estimates are they establish that the benefitting carriers should be willing to make substantial concessions to the Government in return for permission to use the stretch 727 in their operations at DCA.

(C) AFFECT ON OTHER AIRPORTS AND OTHER AIRLINES

Once this bonanza has been uncovered and its allure disclosed in all its glitter, it is extremely important to recognize that all that glitters is by no means good to all of the airlines serving the Washington metropolitan area. By the same token, the Bureau and FAA should take a long, hard, practical look at the dross that is necessary to produce the glitter before responding to its allure. If the decision to admit the stretch 727 to DCA has already been made and is irrevocable, the price we extract from the benefitting air carriers in return for this decision must be based, in our judgment, not only on the substantial financial gain they can realize from that decision but also on the substantial loss the Government and its stockholders, the taxpayers, stand to suffer as a result of the decision.

Affect on area growth pattern

As we see it, that loss is immeasurable because the decision will change the entire pattern of growth of aeronautical activity in the Washington metropolitan area, seriously compromising the Bureau's and FAA's ability to carry out responsibility for fostering the growth of Dulles International Airport and damaging the future of Friendship International Airport to an extent which will certainly jeopardize, if not foreclose, prospects for a regional airport system. This is a big price to pay for additional revenues even if the benefitting air carriers could be persuaded to accept fee and rate adjustments that would put the Bureau's airports totally in the black.

The hard, cold facts are that the stretch 727 cannot be employed profitably at DCA without substantially altering the prospects for growth of Dulles and Friendship. Under present circumstances, the critical point in the growth of Dulles will occur when restrictions at DCA force transfer of significant service, particularly Chicago service, from DCA to IAD. In our judgment, that day is not far off now. (On our busiest day of last year, the Sunday following Thanksgiving, only 7,160 of 57,183 seats going through the airport were not used by local passengers. During the peak hour only 299 of 4,589 seats were not used by local passengers. The airline load factor for the day (including through passengers) was almost certainly close to 100%.) But the decision to admit the stretch 727 to DCA (possibly setting the precedent for the even larger air bus) will postpone that day indefinitely. The Bureau and FAA have a responsibility to foster the operation of Dulles as a successful airport serving the public interest. The taxpayers have a right to expect that it will fulfill that role. Economic self-sufficiency for Dulles, even if it could be totally achieved as a price for increased use of DCA, will not serve that right or fulfill that duty. Moreover there is every reason to believe that financial self-sufficiency for Dulles cannot be attained as the price for this decision.

Conflict with motion to dismiss CAB investigation

The decision is also inconsistent with the position being taken by the Department for dismissal of CAB's Washington/Baltimore Airport Investigation. The draft motion to dismiss this investigation rests largely on the argument that congestion at Washington National Airport has been contained and that increases in passenger levels can be accommodated under existing controls by increases in passenger facilities constructed by the air carriers. Specifically the motion states that public areas have been increased by 44% since the investigation began while passenger levels have increased only 10%. This argument will be difficult to sustain in the face of a decision that is almost certain to increase passenger levels by an additional 31% and produces a potential for an increase of almost 60%.

The motion also states that there has been substantial improvement in parking facilities but admits that there is still a problem in parking capacity. This problem will be dramatically compounded as a result of the stretch 727 decision at least until such time as additional capacity can be constructed. Unmentioned in the motion but equally important (perhaps even more important) is the capacity of the interior roadways to keep airport ground traffic moving to and from the terminal building without interference with Mount Vernon Parkway. This problem will also be dramatically compounded by the decision at least until planned improvements to the roadway system are in place.

The motion further states that the long-range answer to congestion at Washington National Airport is ownership of the area's three airports by a single enterprise. As indicated earlier, Departmental efforts to organize such an enterprise may be jeopardized by the stretch 727 decision and its depressing effect on the growth of Friendship International Airport.

Probable opposition of other airlines

The decision to admit the stretch 727 will not be popular with all of the air carriers serving the Washington metropolitan area. It will in fact be bitterly opposed by some of them and any attempt to negotiate adjustments of rates, fees and contractual commitments on an overall basis will inevitably be complicated if not totally frustrated by this fact. Although a majority of the 12 air carriers serving DCA stand to benefit substantially from using the stretch 727 at that airport, the majority of the carriers at Dulles do not. In fact some of them stand to suffer substantial losses as a result of this decision.

Nine of the 14 carriers serving Dulles either do not own the stretch 727 or do not operate out of DCA. In fact it is clear that nine of the 18 carriers serving our two airports are not interested in using the stretch 727 at DCA and some of these will vigorously oppose its use there because it presents the prospect of indomitable competition to service they are furnishing from Dulles and Friendship. All nine of these carriers can be counted on to resist any changes in the IAD contract and fee structure that we might propose as a price for admission of the stretch 727 to DCA. Since the fee structures of the two airports are inextricably interwoven, this will make it extremely difficult, if not impossible, to achieve adjustments which would permit us to share, in any real measure, the financial bonanza that this decision offers to about one-half of our airline customers. It would also put us generally on the side of those who have ignored our exhortations to use Dulles against those who have genuinely tried to promote growth of that airport.

(D) AFFECT ON FAA BARGAINING POSITION

Aside from this pessimistic assessment of our ability to negotiate a realistic "payment" for the decision itself because of opposition from our Dulles customers, it also appears that the decision gives away the substantial bargaining leverage that it could have represented in ensuring that the airline investment in modernizing DCA serves the public interest and follows an orderly pattern established by the Bureau. This leaves admission of other larger aircraft, such as the air bus, as our only trump card from a bargaining point of view—and a weak one at that since the decision on the stretch 727 will inevitably be regarded as having already established the precedent not only by the air carriers but also by those—from congressmen to civic associations—who we have assured repeatedly that we will not remove our finger from the dike.

EXHIBIT A.—DCA B 727-200 REPLACEMENTS, POTENTIAL CAPACITY INCREASE

	Daily seats				
	B-727	B-737	DC-9	BAC-111 or CVL	Total
AA-seats scheduled December 1969	5,428			1,430	6,858
Seats available w/727-200	7,198			2,684	9,882
Increase	1,770			1,254	3,024
EA-seats scheduled	2,156		(A/S 4,708) 10,704 (A/S 5,808)		12,860
Seats available w/727-200	2,904		15,312		18,216
Increase	748		4,608 (A/S 1,100)		5,356
NA-seats scheduled December 1969	5,670				5,670
Seats available w/727-200	7,290				7,290
Increase	1,620				1,620
NE-seats scheduled December 1969	420		1,260		1,680
Seats available w/727-200	544		1,904		2,448
Increase	124		644		768
NW-seats scheduled December 1969	3,906				3,906
Seats available w/727-200	5,124				5,124
Increase	1,218				1,218
TW-seats scheduled December 1969	930		900		1,830
Seats available w/727-200	1,250		1,500		2,750
Increase	320		600		920
UA-seats scheduled December 1969	3,840	4,732		256	8,828
Seats available w/727-200	5,000	6,396		492	11,888
Increase	1,160	1,664		236	3,060
Total increase, daily	6,960	1,664	5,852	1,490	15,966
Equivalent fits./day	74	18	78	22	192
Annual increase (×365)	2,540,400	607,360	2,135,980	543,850	5,827,590

EXHIBIT B—DCA B 727-200 REPLACEMENTS PROBABLE CAPACITY INCREASE

	BAC-111	DC-9	B-100	B-737	-200
AA	-22		-18		+40
NW			-12		+12
TW		-1	-9		+10
NE			-2		+2
NA			-18		+18
UA			-22	-2	+24
EA			-22	-6	+28
	-22	-23	-87	-2	+134
Seats	×65	×88	×98	×91	×128
Total	-1,430	-2,024	-8,526	-182	+17,152
			-12,162		

Note: Net change in seats per day +4,900.

Highlight summary

Admission of the stretch 727 to Washington National Airport can and probably will change the entire pattern of growth of aeronautical activity in the Washington metropolitan area.

The hard, cold facts are that the stretch 727 cannot be employed profitably at DCA without substantially altering the prospects for growth of Dulles and Friendship.

For the seven major airlines now having stretch 727's, large profit potentials are available, but nine of the 18 carriers serving our two airports are not interested in using the stretch 727 at National and some of these will vigorously oppose its use there. The addition of the stretch 727 is inconsistent with the DOT motion for dismissal for CAB's Washington/Baltimore airport investigation.

Since Friendship Airport would be severely affected, the Department's efforts to achieve a three airport organization would be seriously jeopardized.

Mr. KENNEDY. Mr. President, would the Senator yield at that point for a question?

Mr. SPONG. I yield.

Mr. KENNEDY. Mr. President, I was wondering, since I know that the Senator has given a good deal of attention to the whole problem, whether he noticed that change in the regulations affecting National Airport in terms of night flights of the jets coming into National Airport.

One of the things that I thought made a great deal of sense was the restriction on jets into National Airport between 10 o'clock at night and 7 o'clock in the morning. They permit turbine jets to land there, but because of the noise factor in a heavily populated area, there had been restrictions, as I understand it, on jets landing at National Airport.

The result was that Dulles was utilized for night flights from the West and from the Northeast. I know that jets coming from the Northeast would land at Dulles at night.

I notice that in the course of the last few weeks, since the time of the FAA strike, there was some relaxation of those rules and regulations and that now there has been a noticeable increase in the number of jets that have been arriving at National Airport in the night. And there is a considerable noise factor involved along these patterns.

I was wondering if this was of some concern to the Senator's constituents in northern Virginia. I know that it is a frequent source of complaint on the part of many of the people up in the Northeast, and in the Boston area, particularly in the summer when many people who live in the surrounding areas of these airports open their doors and windows because of the heat. The increasing noise factor is a serious inconvenience.

I notice that there has been this apparent alteration or change. And I was wondering if this had been brought to the attention of the Senator and if this is a matter of interest to him.

Mr. SPONG. It is a matter of interest. It has been brought to my attention.

Two things took place insofar as the operation of National is concerned. They sought to limit the number of flights coming into National. And they imposed, as the Senator has said, a curfew. Since the slowdown took place, they have brought the stretch jets in, and used the slowdown as an excuse for doing this. But they also relaxed the curfew.

I received a letter from Mr. Shaffer on April 22, 1970, on this subject. In the last paragraph of that letter—and I believe that has been introduced into the record of the hearings—he said that the airlines would be advised immediately to reimpose the curfew. At the hearings last week, I made public the regulation presently in existence which allows jets to come into National an hour or so later than they had been previously allowed to do. This regulation was posted after I received this letter saying that the curfew would be reimposed.

I think it is a matter of concern. I do not know the situation as of yesterday, but as of last week, contrary to the letter saying that the curfew would be reimposed, the regulations at National were such that the jets could come in later than they had been allowed to come in previously.

I am pleased that the Senator from Massachusetts has mentioned this. I do not believe this should be allowed to continue and particularly at this time of the year, in view of the noise and other factors that are troublesome not only for the citizens of northern Virginia but also for the residents of the District and those of Maryland.

Mr. KENNEDY. Mr. President, it is my understanding that there has been a relaxation of the previous restrictions. I am particularly interested as the chairman of the Subcommittee on Administrative Practice and Procedure, because we have within our jurisdiction the reviewing of the various administrative agencies and their rulemaking powers.

And it is always a matter of concern to the citizens of northern Virginia, as well as the citizens of any of the other areas, when regulatory agencies promulgate regulations without any serious effort to try to obtain the input of the public reaction to the rules and changes. This does cause concern among people and a further alienation from Government agencies and Government generally.

I am very much interested in determining whether there have been such changes, as I understand there have been. I am very interested as the chairman of the Subcommittee on Administrative Practices and Procedures in seeing what steps the FAA has taken to try to elicit whether there is any public reaction among the citizens or whether this is an arbitrary change made at the instance of the airlines without determining any kind of public reaction.

Mr. SPONG. Mr. President, I would say to the distinguished Senator from Massachusetts that this was a decision made without consultation with any public groups or public body and against—and this is the mendations of three different study groups with regard to the airport.

This situation is further compounded because Dulles Airport and National Airport are the only two airports in the United States which have no connection with a local public body.

The Federal Government, it seems to me, has a much stronger obligation because of this fact.

Mr. KENNEDY. The Senator is correct.

Mr. SPONG. We operate these airports, and

it would seem to me that in the absence of any regional groups such as there would be, for example, in the Boston area and in many other areas where there would be an opportunity for the people to make their views known about changes in the operations of these airports, the Federal Government should especially listen to the public.

We do not have anything like that. And it seems to me that not having it, the FAA or any other Federal regulatory agency charged with an operation such as this has a greater responsibility than normally.

I will see that the Senator from Massachusetts receives all of the hearings in connection with this matter. This has been going on for 18 months, and everything that we have been told was not going to happen has happened. And there has not been any opportunity for the citizens to come in and discuss the matter.

Mr. KENNEDY. Mr. President, I am particularly appreciative that the Senator from Virginia has brought this matter to the attention of the Senate.

I assure the Senator that our subcommittee will go into this matter in detail and will come to grips with the problem.

I think that the point I have heard the Senator make on a number of occasions—and I think it is important for us to be reminded of it today—is that northern Virginia and a great deal of the Washington area, unlike Boston, has additional airport facilities besides its primary airport.

One of the principal points the Senator is making on the floor of the Senate is that Dulles Airport is obviously underutilized and can be utilized more.

In a situation like that in Boston, we have considered time and again whether to get the imposition of a curfew at night because of the extraordinary noise factor in a heavily populated area. It has always been stated by the FAA representatives that if the airlines cannot land in Boston at night, there is no alternative port for them to land in.

Certainly here in the greater Washington metropolitan area that should not be a reason for the additional stress from noise pollution which is placed on the residents of northern Virginia. I commend the Senator from Virginia for bringing our attention to this matter. I think it is a matter of importance and significance. What happens here in terms of the people of this country and it is important to all of us concerned about air traffic and noise pollution that we be reminded of this problem in the greater Washington area.

I thank the Senator and I look forward to working with him on this problem.

Mr. SPONG. Mr. President, I thank the Senator from Massachusetts. It seems to me that where we have two airports under Federal authority completely, and we also have Friendship Airport, if we cannot give an example of orderly regional planning for air transportation and instead just keep on developing one airport to the exclusion of considering the effect of its growths on others, we can hardly expect other regions in the United States to do otherwise.

I thank the Senator.

RESTRICTIVE VOTE LAW PASSED IN SAIGON

Mr. GRAVEL. Mr. President, I find an article published in this morning's Washington Post very interesting. We are told that one of the reasons we were fighting in Vietnam was so the Vietnamese might have fair elections. However, we find restrictive practices creeping in to set the stage as to what the outcome will be.

It is generally acknowledged and recognized that Big Minh would be the only real opponent that President Thieu could have. However, a restrictive law that requires candidates to obtain the endorsement of 40 representatives or 100 provincial councilors before being placed on the ballot would be comparable to saying that before a person could run for the Office of President of the United States, he would have to get 40 Members of the House or of the Senate to say they believed that it would be a good thing to have him on the ballot.

These institutional practices by the Government of South Vietnam are difficult to understand. I find it most difficult to believe.

It is an interesting occurrence that certainly is beginning to add to the fissures that are already there—the fact that the major presidential opponent to President Thieu is in jail.

His potential young opponent, who was a deputy, who received the most popular votes in the southern area, I had the opportunity to meet on my trip to Saigon. He is in jail, and Big Minh also finds himself in jail.

I find this difficult to fathom. I find it difficult that our Government as a matter of policy, directly or indirectly, sustained these activities. The article speaks for itself.

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:

[From the Washington Post, June 4, 1971]

RESTRICTIVE VOTE LAW PASSED IN SAIGON

(By Peter Osnos)

SAIGON.—South Vietnam's National Assembly, under heavy pressure from President Thieu, enacted an election law today that will severely restrict the number of candidates in next October's presidential contest.

While most observers considered it unlikely, passage of the measure could backfire for Thieu, leaving him without any creditable opponent to give his reelection legitimacy.

The law requires a candidate to obtain the endorsement of 40 representatives or 100 provincial councillors before being placed on the ballot—an obstacle great enough that it all but eliminates Vice President Nguyen Cao Ky from the running.

Only Gen. Duong Van (Big) Minh is thought capable of rounding up the necessary signatures. Usually reliable sources said this evening that Minh was still planning to run.

But there was persistent speculation that at some future date Minh may conclude that he has no chance of being elected and would withdraw using Thieu's maneuvering for passage of the election measure as a pretext.

The vote in the National Assembly was 101 to 21, an overwhelming margin for Thieu that his opponents charged was obtained through bribes and a combination of political promises and blackmail.

The election law had been passed once before by the Assembly, but was rejected by the Senate. For the bill to be revived, the lower house had to approve it for a second time with a two-thirds majority.

Vietnamese political observers said that without a special effort on the part of Thieu's backers, the progovernment bloc in the Assembly would have fallen short of the necessary total. "There is no question," said one well-informed Vietnamese journalist, "that money was passed around."

DEPUTY ARRESTED

Another indication of the government's determination to have its way, in the view of both Vietnamese and American political analysts, was the arrest Tuesday of Representative Ngo Cong Duc.

Duc, publisher of the leading antigovernment newspaper and an outspoken Thieu opponent, was charged with assault, but his arrest was viewed by his supporters as an effort to silence him for the moment and prevent him from running for office in the future.

Any conviction disqualifies a person for running for political office.

In a separate vote after passing the election law, the Assembly activated a clause in the constitution allowing it to free jailed fellow members of the lower house. While the Assembly may merely have been acting to protect one of its own, it was thought likely that some support for Duc was traded in return for backing the election measure.

Duc remains to be released, but it was considered unlikely that Thieu will resist the Assembly.

Saigon political experts expressed puzzlement this evening over why Thieu decided to make the endorsement provision of the election law such a major issue, with the inevitable consequence of casting himself in the role of a strong-arming the opposition.

At various points along the legislative path, compromises were suggested, but none were ever deemed acceptable.

Even without the new measure, Thieu was a very heavy favorite to be reelected. It was considered possible, however, that were he to run, Ky might pull some votes away from Thieu, perhaps throwing the election to Minh.

The unpredictable Ky has by no means been officially ruled out of the race, but his own aides concede that he will be unable to get 40 legislative backers. Provincial councillors, his other option, may be discouraged from lining up behind him by the knowledge that they can be dismissed from their jobs on the recommendation of Thieu-appointed province chiefs.

Ky's aides refused to comment on the passage of the bill other than to say a statement from the vice president would be forthcoming in a few days. As recently as yesterday, Ky expressed his determination to run.

As for Minh, the general, who led the coup against President Ngo Dinh Diem in 1963, was unavailable for comment. An aide to Thieu said that whether Minh runs depends on the "encouragement he gets from the U.S."

The American Embassy, which has pledged to stay neutral in the election, is known to feel strongly however that Thieu must have a genuine opponent in the contest for it to be presented to the world as a reasonably accurate test of Vietnamese public opinion.

Thieu's aide said that if Minh runs into difficulty getting the necessary number of signatures, "the government would be ready to help him so that the election is cheerful."

Representative Nguyen Dac Dan, the Ky supporter who startled the lower house last night by waving a grenade, adopted a new tactic during today's spirited debate—a hunger strike.

QUORUM CALL

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. GRAVEL. 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.

A RELUCTANT HERO

Mr. GRAVEL. Mr. President, I wish to make a further comment for the rec-

ord, and to embellish the record to the degree that it should be on the subject of youth. I was struck very much when I read the Evening Star of Wednesday last and saw the picture of a young man. Interestingly enough, he was in civilian clothes and he was being decorated. Usually when someone is decorated one thinks of a person standing on the parade ground, resplendent with all his medals, and the general pinning the badge of valor on the serviceman.

However, in this situation the picture in the Evening Star shows a young man with a long moustache and long hair, things that characterize the revolution of youth today. This young man with the long moustache and the long hair, and with a white shirt, narrow tie, and narrow lapels on his suit, is being pinned with the second highest award of the Nation, the Distinguished Service Cross. The young man is receiving his decoration because of his bravery in Vietnam in rescuing nine men at Hamburger Hill in 1969.

That is interesting in itself, but what I find more interesting, and the reason I bring up this matter, is that it destroys the allegation that the youth of today are not patriotic. I recall that last January I had a colloquy with the Senator from South Carolina (Mr. THURMOND) and that point arose in the discussion. My position then and now is that the youth of today are every bit as patriotic as in prior years, and maybe more so.

This young man demonstrated his bravery by any criteria. It is interesting that prior to being inducted into the service he very actively resisted the draft and did not want to go to fight this war, but he did go and he fought bravely. Now he has been honored by our country. He was asked if he would do it again. He is a person with credentials, holding the second highest award of this Nation, and he said, "I would rather go to jail than be drafted and go to fight that war." Mr. President, this is a most revealing statement. It speaks eloquently of the tragedy that afflicts the youth of this Nation.

Pictures speak louder than words, but since we cannot have the picture printed in the RECORD I ask unanimous consent to have printed in the RECORD the caption that appears beneath the picture.

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

A RELUCTANT HERO

Nicholas W. Schoch, 23, of Oakville, Calif., is awarded the Distinguished Service Cross—the nation's second highest award for bravery—by Army Maj. Gen. O. A. Leahy for rescuing nine men at Hamburger Hill, Vietnam, in 1969. It was something he hardly could have foreseen when he was resisting induction in 1968. Even so, if he had to do it over again, he'd go to jail rather than serve in the Army, he said. A conscientious objector who served as a medic, Schoch said he accepted the medal because it was "originated by the people there on Hamburger Hill who thought I was doing something meaningful." Schoch now is active in draft counseling at Redlands University.

QUORUM CALL

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR ADJOURNMENT UNTIL 10 A.M. MONDAY, JUNE 7, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 10 o'clock a.m. on Monday next.

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

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate the following letters, which were referred as indicated:

PROPOSED AMENDMENT OF CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

A letter from the Under Secretary of Agriculture submitting proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961 with respect to fees and charges (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States submitting, pursuant to law, a report entitled "Problems of the Deep Submergence Rescue Vehicle Program Show Need for Improvement in Management Control" (with accompanying report); to the Committee on Government Operations.

TRANSFER OF EQUIPMENT BY ATOMIC ENERGY COMMISSION

A letter from the General Manager of the Atomic Energy Commission transmitting, pursuant to law, a list of the nonprofit educational institutions and other nonprofit organizations in which title to equipment was vested by the Atomic Energy Commission (with accompanying papers); to the Committee on Government Operations.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the Acting President pro tempore (Mr. METCALF):

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Agriculture and Forestry:

"SENATE CONCURRENT RESOLUTION No. 259

"A concurrent resolution to urge the United States Congress to take favorable action on H.R. 4342, providing for the control of mosquitoes and mosquito vectors of human disease through technical assistance and grants-in-aid for control projects.

"Whereas, the Legislature is and has always been most ardently concerned with the happiness, health and welfare of all our citizens; and

"Whereas, the great state of Louisiana, while noted for its beautiful, scenic, picturesque rivers, lakes, bayous, creeks and streams is indeed grateful for these wonderful and bountiful natural resources, it must be noted that such vast and abundant volumes of water also provide ideal hatitats for the breeding and continuing life cycle of mosquitoes, making mosquitoes a particularly burdensome problem in Louisiana; and

"Whereas, mosquitoes are a great nuisance to our citizens seeking to enjoy the wonderful natural recreational environment our state presents for camping, swimming, fishing, hunting and other recreational and sporting activities, by interrupting their pleasure and oftentimes in certain areas of the state completely curtailing desired recreational activities; and

"Whereas, most importantly and of deepest concern, the mosquito by its "biting" and blood-sucking habits can transmit and spread serious diseases, among them yellow fever, malaria, filariasis and dengue; and

"Whereas, agriculture is an important element in the economy of the state, and mosquitoes in many areas of the state, in addition to their other injurious effects, cause serious reductions in the health and productivity of livestock by constant persecution of such animals and also wild game that abound throughout the state.

"Therefore, be it resolved by the Senate of the Legislature of the state of Louisiana, the House of Representatives thereof concurring, that the Congress of the United States is hereby respectfully urged and requested to take favorable action to enact into law H.R. 4342, or similar legislation proposed in the Congress to provide for the control of mosquitoes and mosquito vectors of human disease through technical assistance and grants-in-aid for control projects.

"Be it further resolved that copies of this Resolution shall be transmitted to the presiding officers of the two houses of the Congress and to each member of the Louisiana Delegation in Congress."

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Foreign Relations:

"HOUSE CONCURRENT RESOLUTION No. 456

A concurrent resolution to urge and request the Government of the United States of America to cease and desist from giving foreign aid to any country engaged in the commercial growing of poppies

"Whereas, the problem of drug usage is of serious concern to all legislative bodies throughout the country on the local, state and federal levels, and

"Whereas, the most dangerous type of drug is that which is not only mentally addictive, but also physically addictive, and the craving for this type of drug, most commonly found in the form of heroin, leads addicts into a lifetime of crime and degradation in order to satisfy this need; and

"Whereas, while there are many new programs designed to aid in the rehabilitation of narcotics addicts, the manufacture and refining of heroin in foreign countries for delivery to the United States of America goes on unabated; and

"Whereas, heroin is an opium derivative which is derived from the poppy, which flower is grown commercially in some countries by drug peddlers and their mercenaries solely for the purpose of making heroin; and

"Whereas, although the governments of these countries, particularly in the near east and in some areas of southeast Asia, are tacitly aware that poppies are grown in their country for the purpose of providing the raw ingredients for heroin, these countries make no comprehensive effort to stop this production; and

"Whereas, the elimination of the source of heroin, namely the poppy from which opium is derived, is a worthwhile goal since it will aid in the drug control program; and

"Whereas, the only sanction that the United States of America can utilize against these foreign countries is to cease and desist from giving foreign aid in all forms until such countries undertake a thorough and comprehensive effort to eliminate the commercial growth of poppies from which opium and thence heroin are derived.

"Therefore, be it resolved by the House of Representatives of the Legislature of the State of Louisiana, the Senate concurring therein, that the Congress of the United States of America, the United States Department of State, and all federal agencies involved in foreign aid programs are hereby respectfully urged and requested to cease and desist from giving any foreign aid in any form whatsoever to any country wherein the poppy from which opium and thence heroin are derived are grown commercially unless and until such country commences a thorough and comprehensive effort to eliminate the commercial growth of this flower.

"Be it further resolved that copies of this Resolution shall be transmitted to the Secretary of State of the United States of America, to the presiding officers of each House of Congress, and to each member of the Louisiana Delegation in Congress."

A resolution of the House of Representatives of the Commonwealth of Puerto Rico; to the Committee on Labor and Public Welfare:

I, Pedro Torres Díaz, Secretary of the House of Representatives of the Commonwealth of Puerto Rico, do hereby certify that the House of Representatives in its session of the 22nd day of May passed the following resolution,

"SUBSTITUTE FOR H.R. 507

"Resolution to require from the President and from the Congress of the United States to maintain in force the clauses applicable to Puerto Rico on special industrial committees of the present Federal Minimum Wage Act and other purposes

"Whereas: various propositions of amendments to the Federal Minimum Wage Act are being considered by the Congress of the United States that, should they be approved, would eliminate the special clauses applicable to Puerto Rico on Industrial Committees of Review and which further impose automatic increases without the intervention of these committees, thereby resulting in the loss of the necessary flexibility to fix wages in accordance with the verified economic maximum capacity of the different industries to pay such increases;

"Whereas: these Industrial Committees were wisely established by Congress considering the expression of the legitimate representatives of the People of Puerto Rico and taking into account the obvious local needs of Puerto Rico, the condition of its economy, the need of a system of wages which would not lead to greater unemployment and which would not reduce the development and production capacity of Puerto Rico;

"Whereas: the elimination of such Industrial Committees and the establishment of rigid federal wages, could be justified in a developed economy as that of the United States, but not in Puero Rico which actually is in the process of manufacturing development; will have the actual effect of reducing our production capacity, the closing of factories, the discouragement of new investments and the creation of greater unemployment, which would bring about an undesirable and dangerous situation of economic, social and political instability in Puerto Rico;

"Whereas: it has always been the policy of the Commonwealth of Puerto Rico, which has been carried out, of maintaining the highest standards of wages compatible with the economic capacity of the industries with the purpose of obtaining, as soon as possible, a minimum wage equal to that in force in the Continental United States, and it is a fact, that wages which do not adjust with this reality have the effect of closing factories and of discouraging the industrial development so greatly needed by Puerto Rico in order to face its high level of unemployment, and to increase its standard of living.

"Therefore, be it resolved by the House of Representatives of the Commonwealth of Puerto Rico:

"First: To request from the President, and from the Congress of the United States that the present clauses of the Federal Minimum Wage Act be left unchanged and that the system of Special Industrial Committees on Wages be maintained as said clauses are in effect at present in their applicability to the Commonwealth of Puerto Rico.

"Second, To request from the President and from the Congress of the United States that the automatic increases in the federal minimum wages applicable to Puerto Rico which could be arbitrary, should not be put into effect, without first being reviewed by the Industrial Committees established by law.

"Third: Notice of this Resolution shall be sent by cable to the Resident Commissioner of Puerto Rico in Washington so that the latter may notify the Chairmen of the Committees and Subcommittees of Labor of the Senate and of the House of Representatives, the Secretary of Labor, and the President of the United States."

A resolution adopted by the Alabama-West Florida District of Civitan International; to the Committee on the Judiciary.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BYRD of West Virginia for Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 1444. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Snohomish Tribe in Indian Claims Commission docket numbered 125, the Upper Skagit Tribe in Indian Claims Commission docket numbered 92, and the Snoqualmie and Skykomish Tribes in Indian Claims Commission docket numbered 93, and for other purposes (Rept. No. 92–140).

By Mr. BYRD of West Virginia for Mr. BELLMON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 4353. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Iowa Tribe of Oklahoma and of Kansas and Nebraska in Indian Claims Commission dockets numbered 79–A, 153, 158, 209, and 231, and for other purposes (Rept. No. 92–141).

By Mr. BYRD of West Virginia, for Mr. BURDICK, from the Committee on Interior and Insular Affairs, with an amendment:

H.R. 6072. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Pembina Band of Chippewa Indians in Indian Claims Commission dockets numbered 18–A, 113, and 191, and for other purposes (Rept. No. 92–142).

By Mr. BYRD of West Virginia, for Mr. CHURCH, from the Committee on Interior and Insular Affairs, with an amendment:

S. 101. A bill to provide for the disposition of a portion of the funds to pay a judgment in favor of the Shoshone-Bannock Tribes of Indians of Fort Hall, Idaho; the Shoshone Tribe of Indians of the Wind River Reservation, Wyoming; the Bannock Tribe and the Shoshone Nation or Tribe of Indians in Indian Claims Commission dockets numbered 326–D, 326–E, 326–F, 326–G, 326–H, 366, and 367, consolidated, and for other purposes (Rept. No. 92–143).

By Mr. BYRD of West Virginia, for Mr. MCGOVERN, from the Committee on Interior and Insular Affairs, with amendments:

S. 1462. A bill to provide for the distribution to the Sisseton and Wahpeton Tribes of Sioux Indians of their portion of the funds appropriated to pay judgments in favor of the Mississippi Sioux Indians in Indian Claims Commission dockets numbered 142 and 359, and for other purposes (Rept. No. 92–144).

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. METCALF:

S. 2000. A bill to amend the Federal Property and Administrative Services Act of 1949 with respect to the disposal of excess and surplus personal property, and for other purposes. Referred to the Committee on Government Operations.

By Mr. YOUNG:

S. 2001. A bill for the relief of Miss Maria de Jesus Marques Silva. Referred to the Committee on the Judiciary.

By Mr. PASTORE (for himself, Mr. MANSFIELD, and Mr. SCOTT):

S. 2002. A bill to provide that certain service as attending physician at the Capitol shall be considered as creditable service for purposes of civil service retirement under title 5, United States Code. Referred to the Committee on Post Office and Civil Service.

By Mr. LONG:

S. 2003. A bill to amend the Internal Revenue Code fo 1954 and the Social Security Act so as to encourage and facilitate the provision of child care services. Referred to the Committee on Finance.

By Mr. COTTON:

S. 2004. A bill for the relief of Phom Thom Meng. Referred to the Committee on the Judiciary.

By Mr. PELL:

S. 2005. A bill for the relief of Alfredo Alves Moreira; and

S. 2006. A bill for the relief of Alado and Maria Gonsalves. Referred to the Committee on the Judiciary.

By Mr. NELSON:

S. 2007. A bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for

other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. McGOVERN (for himself and Mr. MUNDT):

S. 2008. A bill relating to the construction, enlargement, remodeling, and improvement of a townsite on the Crow Creek Sioux Reservation, South Dakota. Referred to the Committee on Interior and Insular Affairs.

By Mr. STEVENS:

S. 2009. A bill to amend the Small Reclamation Projects Act of 1956, as amended. Referred to the Committee on Interior and Insular Affairs.

By Mr. FULBRIGHT (by request):

S. 2010. A bill to provide for increased participation by the United States in the International Development Association. Referred to the Committee on Foreign Relations.

By Mr. EAGLETON (for himself and Mr. INOUYE):

S. 2011. A bill to improve educational quality through the effective utilization of educational technology. Referred to the Committee on Labor and Public Welfare.

By Mr. SCHWEIKER:

S. 2012. A bill for the relief of Gabriele Sciullo. Referred to the Committee on the Judiciary.

By Mr. THURMOND:

S. 2013. A bill to amend chapter 21 of title 38, United States Code, to increase the maximum amount of the grant payable for specially adapted housing for disabled veterans. Referred to the Committee on Banking, Housing and Urban Affairs.

S. 2014. A bill to amend title XVIII of the Social Security Act to eliminate the provision which prevents an individual from enrolling in the supplementary medical insurance program established by part B of such title if he fails to enroll therein within 3 years after he is first eligible to enroll therein. Referred to the Committee on Finance.

By Mr. HART:

S.J. Res. 110. A joint resolution to proclaim the first week in December as National Salesmen's Week. Referred to the Committee on the Judiciary.

By Mr. JORDAN of North Carolina.

S.J. Res. 111. A joint resolution extending for 2 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune. Referred to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPONG:

S. 2003. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act so as to encourage and facilitate the provisions of child care services. Referred to the Committee on Finance.

CHILD CARE SERVICES ACT OF 1971

Mr. LONG. Mr. President, I am introducing today a bill designed to expand significantly the availability of child care services and to provide additional assistance to working mothers who require child care services in order to work.

There are few who would disagree that the lack of availability of adequate child care today represents perhaps the greatest single obstacle in the efforts of poor families, especially those headed by a mother, to work their way out of poverty. It also represents a hindrance to those mothers in families above the poverty line who wish to seek employment for their own self-fulfillment or for the improvement of their family's economic status.

The need for expanding our child care resources reflects the increasing participation of mothers in our Nation's labor force. The number of working mothers has increased more than seven times since 1940, and has more than doubled since 1950. It is estimated that there are today about 12 million women with children under age 18 in the labor force, of whom more than 4 million have children under age six.

The number of women workers is expected to grow rapidly in the years to come. By 1980, it is projected that the labor force will include more than five million mothers with children under age five—an increase of more than 40 percent in the number of such mothers just in the course of this decade.

Such information as we have indicates that many mothers today would be working if they could arrange adequate care for their children. This is true of middle-class mothers and it is true of mothers in low income families. Several studies have shown that lack of child care is a major impediment preventing mothers on welfare from working or participating in employment and training programs. Other studies have reported that a substantial majority of mothers receiving welfare would prefer to work if they could find adequate care for their children. In a study of the employment potential of welfare mothers over the past decade, Perry Levinson of the Department of Health, Education, and Welfare pointed out that with the growth of AFDC caseload over the past decade, "recipients were more and more women who had stronger educational and occupational backgrounds, that is, high employment potential." However, over 80 percent of the women reportedly could not take jobs because they had children under eight at home, while more than 50 percent lacked child-care facilities.

There is little question that the demand by parents at all economic levels for child care services is great. Unfortunately, the supply is much smaller and is increasing only slowly. The Department of Health, Education, and Welfare reports that licensed child care facilities today can only accommodate about 700,000 children. As a result, many thousands of children are either left with no supervision whatever or are placed in facilities which do not even provide custodial care of adequate quality, much less the kind of care which would meet the child's individual needs for healthy development.

The Committee on Finance has long been involved in issues relating to child care. The committee has been dealing with child care as a segment of the child welfare program under the Social Security Act since the original enactment of the legislation in 1935. Over the years, authorizations for child welfare funds were increased in legislation acted on by the committee. In legislation acted on in 1962, the committee placed new emphasis on child care services for the children of working mothers through a specific earmarking of child welfare funds for the provision of these services.

In the 1967 Social Security Amendments, the committee made what we believe to be a monumental commitment to the expansion of child care services, as part of the work incentive program. Although much less child care has been provided than was anticipated, the fact remains that child care provided with Federal matching under the Social Security Act constitutes the major Federal support for the care of children of working parents today. Through its support of child welfare legislation and programs, the committee has shown its interest, too, in the quality of care which children receive.

In 1970, the committee continued its tradition of concern for the welfare of children by approving a measure I introduced last year to establish a new Federal Child Care Corporation. The committee agreed with me that past approaches have not sufficed to expand the availability of child care services to the extent necessary to meet the Nation's child care needs. Federal funds available for child care under the Social Security Act have gone largely unused.

A major reason for this failure to utilize the funds available was the lack of administrative organization, initiative and know-how to create and provide child care services, as well as barriers at the local level through licensing and other requirements. In other words, the present method of simply providing 75 percent matching funds to the States, and hoping that child care will become available, has been disappointing. It has not resulted in the necessary increase in supply.

The States themselves have had very limited resources to devote to child care and for many of them, child care services have been given a low priority. A number of State governments are simply not staffed to handle child care services even on a minor scale. Many States which have established licensing requirements do not have the staff to constructively help organizations wishing to establish child care facilities to meet the licensing requirements or even to insure that the requirements are met by licensed facilities.

The Committee on Finance concluded last year that State and local governments, private voluntary organizations, and private enterprise, while they have done an admirable job in many instances, cannot be expected to broadly expand the availability of child care services without substantial Federal help.

It was for this reason the committee agreed with me that we need a new mechanism, a single organization with both the responsibility and capability of meeting the nation's child care needs. The organization would be a new Federal Child Care Corporation, an organization which has the welfare of families and children at the forefront, an organization which, though national in scope, would be able to respond to individual needs and desires on the local level. It would be an organization able both to make use of the child care re-

sources which now exist, and to promote the creation of new resources through the utilization of the efforts of governmental agencies, private voluntary organizations, and private enterprise.

Today I am introducing the Child Care Services Act of 1971. The bill includes the provisions of the bill I introduced last year, in a modified and improved form, and includes additional provisions relating to child care services. The bill I am introducing today reflects the valuable contributions made by many individuals and groups who suggested modifications of last year's bill. I am grateful that so many of them took the time and trouble to make these recommendations.

AIMS OF CHILD CARE LEGISLATION

Mr. President, it seems to me that legislation dealing with child care services must meet four major aims:

First and foremost, it must have as its major goal expansion of the availability of good child care services for preschool and school-age children.

Second, it must improve the quality of child care services that are inadequate today.

Third, it must offer a variety of kinds of child care services so that parents may have a real choice in selecting the type of services they want.

Fourth, it must help working mothers above the poverty level as well as mothers eligible for welfare assistance.

The bill I am introducing today, Mr. President, is designed to meet each of these aims.

First, it would establish a new Federal Child Care Corporation whose basic goal would be to arrange for making child care services available throughout the Nation to the extent they are needed.

Second, the bill would establish national minimum standards for child care, standards which will substantially improve the quality of child care received by children now getting inadequate child care. Of course, the many children who now receive no supervised child care would immediately benefit as new child care services become available which meet the national standards.

Third, experts on child care today agree that variety is essential in the expansion of child care services. We don't have all the answers, and experts disagree widely on what the best kind of child care is. One of the most attractive elements of the bill I am introducing today, Mr. President, is precisely the variety of child care services it will result in—variety both from the standpoint of the kinds of child care offered and also in terms of content of child care offered. There must be a sufficient variety of child care services available in a community for both preschool and school-age children, if a mother is to be able to have a choice of services.

Finally, my bill contains specific provisions designed to help working mothers whose income is too high for them to be eligible for welfare, but who require child care services in order to be able to work.

I would like to outline how my bill would accomplish these aims.

INCREASING THE DEDUCTION FOR CHILD CARE

Under present law, a woman taxpayer is eligible for a tax deduction for child care expenses if the child care is necessary in order for her to work. The deduction is limited to $600 if the woman has one child and to $900 if she has two or more children. If a woman is married and if the family income exceeds $6,000, the limitation on the deduction is reduced $1 for each dollar family income exceeds $6,000. Thus, for example, if family income is $6,500, the deduction may not exceed $100 if there is one child or $400 if there is more than one child.

The bill I am introducing today is aimed at providing a needed increase in these amounts to reflect more adequately the cost of child care today. My bill would increase the limit on the deduction from $600 to $1,000 in the case of one child, and from $900 to $1,500 if there is more than one child.

The limitation on family income would be increased from $6,000 to $12,000, and an illogical feature in today's law would be corrected. Today, a family in which the mother requires child care in order to work is eligible for a $600 deduction if there is one child and if the family income is $6,000 or less. If the family income is increased $100 to $6,000, taxable income is increased not $100 but $200. This is because the family must both pay taxes on the $100 of additional earnings at the same time as their taxable income rises another $100 because their child care deduction is reduced $100. In effect, this family pays twice the marginal tax rate for income between $6,000 and $6,600. My bill would correct this by reducing the deduction only 50 cents when family income rises $1 above the $12,000 limitation. In this way, only $1 of additional income will be taxed when earnings rise $1.

The key feature of my bill will provide greater tax relief for the lower or middle income working woman who needs child care services in order to work.

SUBSIDIZING CHILD CARE FOR WOMEN IN LOW-INCOME FAMILIES

Under the Social Security Act today, a State may provide child care services to welfare recipients and to low-income working women who are likely to become dependent on welfare if they do not receive child care services. Unfortunately, few States have provided child care to mothers in this second category. My bill would authorize appropriations for the subsidization of a portion of child care costs for children in low-income families not receiving welfare where such services are necessary to enable the mother to work. The percentage of costs subsidized would depend on the appropriations, with the Secretary of Health, Education, and Welfare authorized to set up a schedule of subsidy percentages based on family income and the funds available.

INCREASE IN FEDERAL MATCHING FOR CHILD CARE SERVICES

Under present law, child care for the children of working mothers who receive public assistance may be paid for in one of two ways: either the child care may be arranged by the welfare agency, which would pay for the care and receive 75 percent Federal matching, or in the alternative, a mother may arrange for child care herself and, in effect, be reimbursed by adding the cost of child care to her welfare payment as a work expense. According to the Auerbach Corp., an organization that studied the work-incentive program, the second method has by far been the more common, leaving the mother the responsibility of attempting to find the child care services herself. This situation is reflected in the inability of the Department of Health, Education, and Welfare to use all the funds appropriated by the Congress for child care under the work incentive program.

The requirement that States put up 25 percent of the cost has been cited as a major obstacle in the ultilization of the provisions in the Social Security Act to expand child care. My bill would remove this obstacle by increasing the Federal share from 75 percent to 100 percent if the welfare agency refers the recipient to the Federal Child Care Corp. for child care services.

ESTABLISHMENT OF FEDERAL CHILD CARE CORPORATION

The major portion of my bill would establish a new Federal Child Care Corporation whose basic goal would be to arrange for making child care services available throughout the Nation to the extent they are needed. The Corporation has two top priority goals: first, to provide services to present, past, and potential welfare recipients who need child care in order to undertake or continue employment or training, and second, to arrange for care in facilities providing hours of child care sufficient to meet the child care needs of children whose mothers are employed full time. The provision underlines my concern that equal priority be given to working mothers whose initiative and efforts have kept their families above the poverty line.

To provide the Corporation with initial working capital, the Secretary of the Treasury would be required to lend the Corporation $500 million as working capital, to be placed in a revolving fund. With these funds the Corporation would begin arranging for day care services. Initially, the Corporation would contract with existing public, nonprofit private, or proprietary facilities providing child care services. The Corporation would also provide technical assistance and advice to groups and organizations interested in setting up day care facilities under contractual relationship with the Corporation. My bill would in addition authorize the Corporation to provide child care services directly in its own facilities. It would be expected that services would be provided directly only where public or private agencies, individuals, or organizations are unable to develop adequate child care.

FINANCING CHILD CARE PROVIDED BY THE CORPORATION

The Corporation would have three sources of funds with which to operate:

First. A $500 million loan from the Treasury to initiate a revolving fund;

Second. Revenue bonds which could be sold to finance construction of facilities, and

Third. Fees paid for child care services.

Of the three, fees represent by far the most important source of funds.

The Corporation would charge fees for all child care services provided or arranged for; these fees would go into the revolving fund to provide capital for further development of child care services. The fees would have to be set at a reasonable level so that parents desiring to purchase child care can afford them; but the fees would have to be high enough to fully cover the Corporation's costs in arranging for the care.

It should be emphasized that the Federal Child Care Corporation which would be created under my bill would provide a mechanism for expanding the availability of child care services, but it would not itself provide funds for the subsidization of child care provided the children of low-income working mothers. These funds would be authorized in the first part of my bill, which would provide 100-percent Federal funding for child care services to welfare recipients if the services are arranged through the Corporation, and which would authorize Federal appropriations to subsidize child care services for low-income working mothers not eligible for welfare. In addition, the increase in the tax deduction for child care expenses my bill would provide will help many working mothers in meeting child care costs. It would be expected that the Corporation would derive a major source of its funding from fees charged for child care provided the children of mothers benefiting from one of these provisions.

If after the first 2 years the Corporation felt it needed funds for capital investment in the construction of new child care facilities or the remodeling of old ones, it would be authorized to issue bonds backed by its future fee collections. Up to $50 million in bonds could be issued each year beginning with the third year after the Corporation's establishment, with an overall limit of $250 million on bonds outstanding.

My bill is carefully designed so that the Corporation's operations and capital expenditures over the long run would not cost the taxpayers a penny. The Corporation would pay interest on the initial $500 million loan from the Treasury, interest which each year would match the average interest paid by the Treasury on its borrowings. The Corporation would further be required to amortize the loan over a 50-year period by paying back principal at the rate of $10 million annually. Finally, the Corporation's capital bonds would be sold directly to the public and would not be guaranteed by the Government but only by the future revenues of the Corporation.

The financing mechanism under my bill has an important advantage: aside from the initial $500 million loan for working capital purposes, all of the Corporation's revenues will derive from fees for child care services. This means that the Corporation will have a powerful incentive to expand the availability of child care services available—and this is precisely the aim of the bill.

KINDS OF CHILD CARE OFFERED

From the standpoint of parents, the Corporation would provide a convenient source of all kinds of child care services, at reasonable fees, for both preschool and school-age children. Like the Social Security Administration, the Corporation would maintain offices in all larger communities of the Nation, where parents desiring child care services would be able to obtain them through the Corporation either directly in Corporation facilities or in facilities under contract with the Corporation. In either case, the parents could be confident that the child care services were under the supervision of the Corporation and met the standards set forth in the bill.

My bill would require the Corporation to make available a wide variety of child care services, some already well known and some unavailable in most places today. For example:

Parents primarily interested in an intensive educational experience for their preschool-age children would be able to send their children to nursery schools, kindergartens—where these are not already provided by the school system—or child development centers such as those under the Headstart program.

Parents seeking full day child care in a facility offering a balanced program of education and recreation for preschool-age children would be able to send their children to a child care center.

Parents wishing to have their preschool-age children cared for in a home setting among a small group of children under the supervision of a trained adult would be able to select a family day care home.

Parents of school-age children would be able to choose a facility whose hours and programs were patterned to complement the child's day in school. School-age child care could take the form of a recreational program run by the school itself, or it could be offered, like preschool-age child care, in a center or under trained adult supervision in a home.

Parents seeking child care during the summer vacation would be able to send their children to day camps or summer camps.

The Corporation would be required to establish temporary or drop-in child care facilities for the parent who requires child care services from time to time while taking courses at a school or university, shopping, or while otherwise engaged.

The Corporation would be required to arrange for at-home child care, for babysitting. This would enable a parent to continue at work if the child became sick or had a brief school vacation. It would also assure the parent of the availability of babysitting during the day as well as in the evening when the parent was absent.

Parents requiring child care services regularly at night would be able to send their children to night care facilities, primarily designed to care for the child during sleeping hours. Nurses, maintenance staff, and persons in other night-time jobs now find it almost impossible to arrange for child care services while they work.

Parents requiring care for their children 24 hours a day for less than a month would be able to arrange for the care at a boarding facility. This kind of facility, which could be a summer camp, would provide care if the parents planned to be away for a weekend or for a vacation.

Though the Corporation would make available a number of types of child care, the care would be subsidized by the Federal Government only if it were necessary to permit the mother to work or participate in a work training program.

ESTABLISHING NEW CHILD CARE FACILITIES

The Corporation will depend for its success in expanding the availability of child care services on the efforts of public and private groups at the local level in establishing child care facilities. It is my hope that local parent groups, churches, and other organizations will be stimulated to establish child care facilities. Today, such groups must go through cumbersome administrative procedures to establish a child care facility, if indeed they are able to establish one at all.

Under my bill, they would merely need to contract with the Corporation for the provision of child care services. If the Corporation is assured that the group can fulfill its commitment, the group will be able to receive advance funding to begin operations. Moreover, certification by the Corporation will replace the present time-consuming approvals required from various agencies at the local level.

If the Corporation is in particular need of child care facilities in an area and facilities exist but are of low quality, the Corporation might contract with the understanding that the facility will be improved. If the promised improvement does not take place, the Corporation would be expected to provide child care services directly in the future rather than to continue to contract for services of unacceptable quality.

Child care services organized by parents or run with extensive parent participation have shown great promise in raising the educational level of disadvantaged children in deprived areas. Often, however, such groups are curbed or stopped in their efforts to set up child care facilities by unnecessarily rigid licensing requirements, cumbersome procedures, or lack of initial operating expenses. For them, the Corporation will represent a source of both technical assistance and initial funding, making it possible for groups interested in promoting parent involvement to establish child care facilities through the Corporation where they are unable to do so today.

TRAINING OF CHILD CARE PERSONNEL

It is unfortunate that lack of trained personnel has hampered efforts to expand child care services in the past. It is clear that the purpose of establishing the Federal Child Care Corporation will be frustrated if this situation is not changed. Authority already exists under section 426 of the Social Security Act for the training of personnel in the child care field. My bill makes it clear that suf-

ficient funding should be sought under this authority to greatly expand child care personnel. In addition, we know that many mothers receiving aid to families with dependent children have both the inclination and the ability to provide child care for other children. I feel that welfare mothers and other women in low-income neighborhoods where the need for child care services is greatest should be given the highest possible priority in training additional child care personnel. It is with this goal in mind that my bill would direct the Secretary of Labor to utilize the work incentive program to the maximum extent in providing training for welfare recipients to become proficient in child care.

In addition, the Corporation would be authorized to conduct—either directly or by contract—in-service training programs to prepare individuals in the child care field. These provisions will enable the Corporation to accomplish two aims at once—ending the dependency of some welfare recipients by providing opportunities in child care, and expanding child care services so that other mothers on welfare may have an opportunity for employment. It is through training that we may hope for a significant improvement in the quality of care offered children.

CONSTRUCTION OF CHILD CARE FACILITIES

Child care services can be greatly expanded through the utilization of existing facilities not now used during the week. Schools often are not used after school hours, churches and Sunday schools are frequently available during the week. Apartment houses, public housing units, office buildings and even factories can serve as convenient child care locations, though they are seldom so used today. My bill provides authority for the Corporation to issue revenue bonds for capital construction costs, but construction should be resorted to only when child care services may not otherwise be provided. With other provisions of the bill which enable facilities arranged for through the Corporation to be safe while avoiding unnecessarily stringent local building codes, it should be possible to expand facilities with only sparing resort to the construction authority.

CHILD CARE STANDARDS

As I have already stated, of the millions of children who are not cared for by their parents during the day, well under one million receive care in licensed child care facilities. One of the major goals of my bill is to insure that the facilities providing care under the Corporation's auspices meet national child care quality standards which are set forth in the bill.

Many persons have argued that State and local licensing requirements are all to often overly rigid and restrictive—to the point where instead of protecting children, they relegate them to unsupervised and unlicensed care, if indeed any care, while their parents work. Dr. Edward Zigler, head of the Office of Child Development in the Department of Health, Education, and Welfare has stated:

I think if we are serious about setting up a worthwhile social institution such as day care for working mothers we may have to develop guidelines at a national level which would have some nationwide application. It would be a standard process because now it is to difficult and it is too rigid, and I am very much afraid the professionals have overdone themselves here. They have bent so far backwards in protecting the physical welfare at the expense of psychological well-being that I do not find myself in great sympathy with some of the statutes.

The problem is highlighted in a report entitled "Day Care Centers—The Case for Prompt Expansion," which explains why day care facilities and programs in New York City have lagged greatly behind the demand for them:

The City's Health Code governs all aspects of day care center operations and activities. Few sections of the Code are more detailed and complex than those which set forth standards for day care centers. The applicable sections are extremely detailed, contain over 7,000 words of text and an equal volume of footnotes, and stretch over two articles and twenty printed pages.

The provisions of the City's Health Code that apply to day care center facilities constitute the greatest single obstacle to development of new day care center facilities. The highly detailed, and sometimes very difficult-to-meet, specifications for day care facilities inhibit the development of new facilities. Obviously there must be certain minimum fire, health, and safety standards for the protection of children in day care centers. The provisions of the Health Code go far beyond this point. Indeed, some sections of the Code are a welter of complex detail that encourages inflexibility in interpretation and discourages compliance. . . . Legally, only those centers that conform to the Health Code may be licensed. Faced with Health Code requirements of such detail, personnel of the Divisions concerned in the Department of Health and in the Department of Social Services have had to choose between considering the regulations as prerequisities to the licensing of new day care centers or merely as goals toward which to work.

In general, the choice is made in favor of strict interpretation notwithstanding the fact that this severely handicaps the efforts of groups attempting to form centers in substandard areas.

My bill includes standards requiring child care facilities to have adequate space, adequate staffing, and adequate health requirements. It avoids overly rigid requirements, in order to allow the Corporation the maximum amount of discretion in evaluating the suitability of an individual facility. The Corporation will have to assure the adequacy of each facility in the context of its location, the type of care provided by the facility, and the age group served by it.

To promote the healthy development of children, parents should be actively involved in their children's progress. My bill sets as a Federal standard the requirement that every child care facility provide the parents with an opportunity to meet and consult with the staff concerning the child's development, and an opportunity to observe the child while he is receiving care.

To assure the physical safety of children, the bill requires that facilities must meet the life safety code of the National Fire Protection Association. This will provide protection for those many children today who are being cared for in unlicensed facilities, the safety of which is unknown.

I view as one of the major administrative tasks of the Corporation the monitoring of child care facilities to insure that they meet the Federal standards. My bill requires the Board to establish an Office of Program Evaluation and Auditing to fulfill this function. Unfortunately, our experience under the medicare and medicaid programs has shown that some individuals will abuse Federal programs for personal gain. It will be the job of the Office of Program Evaluation and Auditing to do their utmost to prevent this from happening.

In last year's social security bill, the Finance Committee recommended and the Senate approved a provision penalizing fraud or misrepresentation concerning the conditions and operation of a health care facility in order to be certified for participation under the medicare or medicaid programs. The penalty was set at imprisonment for up to 6 months, or a fine of up to $2,000, or both. To discourage individuals from fraud or misrepresentation concerning a child care facility, I have incorporated a similar provision in the bill I am introducing today.

Any facility in which child care was provided by the Corporation, whether directly or under contract, would have to meet the Federal standards in the law, but it would not be subject to any licensing or other requirements imposed by States or localities. If any individual, group, State, or locality feels that the fire and safety standards are less protective of the welfare of children than those imposed by State and local ordinances, a hearing procedure is provided.

Requiring facilities to meet only the Federal standards will make it possible for many groups and organizations to establish child care facilities under contract with the Corporation where they cannot now do so because of overly rigid State and local requirements. From the standpoint of the group or individual wishing to establish the facility, this provision would end an administrative nightmare. Today, it can take months to obtain a license for even a perfect child care facility, by the time clearance is obtained from agency after agency at the local level. Under the bill, persons and groups wishing to establish a child care facility would be able to obtain technical assistance from the Corporation; they would have to meet the Federal standards and they would have to be willing to accept children whose fees were partially or wholly paid from Federal funds, in order to contract with the Corporation.

BOARD OF DIRECTORS AND NATIONAL ADVISORY COUNCIL

The Corporation would be headed by a Board of Directors consisting of three members, to be appointed by the President with the consent of the Senate. The members of the Board would hold office for a term of three years. A National Advisory Council on Child Care would be established to provide advice and recom-

mendations to the Board on matters of general policy and with respect to improvements in the administration of the Corporation. The Council would be composed of the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Secretary of Housing and Urban Development, and 12 individuals—eight of them representative of consumers of child care—appointed by the Board.

In summary, Mr. President, my bill would accomplish the following goals:

It would greatly expand the availability of child care services for preschool and school-age children all over the Nation while utilizing suitable facilities now available.

It would make available many different kinds of child care.

It would improve the quality of care for those millions of children who do not now receive care in any kind of licensed facility.

It would enable the establishment of child care facilities by many groups and organizations who are now hampered in their efforts to do so.

It would provide substantial assistance to mothers not on welfare who need child care services in order to work.

Mr. President, it would be my hope that the Finance Committee could hold hearings on child care before we receive welfare legislation from the House of Representatives. In these hearings, I hope we will gain a deeper understanding of the reasons our past attempts to expand child care have largely failed. I invite all interested groups to present their views on ways we can meet our Nation's child care needs, and I hope they will feel free to comment on my bill.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD at this point.

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

S. 2003

A bill to amend the Internal Revenue Code of 1954 and the Social Security Act so as to encourage and facilitate the provision of child care services

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 "Child Care Services Act of 1971".

TITLE I—AMENDMENTS TO THE INTERNAL REVENUE CODE

SEC. 101. (a) Section 214(b) of the Internal Revenue Code of 1954 (relating to limitations on expenses for care of certain dependents) is amended—

(a) in paragraph (1) thereof, by—

(1) striking out "$600" each place it appears therein and inserting in lieu thereof "$1,000"; and

(2) striking out "$900" and inserting in lieu thereof "$1,500"; and

(b) in subparagraph (B) of paragraph (2) thereof, by inserting "one-half of" after "reduced by" and by striking out "$6,000" and inserting in lieu thereof "$12,000".

(b) The amendments made by subsection (a) shall apply only with respect to taxable years beginning after December 31, 1971.

TITLE II—AMENDMENTS TO TITLE IV OF THE SOCIAL SECURITY ACT

SEC. 201. Section 403 of the Social Security Act is amended by adding after subsection (b) thereof the following new subsection:

"(c)(1) Notwithstanding subparagraph (A) of subsection (a)(3), the rate specified in such subparagraph shall be 100 per centum (rather than 75 per centum) with respect to child care services provided pursuant to clause (15) of section 402(a), but only if such services are provided through the Federal Child Care Corporation (established under title XX).

"(2) Whenever, under any State plan approved under this part, child care services which are provided pursuant to clause (15) of section 402(a) are provided through the Federal Child Care Corporation (established under title XX), the Secretary is authorized to pay to the Corporation, from any sums available to make payments to States under this part, the charges imposed by the Corporation for the services so provided by it, and any such payments so made by the Secretary for such services which are so provided pursuant to any such plan of any State shall, for purposes of the preceding subsections of this section, be deemed to be payments made to such State in satisfaction of any claim such State may have for payments under this part by reason of the provisions of paragraph (1) of this subsection."

SEC. 202. Part A of title IV of the Social Security Act is amended by adding at the end thereof the following new section:

"SUBSIDIZATION OF CHILD CARE COSTS FOR CHILDREN OF LOW-INCOME FAMILIES

"SEC. 411. (a) From the sums available to carry out the provisions of this section for each fiscal year, the Secretary is authorized to assist low-income families in meeting the costs of child care services where such services are necessary to enable an adult member of such family to engage in employment.

"(b) The amount of the subsidy provided to any family under this subsection shall be determined in accordance with a schedule established by the Secretary, after taking into account the number of families needing such assistance, the amount of assistance needed by such families, and the amount of the funds available for the provision of such assistance. Such schedule shall (i) provide that the amount of subsidy payable to any family shall be equal to a per centum of the costs incurred by such family for the child care services with respect to which such subsidy is paid, (ii) be related to ability of such family to pay the costs of such services (as determined by family size and income), and (iii) be designed to assure that the amount of the subsidy payable to any family is not greater than the minimum amount necessary to enable such family to secure such services.

"(c) There are authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1972, such sums as may be necessary to carry out the provisions of this section.".

SEC. 203. Section 426 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(c) Of the sums appropriated to carry out the preceding subsections of this section for the fiscal year ending June 30, 1972; or for any fiscal year thereafter, such amounts as may be necessary (but not in excess of $25,000,000 in the case of the fiscal year ending June 30, 1972) shall be used for the training of personnel to prepare them for employment in the provision of child care services.".

TITLE III—ESTABLISHMENT OF FEDERAL CHILD CARE CORPORATION

SEC. 301. This title may be cited as the "Federal Child Care Corporation Act".

SEC. 302. The Social Security Act is amended by adding after title XIX thereof the following new title:

"TITLE XX—FEDERAL CHILD CARE CORPORATION

"FINDINGS AND DECLARATION OF PURPOSE

"SEC. 2001. (a) The Congress finds and declares that—

"(1) the present lack of adequate child care services is detrimental to the welfare of families and children in that it limits opportunities of parents for employment or self-improvement, and often results in inadequate care arrangements for children whose parents are unable to find appropriate care for them;

"(2) low income families and dependent families are severely handicapped in their efforts to attain or maintain economic independence by the unavailability of adequate child care services;

"(3) many other families, especially those in which the mother is employed, have need for child care services either on a regular basis or from time to time; and

"(4) there is presently no single agency or organization, public or private, which is carrying out the responsibility of meeting the Nation's needs for adequate child care services.

"(b) It is therefore the purpose of this title to promote the availability of adequate child care services throughout the Nation by providing for the establishment of a Federal Child Care Corporation which shall have the responsibility and authority to meet the Nation's unmet needs for adequate child care services, and which, in meeting such needs, will give special consideration to the needs for such services by families in which the mother is employed or preparing for employment, and will promote the well-being of all children by assuring that the child care services provided will be appropriate to the particular needs of the children receiving such services.

"ESTABLISHMENT AND ORGANIZATION OF CORPORATION

"SEC. 2002. (a) In order to carry out the purposes of this title, there is hereby created a body corporate to be known as the Federal Child Care Corporation (hereinafter in this title referred to as the 'Corporation').

"(b)(1) The powers and duties of the Corporation shall be vested in a Board of Directors (hereinafter in this title referred to as the 'Board').

"(2) The Board shall consist of three members, to be appointed by the President, by and with the advice and consent of the Senate. The President shall select for appointment to the Board individuals who are interested in the welfare of children and who support the aims and objectives of this title. One member of the Board shall, at the time of his appointment, be designated by the President as Chairman of the Board.

"(3) Not more than two members of the Board shall be members of the same political party.

"(4) Each member of the Board shall hold office for a term of three years, except that any member appointed to fill a vacancy which occurs prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, one on June 30, 1973, one on June 30, 1974, and one on June 60, 1975.

"(c) Vacancies in the Board shall not impair the powers of the remaining members of the Board to exercise the powers vested in, and carry out the duties imposed upon the Corporation.

"(d) Each member of the Board shall, during his tenure in office, devote himself to the work of the Corporation and shall not during such tenure, engage in any other business or employment.

"(e)(1) The Board shall have the power to appoint (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service) such personnel as it deems necessary to enable the Corporation to carry out its func-

tions under this title. All personnel shall be appointed solely on the ground of their fitness to perform their duties and without regard to political affiliation, sex, race, creed, or color. The Board may (without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates) fix the compensation of personnel. The amount of the compensation payable to any employee shall be reasonably related to the compensation payable to State employees performing similar duties in the State in which such employee is employed by the Corporation; except that, in no case shall the amount of the compensation payable to any employee be greater than that payable to Federal employees performing similar services. For purposes of the preceding sentence, personnel employed in the principal office of the Corporation shall be deemed to be performing services in the District of Columbia (which shall be deemed to be a State for such purposes), and personnel performing services in more than one State shall be deemed to be employed in the State in which their principal office of place of work is located.

"(2) The Board is authorized to obtain the services of experts and consultants on a temporary or intermittent basis in accordance with the provisions of section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem equivalent of the rate authorized for GS-18 by section 5332 of such title.

"(3) The Board shall establish, within the Corporation, an Office of Program Evaluation and Auditing the functions of which shall be to assure that standards established under this title with respect to child care services and facilities providing such services will be met, and that funds of or under the control of the Corporation will be properly used. The Board shall utilize such Office to carry out the duties (relating to evaluation of facilities) imposed upon the Board under section 2004(c)(2).

"DUTIES OF CORPORATION

"SEC. 2003. (a) It shall be the duty and function of the Corporation to meet, to the maximum extent economically feasible, the needs of the Nation for child care services.

"(b)(1) In carrying out such duty and function, the Corporation shall, through utilization of existing facilities for child care and otherwise, provide (or arrange for the provision of) child care services in the various communities of each State. Such child care services shall include the various types of care included in the term 'child care services' (as defined in section 2018(b)) to the extent that the needs of the various communities may require.

"(2) The Corporation shall charge and collect a reasonable fee for the child care services provided by it (whether directly or through arrangements with others). The fee so charged for any particular type of child care services provided in any facility shall be uniform for all children receiving such types of services in such facility. Any such fee so charged may be paid in whole or in part by any person (including any public agency) which agrees to pay such fee or a part thereof.

"(3) The Corporation shall not enter into any arrangement with any person under which the facilities or services of such person will be utilized by the Corporation to provide child care services unless such person agrees (1) to accept any child referred to such person by the Corporation for child care services on the same basis and under the same conditions as other children applying for such services, and (2) to accept payment of all or any part of the fee imposed for such services from any public agency which shall agree to pay such fee or a part thereof from Federal funds.

"(c) In providing child care services in the various communities of the Nation, the Corporation shall accord first priority (1) to the needs for child care services of families on behalf of whom child care services will be paid in whole or in part from funds appropriated to carry out title IV and who are in need of such services to enable a member thereof to accept or continue in employment or participate in training to prepare such member for employment, and (2) to arranging for care in facilities providing hours of child care sufficient to meet the child care needs of children whose mothers are employed full time.

"STANDARDS FOR CHILD CARE

"SEC. 2004. (a) In order to assure that adequate standards of staffing, health, sanitation, safety, and fire protection are met, the Corporation shall not provide or arrange for the provision of child care of any type or in any facility unless the applicable requirements set forth in the succeeding provisions of this section are met with respect to such care and the facility in which such care is offered.

(b)(1) The ratio of the number of children receiving child care to the number of qualified staff members directly engaged in providing such care (whether as teachers' aides or in another capacity) shall be such as the Board may determine to be appropriate for the type of child care provided and the age of the children involved, but in no case shall the Board require a ratio of less than—

"(A) eight to one, in case such care is provided in a home child care facility; or

"(B) ten to one, in case such care is provided in a day nursery facility, nursery school, child development center, play group facility, or preschool child care center.

For purposes of applying the ratios set forth in clauses (A) and (B) of the preceding sentence, any child under age three shall be considered as two children.

"(2) In the case of any facility (other than a facility to which paragraph (1) is applicable) the ratio of the number of children receiving child care therein to the number of qualified staff members providing such care shall not be greater than such ratio as the Board may determine to be appropriate to the type of child care provided and the age of the children involved, except that such ratio shall not be greater than twenty-five to one.

"(3) As used in this subsection, the term 'qualified staff member' means an individual who has received training in, or demonstrated ability in, the care of children.

"(c)(1) Any facility in which the Corporation provides child care (whether directly or through arrangements with others) must—

"(A) meet such provisions of the Life Safety Code of the National Fire Protection Association (twenty-first edition, 1967) as are applicable to the type of facility; except that the Corporation may waive for such periods as it deems appropriate, specific provisions of such code which, if rigidly applied, would result in unreasonable hardship upon the facility, but only if the Corporation makes a determination (and keeps a written record setting forth the basis of such determination) that such waiver will not adversely affect the health and safety of the children receiving care in such facility;

"(B) contain (or have available to it for use) adequate indoor and outdoor space for children for the number and ages of the children served by such facility; and must have separate rooms or areas for cooking, and separate rooms for toilets;

"(C) have floors and walls of a type which can be cleaned and maintained and which contain or are covered with no substance which is hazardous to the health or clothing of children;

"(D) have such ventilation and temperature control facilities as may be necessary to assure the safety and reasonable comfort of each child receiving care therein;

"(E) provide safe and comfortable facilities for the variety or activities children engage in while receiving care therein;

"(F) provide special arrangements or accommodations, for children who become ill, which are designed to provide rest and quiet for ill children while protecting other children from the risk of infection or contagion; and

"(G) make available to children receiving care therein such toys, games, books, equipment and other material as are appropriate to the type of facility involved and the ages of the children receiving care therein.

"(2) The Board, in determining whether any particular facility meets minimum requirements imposed by paragraph (1) of this subsection, shall evaluate, not less often than once each year, on the basis of inspections made by personnel employed by the Board or by others through arrangements with the Board, such facility separately and shall make a determination with respect to such facility after taking into account the location and type of care provided by such facility as well as the age group served by it.

"(d) The Corporation shall not provide (directly or through arrangements with other persons) child care in a child care facility or home child care facility unless—

"(1) such facility requires that, in order to receive child care provided by such facility, a child must have been determined by a physician (after a physical examination) to be in good health and must have been immunized against such diseases and within such prior period as the Board may prescribe in order adequately to protect the children receiving care in such facility from communicable disease (except that no child seeking to enter or receiving care in such a facility shall be required to undergo any medical examination, immunization, or physical evaluation or treatment) (except to the extent necessary to protect the public from epidemics of contagious diseases) (if his parent or guardian objects thereto in writing on religious grounds);

"(2) such facility provides for the daily evaluation of each child receiving care therein for indications of illness;

(3) such facility provides adequate and nutritious (though not necessarily hot) meals and snacks, which are prepared in a safe and sanitary manner;

"(4) such facility has in effect procedures designed to assure that each staff member thereof is fully advised of the hazards to children of infection and accidents and is instructed with respect to measures designed to avoid or reduce the incidence or severity of such hazards;

"(5) such facility has in effect procedures under which the staff members of such facility (including voluntary and part-time staff members) are required to undergo, prior to their initial employment and periodically thereafter, medical assessments of their physical and mental competence to provide child care;

"(6) such facility keeps and maintains adequate health records on each child receiving care in such facility and on each staff member (including any voluntary or part-time staff member) of such facility who has contact with children receiving care in such facility; and

"(7) such facility has in effect, for the children receiving child care services provided by such facility, a program under which emergency medical care or first aid will be provided to any such child who sustains injury or becomes ill while receiving such services from such facility, the parent of such child (or other proper person) will be promptly notified of such injury or illness, and other children receiving such services in such facility will be adequately protected from contagious disease.

"(e) The Corporation shall not provide (directly or through arrangements with other persons) child care, in any child care facility or home child care facility, to any child unless there is offered to the parent or parents with whom such child is living (or, if such child is not living with a parent, the guardian or other adult person with whom such child is living) the opportunity of (A) meeting and consulting, from time to time, with the staff of such facility on the development of such child, and (B) observing, from time to time, such child while he is receiving care in such facility.

"PHYSICAL STRUCTURE AND LOCATION OF CHILD CARE FACILITIES

"SEC. 2005. (a) There may be utilized, to provide child care authorized by this title, new buildings especially constructed as child care facilities, as well as existing buildings which are appropriate for such purpose (including, but not limited to, schools, churches, social centers, apartment houses, public housing units, office buildings, and factories).

"(b) The Board, in selecting the location of any facility to provide child care under this title, shall, to the maximum extent feasible, give consideration to such factors as whether the site selected therefor—

"(1) is conveniently accessible to the children to be served by such facility, in terms of distance from the homes of such children as well as the length of travel time (on the part of such children and their parents) involved;

"(2) is sufficiently accessible from the place of employment of the parents of such children so as to enable such parents to participate in such programs, if any, as are offered to parents by such facility; and

"(3) is conveniently accessible to other facilities, programs, or resources which are related to, or beneficial in, the development of the children of the age group served by such facility.

"EXCLUSIVENESS OF FEDERAL STANDARDS; PENALTY FOR FALSE STATEMENT OR MISREPRESENTATION

"SEC. 2006. (a) Any facility in which child care services are provided by the Corporation (whether directly or through arrangements with other persons) shall not be subject to any licensing or similar requirements imposed by any State (or political subdivision thereof), and shall not be subject to any health, fire, safety, sanitary, or other requirements imposed by any State (or political subdivision thereof) with respect to facilities providing child care.

"(b) If any State (or political subdivision thereof), group, organization, or individual feels that the standards imposed, or proposed to be imposed, by the Corporation under section 2004(c)(1) for child care facilities (or any type of class of child care facilities) are less protective of the welfare of children than those imposed on such facilities by such State (or political subdivision thereof, as the case may be), such State (or political subdivision thereof), group, organization, or individual may, by filing a request with the Corporation, obtain a hearing on the matter of the standards imposed or proposed to be imposed by the Corporation with respect to such facilities.

"(c) Whoever knowingly and willfully makes or causes to be made, or induces or seeks to induce the making of, any false statement or representation of a material fact with respect to the conditions or operation of any facility in order that such facility may qualify as a facility in which child care services are provided by the Corporation (whether directly or through arrangements with other persons) shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $2,000 or imprisoned for not more than six months, or both.

"GENERAL POWERS OF CORPORATION

"SEC. 2007. (a) The Corporataion shall have power—

"(1) to adopt, alter, and use a corporate seal, which shall be judicially noticed;

"(2) to adopt, amend, and repeal bylaws designed to enable it to carry out the duties and functions imposed on it by this title;

"(3) in its corporate name, to sue and be sued, and to complain and to defend, in any court of competent jurisdiction (State or Federal), but no attachment, injunction, or similar process, mesne or final, shall be issued against the property of the Corporation or against the Corporation with respect to its property;

"(4) to conduct its business in any State of the United States and in the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam;

"(5) to enter into and perform contracts, leases, cooperative agreements, or other transactions, on such terms as it may deem appropriate, with (i) any agency or instrumentality of the United States, (ii) any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, or Guam (or any agency, instrumentality, or political subdivision thereof), or (iii) any person or agency;

"(6) to execute, in accordance with its bylaws, all instruments necessary or appropriate to the exercise of its powers;

"(7) to acquire (by purchase, gift, devise, lease, or sublease), and to accept jurisdiction over and to hold and own, and dispose of by sale, lease, or sublease, real or personal property, including but not limited to a facility for child care, or any interest therein for its corporate purposes;

"(8) to accept gifts or donations of services, or of property (whether real, personal, or mixed or whether tangible or intangible), in aid of any of the purposes of this title;

"(9) to operate, manage, superintend, and control any facility for child care under its jurisdiction and to repair, maintain, and otherwise keep up any such facility; and to establish and collect fees, rentals, or other charges for the use of such facility or the receipt of child care services provided therein;

"(10) to provide child care services for the public directly or by agreement or lease with any person, agency, or organization, and to make rules and regulations concerning the handling of referrals and applications for the admission of children to receive such services; and to establish and collect fees and other charges, including reimbursement allowances, for the provision of child care services: *Provided*, That, in determining how its funds shall be used for the provision of child care services within a community, the Corporation shall take into account any comprehensive planning for child care which has been done, and shall generally restrict its direct operation of programs to situations in which public or private agencies are unable to develop adequate child care;

"(11) to provide advice and technical assistance to persons desiring to enter into an agreement with the Corporation for the provision of child care services to assist them in developing their capabilities to provide such services under such an agreement;

"(12) to prepare, or cause to be prepared, plans, specifications, designs, and estimates of costs for the construction and equipment of facilities for child care services in which the Corporation provides child care directly;

"(13) to construct and equip, or by contract cause to be constructed and equipped, facilities (other than home child care facilities) for child care services: *Provided*, That the Corporation shall take into account any comprehensive planning for child care which has been done;

"(14) to invest any funds held in reserves or sinking funds, or any funds not required for immediate use or disbursement, at the discretion of the Board, in obligations of the United States or obligations the principal and interest on which are guaranteed by the United States;

"(15) to procure insurance, or obtain indemnification, against any loss in connection with the assets of the Corporation or any liability in connection with the activities of the Corporation, such insurance or indemnification to be procured or obtained in such amounts, and from such sources, as the Board deems to be appropriate;

"(16) to cooperate with any organization, public or private, the objectives of which are similar to the purposes of this title; and

"(17) to do any and all things necessary, convenient, or desirable to carry out the purposes of this title, and for the exercise of the powers conferred upon the Corporation in this title.

"(b) Funds of the Corporation shall not be invested in any obligation or security other than obligations of the United States or obligations the principal and interest on which are guaranteed by the United States; and any obligations or securities (other than obligations of the United States or obligations the principal and interest on which are guaranteed by the United States) acquired by the Corporation by way of gift or otherwise shall be sold at the earliest practicable date after they are so acquired.

"RECONSIDERATION OF CERTAIN DECISIONS

"SEC. 2008. Whenever any group or organization has presented to the Corporation a proposal, under which such group or organization would provide child care services on behalf of the Corporation, which has been rejected by the Corporation, such group or organization, upon request filed with the Board, may have a reconsideration of such proposal by the Corporation.

"CONFIDENTIALITY OF CERTAIN INFORMATION

"SEC. 2009. The Corporation shall impose such safeguards with respect to information held by it concerning applicants for and recipients of child care as are necessary or appropriate to assure that such information will be used only for purposes directly connected with the administration of this title that the privacy of such applicants or recipients will be protected, and that, when such information is used for statistical purposes, it will be used in such manner as not to identify the particular individuals involved.

"REVOLVING FUND

"SEC. 2010. (a) There is hereby established in the Treasury a revolving fund to be known as the Federal Child Care Corporation Fund (hereinafter in this title referred to as the 'fund') which shall be available to the Corporation without fiscal year limitation to carry out the purposes, functions, and powers of the Corporation under this title.

"(b) There shall be deposited in the fund—

"(1) funds loaned to the Corporation by the Treasury pursuant to subsection (d); and

"(2) the proceeds of all fees, rentals, charges, interest, or other receipts (including gifts) received by the Corporation.

"(c) Except for expenditures from the Federal child care corporation capital fund (established by section 2011(d)) and expenditures from appropriated funds, all expenses of the Corporation (including salaries and other personnel expenses) shall be paid from the fund.

"(d) The Secretary of the Treasury shall, from time to time, in accordance with requests submitted to him by the Board, deposit, as a loan to the Corporation, in the fund such amounts (the aggregate of which shall not exceed $500,000,000). Beginning with the fiscal year ending June 30, 1976, the principal on any such loan shall be re-

paid by the Corporation in annual installments equal to 2 per centum of the principal amount of such loan (or such larger amount as the Corporation may elect to pay). The Corporation shall pay interest on any moneys so deposited in the fund for periods, during any fiscal year, that such moneys have been in such fund. Interest on such moneys for any fiscal year shall be paid on July 1 following the close of such fiscal year and shall be paid at a rate equal to the average rate of interest paid by the Treasury on long-term obligations during such fiscal year.

"(e) If the Corporation determines that the moneys in the fund are in excess of current needs, it may invest such amounts therefrom as it deems advisable in obligations of the United States or obligations the payment of principal and interest of which is guaranteed by the United States.

"REVENUE BONDS OF CORPORATION

"SEC. 2011. (a) The Corporation is authorized (after consultation with the Secretary of the Treasury) to issue and sell bonds, notes, and other evidences of indebtedness (hereinafter in this section collectively referred to as 'bonds') whenever the Board determines that the proceeds of such bonds are necessary, together with other moneys available to the Corporation from the Federal Child Care Corporation Fund, to provide funds sufficient to enable the Corporation to carry out its purposes and functions under this title with respect to the acquisition, planning, construction, remodeling, or renovation of facilities for child care or sites for such facilities; except that (1) no such bonds shall be sold prior to July 1, 1974, (2) not more than $50,000,000 of such bonds shall be issued and sold during any fiscal year, and (3) the outstanding balance of all bonds so issued and sold shall not at any one time exceed $250,000,000.

"(b) Any such bonds may be secured by assets of the Corporation, including, but not limited to, fees, rentals, or other charges which the Corporation receives for the use of any facility for child care which the Corporation owns or in which the Corporation has an interest. Any such bonds are not, and shall not for any purpose be regarded as, obligations of the United States.

"(c) Any such bonds shall bear such rate of interest, have such dates of maturity, be in such denominations, be in such form, carry such registration privileges, be executed in such manner, be payable on such terms, conditions and at such place or places, and be subject to such other terms and conditions, as the Board may prescribe.

"(d)(1) There is hereby established in the Treasury a fund to be known as the 'Federal Child Care Corporation Capital Fund' (hereinafter in this title referred to as the 'Capital Fund'), which shall be available to the Corporation without fiscal year limitations to carry out the purposes and functions of the Corporation with respect to the acquisition, planning, construction, remodeling, renovation, or initial equipping of facilities for child care services, or sites for such facilities.

"(2) The proceeds of any bonds issued and sold pursuant to this section shall be deposited in the Capital Fund and shall be available only for the purposes and functions referred to in paragraph (1) of this subsection.

"CORPORATE OFFICES

"SEC. 2012. (a) The principal office of the Corporation shall be in the District of Columbia. For purposes of venue in civil actions, the Corporation shall be deemed to be a resident of the District of Columbia.

"(b) The Corporation shall establish offices in each major urban area and in such other areas as it deems necessary to carry out its duties as set forth in section 2003.

"TAXATION

"SEC. 2013. The Corporation, its property, assets, and income shall be exempt from taxation in any manner or form by the United States, a State (or political subdivision thereof).

"REPORTS TO CONGRESS

"SEC. 2014. (a) The Corporation shall not later than January 30 following the close of the second session of each Congress (commencing with January 30, 1973), submit to the Congress a written report on its activities during the period ending with the close of the session of Congress last preceding the submission of the report and beginning, in the case of the first such report so submitted, with the date of enactment of this title, and in the case of any such report thereafter, with the day after the last day covered by the last preceding report so submitted. As a separate part of any such report, there shall be included such data and information as may be required fully to apprise the Congress of the actions which the Corporation has taken to improve the quality and availability of child-care services, together with a statement regarding the future plans (if any) of the Corporation to further improve the quality of such services.

"(b) The Corporation shall conduct, on a continuing basis, a study of the standards for child care under section 2004, and shall report to the Congress, not later than January 1, 1976, the results of such study, together with the recommendations (if any) of the Board with respect to changes which should be made in establishing such standards.

"APPLICABILITY OF OTHER LAWS

"SEC. 2015. (a) Except as otherwise provided by this title, the Corporation, as a wholly owned Government corporation, shall be subject to the Government Corporation Control Act (31 U.S.C. 841–871).

"(b) The provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), relating to advances of public moneys and certain other payments, shall not be applicable to the Corporation.

"(c) The provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), or other provisions of law relating to competitive bidding, shall not be applicable to the Corporation; nor shall any other provision of law, limiting the authority of instrumentalities of the United States to enter into contracts, be applicable to the Corporation in respect to contracts entered into by the Corporation for the provision of child care services.

"(d) Except as otherwise provided in this title, all Federal laws dealing generally with agencies of the United States shall be deemed to be applicable to the Corporation, and all laws dealing generally with officers and employees of the United States shall be deemed to be applicable to officers and employees of the Corporation.

"(e) The provisions of the Public Buildings Act of 1959 (40 U.S.C. 601–615) shall not apply to the acquisition, construction, remodeling, renovation, alteration, or repair of any building of the Corporation or to the acquisition of any site for any such building.

"(f) All general Federal penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of moneys or property of the United States shall apply to the moneys and property of the Corporation.

"COLLECTION AND PUBLICATION OF STATISTICAL DATA

"SEC. 2016. The Corporation shall collect, classify, and publish, on a monthly and annual basis, statistical data relating to its operations and child care provided (directly or indirectly) by the Corporation together with such other data as may be relevant to the purposes and functions of the Corporation.

"RESEARCH AND TRAINING

"SEC. 2017. (a) The Secretary, in the administration of section 426, shall consult with and cooperate with the Corporation with a view to providing for the conduct of research and training which will be applicable to child care services.

"(b) The Secretary of Labor, in the administration of part C of title IV, shall consult with and cooperate with the Corporation with a view to preparing participants in programs under such part to become trained in the provision of child care services.

"(c) The Corporation shall have the authority to conduct directly or by way of contract programs of in-service training in day care services.

"NATIONAL ADVISORY COUNCIL ON CHILD CARE

"SEC. 2018. (a)(1) For the purpose of providing advice and recommendations for the consideration of the Board in matters of general policy in carrying out the purposes and functions of the Corporation, and with respect to improvements in the administration by the Corporation of its purposes and functions, there is hereby created a National Advisory Council on Child Care (hereinafter in this section referred to as the 'Council').

"(2) The Council shall be composed of the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Secretary of Housing and Urban Development, and twelve individuals, who shall be appointed by the Board (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service), and who are not otherwise in the employ of the United States.

"(3) Of the appointed members of the Council, not more than three shall be selected from individuals who are representatives of social workers or child welfare workers or nonprofit corporations or are from the field of education, and the remaining appointed members shall be selected from individuals who are representatives of consumers of child care (but not including more than one individual who is a representative of any organization which is composed of or represents recipients of such assistance).

"(b) Each appointed member of the Council shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his successor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the appointed members first taking office shall expire, as designated by the Board at the time of appointment, four on June 30, 1973, four on June 30, 1974, and four on June 30, 1975.

"(c) The Council is authorized to engage such technical assistance as may be required to carry out its functions, and the Board shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such pertinent data prepared by the Corporation as the Council may require to carry out its functions.

"(d) Appointed members of the Council shall, while serving on the business of the Council, be entitled to receive compensation at the rate of $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(e) There are hereby authorized to be appropriated for each fiscal year such sums as may be necessary to carry out the provisions of this section.

"COOPERATION WITH OTHER AGENCIES

"SEC. 2019. (a)(1) The Corporation is authorized to enter into agreements with public and other nonprofit agencies or organizations whereby children receiving child care provided by the Corporation (whether directly or through arrangements with other persons) will be provided other services con-

ducive to their health, education, recreation, or development.

"(2) Any such agreement with any such agency or organization shall provide that such agency or organization shall pay the Corporation in advance or by way of reimbursement, for any expenses incurred by it in providing any services pursuant to such agreement.

"(b) The Corporation may also enter into cooperative arrangements with the State health authority and the State agency primarily responsible for State supervision of public schools to utilize such agencies in the provision of health services and education for children receiving child care.

"DEFINITIONS

"SEC. 2020. For purposes of this title—

"(a) The term 'Corporation' means the Federal Child Care Corporation established pursuant to section 2002.

"(b) The term 'child care services' means the provision, by the person undertaking to care for any child, of such personal care, protection, and supervision of each child receiving such care as may be required to meet the child care needs of such child, including services provided by—

"(1) a child care facility;

"(2) a home child care facility;

"(3) a temporary child facility;

"(4) an individual as a provider of at-home child care;

"(5) a night care facility; or

"(6) a boarding facility.

"(c) The term 'child care facility' means any of the following facilities:

"(1) day nursery facility;

"(2) nursery school;

"(3) kindergarten;

"(4) child development center;

"(5) play group facility;

"(6) preschool child care center;

"(7) school age child care center;

"(8) summer day care program facility;

but only if such facility offers child care services to not less than six children; and in the case of a kindergarten, nursery school, or other daytime program, such facility is not a facility which is operated by a public school system, and the services of which are generally available without charge throughout a school district of such system;

"(d) The term 'home child care facility' means—

"(1) a family day care home;

"(2) a group day care home;

"(3) a family school day care home; or

"(4) a group school age day care home.

"(e) The term 'temporary child care facility' means—

"(1) a temporary child care home;

"(2) a temporary child care center; or

"(3) other facility (including a family home, or extended or modified family home) which provides care, on a temporary basis, to transient children.

"(f) The term 'at-home child care' means the provision, to a child in his own home, of child care services, by an individual, who is not a member of such child's family or a relative of such child, while such child's parents are absent from the home.

"(g) The term 'night care facility' means—

"(1) a night care home;

"(2) a night care center; or

"(3) other facility (including a family home, or extended or modified family home) which provides care, during the night, of children whose parents are absent from their home and who need supervision during sleeping hours in order for their parents to be gainfully employed.

"(h) The term 'boarding facility' means a facility (including a boarding home, a boarding center, family home, or extended or modified family home) which provides child care for children on a twenty-four per day basis (except for periods when the children are attending school) for periods, in the case of any child, not longer than one month.

"(i) The term 'day nursery' means a facility which, during not less than five days each week, provides child care to children of preschool age.

"(j) The term 'nursery school' means a school which accepts for enrollment therein only children between two and six years of age, which is established and operated primarily for educational purposes to meet the developmental needs of the children enrolled therein.

"(k) The term 'kindergarten' means a facility which accepts for enrollment therein only children between four and six years of age, which is established and operated primarily for educational purposes to meet the developmental needs of the children enrolled therein.

"(l) The term 'child development center' means a facility which accepts for enrollment therein only children of preschool age, which is established and operated primarily for educational purposes to meet the developmental needs of the children enrolled therein, and which provides for the children enrolled therein care, services, or instruction for not less than five days each week.

"(m) The term 'play group facility' means a facility which accepts as members thereof children of preschool age, which provides care or services to the members thereof for not more than three hours in any day, and which is established and operated primarily for recreational purposes.

"(n) The term 'preschool child care center' means a facility which accepts for enrollment therein children of preschool age, and which provides child care to children enrolled therein on a full-day basis for at least five days each week.

"(o) The term 'school age child care center' means a facility which accepts for enrollment therein only children of school age, and which provides child care for the children enrolled therein during the portion of the day when they are not attending school for at least five days each week.

"(p) The term 'summer day care program' means a facility which provides child care for children during summer vacation periods, and which is established and operated primarily for recreational purposes; but such term does not include any program which is operated by any public agency if participation in such program is without charge and is generally available to residents of any political subdivision.

"(q) The term 'family day care home' means a family home in which child care is provided, during the day, for not more than eight children (including any children under age fourteen who are members of the family living in such home or who reside in such home on a full-time basis).

"(r) The term 'group day care home' means an extended or modified family residence which offers, during all or part of the day, child care for not less than seven children (not including any child or children who are members of the family, if any, offering such services).

"(s) The term 'family school age day care home' means a family home which offers child care for not more than eight children, all of school age, during portions of the day when such children are not attending school.

"(t) The term 'group school age day care home' means an extended or modified family residence which offers family-like child care for not less than seven children (not counting any child or children who are members of the family, if any, offering such services) during portions of the day when such children are not attending school.

"(u) The term 'temporary child care home' means a family home which offers child care, on a temporary basis, for not more than eight children (including any children under age fourteen who are members of the family, if any, offering such care).

"(v) The term 'temporary child care center' means a facility (other than a family home) which offers child care, on a temporary basis, to not less than seven children.

"(w) The term 'night care home' means a family home which offers child care, during the night, for not more than eight children (including any children under age fourteen who are members of the family offering such care).

"(x) The term 'boarding home' means a family home which provides child care (including room and board) to not more than six children (including any children under age fourteen who are members of the family offering such care).

"(y) The term 'boarding center' means a summer camp or other facility (other than a family home) which offers child care (including room and board) to not less than seven children.

"(z) The term 'facility', as used in connection with the term 'child care', 'home child care', 'temporary child care', 'night care', or 'boarding care', shall refer only to buildings and grounds (or portions thereof) actually used (whether exclusively or in part) for the provisions of child care services."

(c)(1) Section 422(a)(1) of such Act is amended by striking out subparagraph (C) thereof.

(2) Section 425 of such Act is amended by striking out "or day-care" and by adding "other than those defined in sec. 2118(c)" after "child-care facilities".

(3) The amendments made by this subsection shall take effect July 1, 1972.

(d) Section 1101(a)(1) of the Social Security Act is amended by striking out "and XIX" and inserting in lieu thereof "XIX, and XX,".

(e)(1) Section 5316 of title 5, United States Code (relating to Executive Schedule pay rates at level V), is amended by adding at the end thereof:

"(131) Chairman of the Board of Directors of the Federal Child Care Corporation.

"(132) Member of the Board of Directors of the Federal Child Care Corporation."

By Mr. NELSON:

S. 2007. A bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes. Referred to the Committee on Labor and Public Welfare.

EXTENSION OF THE ECONOMIC OPPORTUNITY ACT

Mr. NELSON. Mr. President, I send to the desk a bill to extend the Economic Opportunity Act of 1964 for 2 more years, beyond the present expiration date of June 30, 1971.

This bill is similar in many ways to legislation already introduced in behalf of the administration. It includes specific proposed funding authorizations which were not included in the previous bills.

The Senate Subcommittee on Employment, Manpower, and Poverty has held 16 days of hearings on the proposed OEO legislation, between March 23 and May 27. This bill is an outgrowth of those public hearings.

It is anticipated that amendments to strengthen Headstart and day care programs; to establish a Legal Services Corporation, and to strengthen the title I–D Economic Development language in the present Economic Opportunity Act will be considered in the subcommittee's executive sessions, which are scheduled

to begin June 16. If the subcommittee is so inclined, those amendments will be incorporated into the basic OEO extension legislation which is expected to be reported out of the subcommittee shortly.

The bill introduced today would make it clear that manpower training funds, and funds for the Headstart program, would be appropriated directly to the departments which now administer the programs, rather than to the Director of the Office of Economic Opportunity.

We have had an unusually broad range of testimony at our OEO hearings this year, and a very impressive case has been made for the continuation of the program.

In behalf of the administration, Mr. Frank Carlucci, OEO director, testified on March 24:

Extension of the Economic Opportunity Act is needed to assure that the OEO, and other departments that operate programs authorized under this legislation, may continue bringing needed services and support to the poor. Extension of the legislation, also will assure that during the next two years, there will remain within the Federal government an agency serving as an active advocate of the poor, so that the thrust of the effort to eradicate poverty maintains its momentum.

Failure to extend the legislation would, I am very much afraid, undo much of the progress made to date. It also would imply to the nation, the non-poor as well as the poor, that the Federal government was turning its back on the people who most need its assistance.

Mr. Carlucci's testimony was especially significant in its discussion of Community Action Agencies, that network of some 935 local agencies which direct the fight against poverty at the community level, with boards of directors made up of local elected officials, civic leaders, and representatives of the poor. Mr. Carlucci testified:

The strengthening of OEO into a more productive arm of government is perhaps nowhere better illustrated than in the new attitude and achievements of the agency's 930 Community Action Agencies.

I can report to you today that, in my opinion, never before have the Community Action Agencies as a whole been in a better position to fulfill their mission, both in terms of operating programs efficiently and successfully, and in widening the base of community support. In the last two years, this agency's leadership has repeatedly stressed the need for CAAs to serve not simply as a conduit for Federal funds, but in the far larger role of a catalyst for stimulating the broader community to actions aimed at eliminating poverty.

OEO's insistence that the CAAs concentrate on mobilizing all available resources to aid the poor reflects a hard-won understanding of the basic reality; and that is that all Americans must be enlisted in the struggle against the poverty that afflicts only some Americans. For the most part, the CAAs have responded vigorously and effectively to this expanded role.

A sound Community Action Agency not only fulfills the vital role of mobilizing a community-wide effort against the ills of poverty, but also functions as a low-overhead manager for other Federal, state and local program dollars. For instance, in Fiscal Year 1969, the network of CAAs, at a total overhead cost of $60 million to $70 million, dispensed some $1.375 billion worth of such programs, only $620,000 of which—or 47 percent—went for OEO or Economic Opportunity Act programs.

Through some 2,700 Neighborhood Service Centers and other CAA subagencies, Community Action Agencies fund or operate manpower, Head Start, education, health and even disaster relief programs, utilizing dollars from such departments as Health, Education and Welfare, Labor, Agriculture, Justice, and the Office of Emergency Preparedness.

The subcommittee also was greatly impressed by joint testimony in behalf of 90 major national organizations, many of them closely familiar with OEO programs, urging that the Economic Opportunity Act be extended for 2 more years.

This coalition was brought together by the League of Women Voters, the National Urban Coalition, and a number of other groups, and included major organizations representing Protestant, Catholic, and Jewish religious groups, organized labor, welfare agencies, fraternal societies, veterans groups, nationality groups and youth organizations.

Their joint statement said, in part:

STATEMENT ON THE FUTURE OF OEO

The Office of Economic Opportunity is the only federal agency whose primary mission is "to strengthen, supplement and coordinate efforts in the furtherance" of a policy to "eliminate the paradox of poverty in the midst of plenty." Its continued, strengthened existence is crucial to anti-poverty efforts, both as a symbol of the federal government's lasting commitment to the war on poverty and as a federal rallying point around which poor and disadvantaged people can command attention and assistance.

At the local level, through community action and other related programs, OEO has helped poor people to share in the planning and decision-making processes of their communities. They, as well as others, serve on the boards of neighborhood councils, community action agencies and delegate social agencies, thereby constituting one of the largest voluntary action efforts in the country. Their participation has helped make social services and agencies, both public and private, more relevant to the needs of poor people, and therefore more efficient and economical. In helping to determine the use and allocation of significant sums of money, they and their community action agencies have exercised an impressive degree of sound judgment and responsibility. This unique and successful effort in citizen participation is the heart of the OEO anti-poverty program.

Through its research and demonstration activities, OEO has initiated and supported innovative projects that are gradually becoming an accepted part of public and private social and economic policy. Through VISTA it has afforded young Americans the opportunity to help bring about necessary changes within the system. It has performed and still performs functions as an advocate of the poor and institutional gadfly that other agencies, public or private, cannot implement or duplicate. No other organization has done more to champion the importance of the non-professional in our society. It has generated leadership opportunities for minority representatives and poor people unmatched by any other agency or institution.

We believe that the Office of Economic Opportunity must be permitted to build on this impressive record. It must continue to focus national attention on the needs of the poor. The lessons of the past should be used to give OEO a new vitality.

The following organizations and individuals joined in signing the statement on the future of OEO:

Action for Legal Rights.
Actors Equity Association.
Adult Education Association of the U.S.A.
African Methodist Episcopal Church.
Alliance for Labor Action.
American Association of University Women.
American Baptist Convention.
American Ethical Union—Washington Office.
AFL–CIO Industrial Union Department.
American Humanist Association—Washington Office.
American Institute of Architects.
American Institute of Planners.
Hyman Bookbinder, American Jewish Committee.
American Jewish Congress.
American Veterans Committee.
Americans for Democratic Action.
Americans for Indian Opportunity Action Council.
Anti-Defamation League of B'nai B'rith.
B'nai B'rith Women.
Central Conference of American Rabbis.
Center for Community Affairs.
Church Women United—Greater Washington.
City Wide Tenants Union.
Common Cause.
Council for Christian Social Action, United Church of Christ.
Day Care and Child Development Council of America.
Delta Sigma Theta Sorority.
Environmental Action, Inc.
Friends Committee on National Legislation.
G.I. Forum.
Hadassah.
The Independent Foundation.
International Union of District 50, Allied and Technical Workers.
International Union of Electrical, Radio and Machine Workers, AFL–CIO.
Japanese American Citizens League.
Jewish War Veterans.
League of Women Voters of the U.S.
Mennonite Central Committee—Peace Section.
Nash United Methodist Church.
National Assembly for Social Policy and Development.
National Association for the Advancement of Colored People.
National Association of College Women.
National Association for Community Development.
National Alliance for Postal and Federal Employees.
Al Whitney, National Association of Government Employees.
National Association of Market Developers.
National Association of Social Workers.
National Bar Foundation.
National Beauty Culturist League.
National Catholic Conference for Interracial Justice.
National Conference of Catholic Charities.
National Council on Aging.
National Council of Catholic Women.
National Council of Churches.
National Council of Negro Women.
National Council of OEO Locals.
National Dental Association.
National Farmers' Union.
National Federation of Settlements and Neighborhood Centers.
National Jewish Welfare Board.
National Legal Aid and Defender Association.
National Medical Association.
National Medical Association Women's Auxiliary.
National Rural Housing Coalition.
National Urban Coalition.
National Urban League.
National Sharecroppers Fund.
National Student Association.
National Tenants Organization.
National Vista Alliance.
National Welfare Rights Organization.

OEO Local 2677 American Federation of Government Employees.
Pioneer Women—The Women's Labor Zionist Organization of America.
Planned Parenthood—World Population.
Southwest Council of La Raza.
Synagogue Council of America.
Union of American Hebrew Congregations.
Unitarian Universalist Association—Washington Office.
United Auto Workers—Womens Department.
United Methodist Church, Womens Division.
United Presbyterian Church of the U.S.A.
U.S. Catholic Conference, SW Regional Office, Division for the Spanish.
David Dorn, U.S. Youth Council.
United Steel Workers of America—AFL-CIO.
Vernon Jordon, Exec. Director, United Negro College Fund, Inc.
Washington Office of the National Board of YMCA's.
Washington Research Project—Action Council.
Women's International League for Peace and Freedom.
Workers Defense League.
National Board of the YWCA of the U.S.A.
Zero Population Growth, Inc.

Mr. President, our hearings have demonstrated that the programs run by the Office of Economic Opportunity are effective. We all recognize that Headstart is an enormously needed and effective program. We all know that legal services is a needed and effective program. Our hearings have also demonstrated that there is great local support for the emergency food programs which have vastly improved the effectiveness of the food stamp and the surplus commodity programs feeding the poor. The title I–D community economic development program is providing funds for community based economic development programs in Bedford-Stuyvesant in Brooklyn, in the Hough area in Cleveland, in cooperatives in Louisiana and Alabama. Community economic development programs are getting underway in dozens of cities and rural areas.

But the overall war on poverty, which we started with such high hopes and brave rhetoric in 1964 is sorely tested by the recent economic recession. For the first time in a decade, the number of poor in America is rising rather than declining. The Census Bureau reported in May that there were 25.5 million poor people in 1970, an increase of 1.2 million over 1969.

It is obvious that the struggle to reduce poverty in this Nation—through the special programs of job training, health care, education, and legal assistance which OED emphasizes—must be continued, along with a broad scale effort to strengthen and expand our national economy. This is no time to cut back the war on poverty or to reorganize the program out of existence. We must extend and hopefully expand the meager efforts which we are making to do something about the plight of the poor, to provide them with an opportunity to be heard within the family of local political institutions and among the bureaucracies here in Washington. We on the Poverty Subcommittee are convinced that the Office of Economic Opportunity in Washington and the community action agencies in urban and rural areas all across the country have proven their worth and must be continued if the promise of economic opportunity for all our citizens is ever to become fulfilled.

I ask unanimous consent that the text of the bill and summary of the bill be printed in the RECORD at the close of my remarks together with a New York Times article of May 7, detailing the 5 percent increase of people in poverty.

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

S. 2007

A bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes

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 "Economic Opportunity Amendments of 1971".

EXTENSION OF ECONOMIC OPPORTUNITY ACT

SEC. 2. Sections 171, 245, 321, 408, 615, and 835 of the Economic Opportunity Act of 1964, as amended, are each amended by striking out "five succeeding fiscal years" and inserting in lieu thereof "seven succeeding fiscal years".

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. (a) For the purpose of carrying out parts A, B, and E of title I (relating to work and training) of the Economic Opportunity Act of 1964, there are authorized to be appropriated $900,000,000 for the fiscal year ending June 30, 1972, and such amounts as the Congress may determine to be necessary for the fiscal year ending June 30, 1973.

(b) For the purpose of carrying out the Project Headstart program described in section 222(a)(1) of the Economic Opportunity Act of 1964 and the Follow Through program described in section 222(a)(2) of such Act, there are authorized to be appropriated $500,000,000 for the fiscal year ending June 30, 1972, and such amounts as the Congress may determine to be necessary for the fiscal year ending June 30, 1973.

(c)(1) For the purpose of carrying out titles I (part D), II, III, VI, and VIII of such Act, there are authorized to be appropriated $950,000,000 for the fiscal year ending June 30, 1972, and such amounts as the Congress may determine to be necessary for the fiscal year ending June 30, 1973.

(2) Notwithstanding any other provision of law, unless expressly in limitation of the provisions of this section, of the amounts appropriated pursuant to paragraph (1) of this subsection for each fiscal year, the Director of the Office of Economic Opportunity shall for each such fiscal year reserve and make available not less than $328,900,000 for local initiative programs under section 221 of the Economic Opportunity Act of 1964 and the remainder of such amounts shall be allocated, subject to the provisions of section 616 of such Act, in such a manner that there shall be made available for each fiscal year—

(A) $448,100,000 for the purpose of carrying out title II of which $114,000,000 shall be for the Comprehensive Health Services program described in section 222(a)(4), $62,500,000 shall be for the Emergency Food and Medical Services program described in section 222(a)(5), $25,000,000 shall be for the Family Planning program described in section 222(a)(6), $8,800,000 shall be for the Senior Opportunities and Services program described in section 222(a)(7), $18,000,000 shall be for the Alcoholic Counseling and Recovery program described in section 222(a)(8), and $18,000,000 shall be for the Drug Rehabilitation program described in section 222(a)(9);

(B) $38,000,000 for the purpose of carrying out part B of title III (relating to assistance for migrant and seasonal farmworkers);

(C) $18,000,000 for the purpose of carrying out title VI (relating to administration and coordination); and

(D) $45,000,000 for the purpose of carrying out part A of title VIII (relating to VISTA).

If the amounts appropriated pursuant to this subsection for any fiscal year are not sufficient to assure that the full amounts specified for each of the purposes set forth in clauses (A) through (D) of this paragraph will be provided for each such fiscal year, then the amounts specified in each such clause shall be prorated to determine the allocations required for each such purpose.

AMENDMENTS TO TITLE I

SEC. 4. (a) Section 123(c) of the Economic Opportunity Act of 1964 is amended by striking out "pursuant to agreements between the Director and the Secretary of Labor providing for the operation of such programs under direct grants or contracts".

(b) Title I of the Economic Opportunity Act is amended by striking out the term "Director" wherever it appears in parts A, B, and E of such title and inserting in lieu thereof the term "Secretary of Labor".

(c) Section 171 of such Act is amended by inserting "part D of" immediately preceding "this title" and by inserting the following new sentence after the first sentence: "The Secretary of Labor shall carry out the programs under parts A, B, and E of this title during the fiscal year ending June 30, 1972, and the succeeding fiscal year, in accordance with agreements entered into between the Secretary of Labor and the Director of the Office of Economic Opportunity, which have been approved by the President and which contain provisions designed to assure that in the implementation of work and training programs there will be the maximum possible liaison between the Department of Labor and the Office of Economic Opportunity at all operating levels."

COMMUNITY ACTION BOARDS

SEC. 5. Section 211(b) of the Economic Opportunity Act of 1964 is amended by deleting the last sentence thereof.

FUNCTIONS OF DIRECTOR

SEC. 6. Notwithstanding any other provision of law, unless enacted hereafter expressly in limitation of the provisions of this section, the functions and powers of the Director of the Office of Economic Opportunity shall not be transferred or delegated to the head of any other agency during the fiscal year ending June 30, 1972, and the succeeding fiscal year.

SUMMARY OF PROPOSED ECONOMIC OPPORTUNITY AMENDMENTS OF 1971

(Introduced by Senator GAYLORD NELSON, chairman, subcommittee on employment, manpower and poverty)

The proposed "Economic Opportunity Amendments of 1971" extends the provisions of the Economic Opportunity Act of 1964 for an additional two years.

For the fiscal year ending June 30, 1972, the bill authorizes appropriations under the Economic Opportunity Act of the following sums:

$900,000,000 for the work and training programs in title I.

$500,000,000 for the Head Start and Follow Through programs.

$950,000,000 for the programs administered directly by the Office of Economic Opportunity, including local initiative community action programs, special emphasis programs, migrant and seasonal farmworker programs, Volunteers in Service to America (VISTA), community economic development assistance, and legal services.

The bill earmarks funds administered by the Office of Economic Opportunity at the budget levels without cutbacks from the previous year's allocations.

The proposed legislation consolidates the authority for carrying out the work and training programs in the Department of Labor while retaining the requirement for coordination with the Office of Economic Opportunity.

Another provision makes clear that Congressional approval must be received before any further transfers or delegations of Economic Opportunity Act programs can be made.

POOR IN NATION RISE BY 5 PERCENT, REVERSING 10-YEAR TREND

(By Jack Rosenthal)

WASHINGTON, May 7,—The number of the poor in the nation increased sharply last year, reversing a 10-year trend, the Census Bureau reported today.

There were 25.5 million poor persons in 1970, a rise of 1.2 million over 1969, the bureau found in its annual population survey.

"This is the first time that there has been a significant increase in the poverty population" since it began keeping such statistics, the bureau said.

The increase, of 5 per cent in one year, follows a period of 10 years in which the poverty population decreased by an average of 5 per cent a year.

The Federal Government defines poverty by a sliding dollar threshold. It was $2,973 in 1959, $3,743 in 1969 and $3,968 in 1970.

The dominant reasons for the increase in the number of the poor are unemployment and inflation, Government analysts said.

Unemployment, which averaged 3.5 per cent in 1969, jumped to 4.9 per cent in 1970, and was undoubtedly a major factor, according to John O. Wilson, research chief of the Office of Economic Opportunity, the Federal antipoverty agency.

Census experts said they also saw signs of increasing underemployment among men who are willing and able to work but cannot find enough work to earn even the poverty minimum.

Inflation has added to the ranks of the poor a number of families on fixed incomes, the experts said. These include those on pensions and those on welfare in states, like California, where welfare payments have not kept up with price increases.

Those most heavily affected, the new census report showed, were families headed by women. Of the 1.2 million more poor people, half were members of such families.

More than a third of the total, 432,000 were members of black families headed only by mothers. This number accounted for virtually all the increase in poverty among Negroes.

For all races, families headed by women accounted for only 14 per cent of the population but 44 per cent of the poverty population.

Over-all, the rates of increase were about the same for both whites and blacks. One in 10 white persons lives in poverty, compared with one in three Negroes.

MORE POOR WHITES

But there still are far more poor whites than poor blacks. The white poverty population is now 17.5 million, 67 per cent of the total. For Negroes the figure is 7.7 million.

Despite the increase in poverty between 1969 and 1970, there are still far fewer poor people, according to the Federal definition, than there were in 1959 when statistics were first compiled. The poverty population then totaled nearly 40 million.

But, as the total has decreased, the proportion of the poverty population that is Negro has increased. The present figure is about 33 per cent. In 1959 it was about 28 per cent.

In 1970, black families were not only far more likely than whites to be poor, but also to be poorer than whites. The average poor white family's income was about $1,000 below the poverty line. The average Negro family's income was about $1,300 below.

To increase the income of all poor families up to the poverty minimum, the Census Bureau estimated, would cost $11.4 billion. In 1969, the amount was $10.1 billion.

RISE IN URBAN POOR

Poverty is almost evenly divided between rural and urban areas. But nearly all of the increase from 1969 to 1970 came in the latter.

There were about 5.2 million poor families in 1970, an increase of 264,000, the report showed. Of this increase, 90 per cent was accounted for by families in metropolitan areas.

The report also offered a statistical picture of the near poor. Thus, if the poverty minimum were increased one-fourth, to $4,960, for an urban family of four, poverty among Negroes, would jump from 33 to 43 per cent, among whites from 10 to 14 per cent.

Copies of the new report, "Consumer Income, P–60, No. 77," are available for 10 cents from the U.S. Government Printing Office, Washington, D.C. 20402.

YEAR-BY-YEAR TOTALS OF PERSONS IN POVERTY

WASHINGTON.—The following table, based on Census Bureau figures, shows the number of Americans below the poverty level, and their percentage of the total population, for the years 1966–70. For a family of four, the poverty level was $2,973 in 1959 and $3,968 in 1970.

Year	Number (in millions)	Percent of population
1966	28.5	14.7
1967	27.7	14.2
1968	25.3	12.8
1969	24.2	12.2
1970	25.5	12.6

By Mr. McGOVERN (for himself and Mr. MUNDT):

S. 2008. A bill relating to the construction, enlargement, remodeling, and improvement of a townsite on the Crow Creek Sioux Reservation, S. Dak. Referred to the Committee on Interior and Insular Affairs.

CROW CREEK SIOUX RESERVATION, S. DAK.

Mr. McGOVERN. Mr. President, this legislation is being introduced on behalf of the Crow Creek Sioux Tribe of Indians of the Crow Creek Reservation, S. Dak. The bill would authorize funds of up to $800,000 for improvements in various community facilities located at Fort Thompson, S. Dak., the main town on the reservation.

By the act of October 3, 1962—76 Stat. 704—Congress authorized and directed the U.S. Army Corps of Engineers, in conjunction with the Secretary of the Interior, to construct a townsite with specified community facilities for the tribe as a means of resettlement when various Indian lands were taken for the Big Bend Dam project on the Missouri River. The act placed no limit on the funds the corps was to use in carrying out the legislative mandate, but the Corps of Engineers soon took the position that the $660,660 given as an estimated cost in Senate Report No. 1637—87th Congress, second session 4 (1962)—was the most that the corps was required to spend on the townsite. As a consequence, many of the facilities provided were not adequate for the needs of the tribe, and certain items were not provided at all.

The legislation I am introducing today would provide the necessary funds to bring the community facilities up to the standard that was originally intended by Congress when it passed the 1962 act. The $800,000 which the bill would authorize for these purposes is based on an engineering study the tribe had made at its own expense and takes into account the rise in construction costs that has occurred in recent years. It would reimburse the tribe for expenses it has incurred in justifying and obtaining this new legislation.

By Mr. STEVENS:

S. 2009. A bill to amend the Small Reclamation Projects Act of 1956, as amended. Referred to the Committee on Interior and Insular Affairs.

Mr. STEVENS. Mr. President, today I am introducing a bill to amend the Small Reclamation Projects Act of 1956 to include my State of Alaska with the 17 western States now eligible for benefits under this legislation.

As you know, the 1956 act provides Federal assistance for the construction of irrigation projects and the rehabilitation and betterment of existing projects. Under the act, Federal assistance can be given to a State or a department, agency, or political subdivision thereof and to conservation districts and similar organizations which have the capacity to contract with the United States under the Federal reclamation laws. The ability of the Federal Government to participate in irrigation projects under the act is subject to certain funding and cost limitations.

The application of the 1956 act to Alaska would have a very beneficial impact on our fledgling farming industry. For several years, certain portions of the State have been ravaged by an extended drought. Federal funding is available to rehabilitate stricken areas once damage has occurred. However, little money is available from the Federal Government to assist Alaskan farmers in building irrigation facilities which are capable of preventing losses before they take place. This type of relief is provided in the Small Reclamation Projects Act, which was promulgated in response to similar problems experienced by farmers in the "South 48" States. For this reason, I believe that Alaska should be included with the 17 western States now eligible for benefits under the act.

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

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

S. 2009

A bill to amend the Small Reclamation Projects Act of 1956, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended, is hereby further amended as follows:

In the enabling clause, after the words "seventeen western reclamation States" add the words "and Alaska".

By Mr. FULBRIGHT (by request):

S. 2010. A bill to provide for increased participation by the United States in the International Development Association. Referred to the Committee on Foreign Relations.

AMENDMENT OF THE INTERNATIONAL DEVELOPMENT ASSOCIATION ACT

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to provide for increased participation by the United States in the International Development Association.

The bill has been requested by the Secretary of the Treasury and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with the letter from the Secretary of the Treasury dated May 19, 1971, to the Vice President.

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

S. 2010

A bill to provide for increased participation by the United States in the International Development Association

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Development Association Act is amended by adding at the end thereof the following new section:

"SEC. 11. The United States Governor is hereby authorized to agree on behalf of the United States to contribute to the Association three annual installments of $320,000,000 each as recommended in the 'Report of the Executive Directors to the Board of Governors on Additions to IDA Resources: Third Replenishment,' dated July 21, 1970. There is hereby authorized to be appropriated, without fiscal year limitation, the amounts necessary for payment by the Secretary of the Treasury of three annual installments of $320,000,000 each for the United States share of the increase in the resources of the Association."

THE SECRETARY OF THE TREASURY,
Washington, D.C., May 19, 1971.

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 provide for increased participation by the United States in the International Development Association."

The International Development Association, a member of the World Bank Group, concentrates upon concessionary lending to the least developed nations of the developing world. The draft bill would authorize the United States Governor of the Association to agree on behalf of the United States to join 22 other countries in a $2.4 billion replenishment of IDA resources of which the United States share would be $960 million, to be contributed in annual installments of $320 million over a three-year period.

In several recent messages to Congress, President Nixon has emphasized that multilateral lending institutions should play an increasingly larger role in the provision of development assistance. The President has adopted this policy because multilateral institutions offer the major benefits of (i) pooled resources provided by donors on an equitable basis, (ii) a joint responsibility for the allocation of resources relying on economic criteria in the provision of assistance, and (iii) the bringing of experience and expertise of many countries to bear on the problems of development. Our participation in the third replenishment of IDA resources will constitute a significant step toward fully realizing these benefits and implementing this policy emphasis.

The International Development Association in ten years of operation has become a major source of development financing, utilizing multilaterally pooled funds from the major donor countries for lending on concessional terms. The Association, which now has 105 member countries, is a unique vehicle for international cooperation in development and has made and continues to make a significant contribution to raising the standard of living of the people in the developing countries. Its development credits have provided urgently needed financing on terms which take account of severely limited external debt-servicing capacity.

The Association has an outstanding record of achievement. It has given particular emphasis to areas of vital concern to the people of the developing nations. Over one-third of all new IDA credits last year were in the field of agriculture, with special attention being given to increasing output and earnings of small holders through irrigation, use of high-yield grains, and new and expanded institutions to channel investment credit to individual farmers. These credits are bringing under cultivation or improving more than 22 million acres for agricultural purposes.

Lending for educational purposes has focused increasingly on restructuring educational systems to be more relevant to the needs of the people, and has stressed secondary, technical, and vocational training. In this connection, IDA projects are constructuring, expanding, and/or equipping 627 general secondary and specialized training schools, 52 teacher training colleges, and 8 agricultural universities.

IDA credits have, in addition, made major contributions to improving and expanding road networks, port facilities, railways, electric power generating capacity and transmission, water supply systems, telecommunications, and industry. In total, during the first decade of IDA operations, the Association extended 221 development credits for a net total of $2,773 million in 55 countries.

IDA financing is thus assisting the economic growth of the developing world by helping create or improve the economic and social infrastructure of developing countries which is essential for meeting their present and future needs. Yet, much still needs to be done.

To deal with these needs, IDA operations have expanded greatly in the past year—new credits in fiscal year 1970 were made to 56 countries for $606 million, as compared with 38 countries for $385 million in fiscal year 1969. The original subscriptions, amounting to $746 million in convertible currencies, together with those resources made available to the Association in the first replenishment ($750 million) approved in 1964, the second replenishment ($1.2 billion) approved in 1969, and from all other sources, will be fully committed by June 30, 1971. An expanded replenishment of IDA resources is therefore essential.

Consultations began among the developed member countries of IDA—the so-called "Part I countries"—in December 1969, resulting in agreement among potential donors in June 1970. On July 21, 1970, the Executive Directors agreed to submit to the Board of Governors a report and draft resolution entitled, "Additions to IDA Resources: Third Replenishment", embodying the understanding reached among donors. The proposed legislation which I am submitting today would permit the United States to contribute to the third replenishment in the amount recommended in that report.

Under the report and draft resolution, 18 Part I countries, 3 Part II countries (Ireland, Spain, and Yugoslavia), and 1 non-member country (Switzerland) would make available a total of over $2.4 billion, payable over a three-year period in equal annual installments beginning on November 8, 1971. The United States share would total $60 million or 40 percent of the total to be contributed by all countries, continuing the U.S. share at the reduced level achieved in the second replenishment negotiations. The very substantial contributions of other countries totaling $1,440 million demonstrates the important burden sharing advantages of providing development assistance through IDA.

In order to better reflect the relative share of each Part I country in total IDA financial contributions upon completion of the third replenishment, but without reducing the Part II countries' relative voting power, certain adjustments in country voting power are to be made. These would result in a slight reduction in U.S. voting power, from 25.8 percent to 23.87 percent.

In addition to the resources which would be made available under the third replenishment resolution, the Board of Governors approved at its September 1970 annual meeting a transfer of $100 million from fiscal year 1970 net earnings to IDA. The Bank has made annual transfers from net income in the form of grants each year since 1964. With the additional transfer of $100 million, the 7-year total transferred to IDA amounts to $485 million; further Bank transfers to IDA are expected in future years. Together with the resources which will become available from the third replenishment, IDA will have sufficient resources to permit commitments at a reasonably even pace over the years 1971 to 1974.

The draft legislation would enable the United States to advance this joint effort, involving over 100 countries, to accelerate economic development, raise living standards and promote social progress. Because of its importance to the development effort and to our own national objectives, IDA has, since its inception, enjoyed strong bipartisan support from four Presidents and from the Congress. This support has been demonstrated by Congress' approval of our original participation as well as two replenishments of IDA's resources. IDA's record of achievement merits continued strong bipartisan support. I respectfully request prompt and favorable consideration of this priority proposal.

A Special Report of the National Advisory Council on International Monetary and Financial Policies on the Proposed Third Replenishment of IDA Resources will be transmitted separately to you and to the Speaker of the House of Representative.

It would be appreciated if you would lay the proposed bill before the Senate. A similar proposal has been sent 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.

By Mr. EAGLETON (for himself and Mr. INOUYE):

S. 2011. A bill to improve educational quality through the effective utilization of educational technology. Referred to the Committee on Labor and Public Welfare.

THE EDUCATIONAL TECHNOLOGY ACT OF 1971

Mr. EAGLETON. Mr. President, today I am introducing a bill to be entitled "The Educational Technology Act of 1971." The thrust of this bill is to focus on the necessary planning and essential training, which will lead to a more efficient utilization of technology in the field of education.

The rapid advancements and substantial improvements in educational media are becoming commonplace. Yet, the effective utilization of these developments in school and college classrooms lags behind. In addition, this ineffective use of the new technology tends to retard its eventual useful deployment because of past failures growing out of misuse and misapplication.

Everyone working in the field of education has his favorite anecdote about discovering several unused projectors in a closet or about the school that bought quantities of hardware for which it had no use. It is the purpose of this bill to recognize our inefficient utilization of educational technology and to provide the framework within which education can better keep pace with technological developments so that it can best be utilized to further the goals of education.

It should be made clear that when we refer to educational technology, we are not talking about hardware, nor even software. What we are talking about is a systemized approach to education which embraces modern management techniques: cost-effectiveness, increased productivity, and accountability. It is not the purpose of this bill to foster the acquiring of equipment. In fact this bill bears a 2-year moratorium on any purchases of hardware except where it is necessary and essential for training.

To limit the concept of educational technology to media or equipment is to limit education. It is the purpose of this bill to avoid the pitfall of limited vision and present the means for the total development of an educational systems approach to learning.

This bill is based on two premises.

The first is that educational technology, when used wisely and well, can be instrumental in improving the quality of instruction. This is not because an element of media—a machine or a strip of celluloid—is necessarily better than a teacher, but because such media can convey an idea—repetitively, if necessary—in less time using less manpower, thus freeing teachers to teach. This premise is true provided the media is utilized within the proper environment.

This leads to the second premise, that without adequate training, educational technology will rarely prove to be beneficial. Teachers, administrators, support personnel all need training in the application of technology to education. Persons familiar with computer systems bandy about the acronmy, GIGO. It stands for "garbage in, garbage out." And just as for computers, so for classrooms, a system of educational technology will only be effective if the people working in that system are trained in its use.

The point was made most succinctly by the President's Commission on Instructional Technology, under the chairmanship of Dr. Sterling McMurrin, in its report, "To Improve Learning," dated August 1969. It states: "Our study has shown that one-shot injection of a single technological medium are ineffective. At best they offer only optional "enrichment." Technology, we believe, can carry out its full potential for education only insofar as educators embrace instructional technology as a system and integrate a range of human and nonhuman resources into the total educational process."

Thus far, that integration has not taken place. For education today, as has been the case since the inception of formal education, is marked or characterized by its labor intensive nature. Indeed, the most popular standard for measuring excellence in educational systems has traditionally been the teacher-pupil ratio. Until recently our standards have even been labor-intensive.

With advancements in technology we have begun to experiment with methods to free our manpower for the function for which it is best suited—to teach. There are jobs which a teacher, and only a teacher, can do. The most obvious is working with individual children on a one-to-one basis or providing small-group tutoring for children with special problems. Given ability, insight, and compassion, a teacher's most valuable asset is time.

And yet time is the one thing which is in shortest supply in the college halls and school classrooms of the 1970's. Proper use of educational technology can provide additional needed time. There are elements of the teaching-learning process which can best be managed by technology, just as there are some functions that can only be handled by a teacher.

We all know that educational technology is not a simple concept. We know that it is not simply more movies for more kids in their self-contained, 19th century classrooms. Educational technology offers the "keys" for major breakthroughs in achieving instructional excellence. It may even bring about basic changes in our traditional concepts of a school, since increasingly we are being made aware of the fact that students learn outside of school as well as—and perhaps as much as—in school. Enactment into law of a significant proposal such as this one will require an interlocking network of new relationships and new partnerships among all levels of government and the fullest possible cooperation of the private sector.

Let me repeat some thoughts which former Secretary of Health, Education, and Welfare John Gardner has expressed—speaking at the annual Conference of the National Committee for the Support of the Public Schools on March 23, 1970:

> In my opinion, judicious use of videotape, programmed instruction, computer-assisted instruction and other new approaches holds promise of a truly immense gain in the availability of the higher quality instruction—instruction that can be individualized, motivating, powerful in impact and grounded in the best of teaching practices. It is in my opinion the only hope for a radical upgrading of educational quality on a massive scale.

I agree with this opinion and believe that this bill will provide the vehicle by which educational advancement can keep pace with technological progress. It can be done only if we begin to view educational technology as a complete systems approach to education, a tool to be used to enrich the teaching experience through a proper blend of planning, training, and implementation.

The Educational Technology Act embraces this philosophy. It authorizes grants to local education agencies and to institutions of higher education for the purpose of improving the quality of instruction through the application of technology to education. To be awarded a grant, an applicant must first submit and have improved a long-range—4 years or more—program detailing its particular educational needs and indicating just how the application of technology will work to meet those needs. In order to obtain continuation funding for its long-range project it would have to submit an annual plan which would indicate the extent to which it had incorporated recent research findings in its program. Educators and education officials have talked for too long about the gap between research in education and action in education. This aspect of the Educational Technology Act, I suggest, will go a long way toward closing that gap.

Once a school or college has had its long-range plan approved for funding it would begin its first operational phase: training of teaching and administrative staff and of ancillary personnel. During the training phase schools and colleges would be prohibited from using Federal funds for acquisition of equipment or materials unless they were essential to the training process.

After the training phase was completed to the satisfaction of the State agency vested with responsibility for the program, the school or college could use Federal funds for the hiring of staff for the operation of their program and for the acquisition of equipment and materials.

The Educational Technology Act requires a systematic approach to the problems faced by education today. It is my hope that it will be successful in helping to solve these problems.

By Mr. THURMOND:

S. 2013. A bill to amend chapter 21 of title 38, United States Code, to increase the maximum amount of the grant payable for specially adapted housing for disabled veterans. Referred to the Committee on Banking, Housing, and Urban Affairs.

AID TO OUR DISABLED VETERANS

Mr. THURMOND. Mr. President, today I am introducing a bill to aid our disabled veterans.

The citizens of the United States owe a debt to our veterans. This is especially true for those veterans who have become disabled while in the service of our country. These handicapped patriots need specially adapted equipment to carry on a quasi-normal existence.

During this period of rising construction costs, it is extremely expensive to build a specially adapted house. Under existing limitations the Veterans' Administration is authorized to pay the veteran for 50 percent of the cost of his house up to a limit of $12,500. To build a house adapted for wheelchair use, it is necessary to build ramps at every entrance and 4-foot-wide halls and doorways. This cannot be done in most parts of the country for less than $40,000. Allowing our veterans to purchase a suitable home is small compensation for the price they have paid for our country.

Mr. President, I request that this bill be appropriately referred and ask unanimous consent that it be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

S. 2013

A bill to amend chapter 21 of title 38, United States Code, to increase the maximum amount of the grant payable for specially adapted housing for disabled veterans

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 802 of title 38, United States Code, is amended by striking out "$12,500" and inserting in lieu thereof "$20,000."

By Mr. THURMOND:

S. 2014. A bill to amend title XVIII of the Social Security Act to eliminate the provision which prevents an individual from enrolling in the supplementary medical insurance program established by part B of such title if he fails to enroll therein within 3 years after he is first eligible to enroll therein. Referred to the Committee on Finance.

Mr. THURMOND. Mr. President, I am introducing a bill today which will amend Section 1837(b) of the Social Security Act to allow a social security recipient to enroll in the supplementary medical insurance program during any prescribed general enrollment period. At present, if a social security recipient does not enroll for these benefits within certain periods during his first 3 years of eligibility, then his right to receive benefits under the supplementary medical insurance program is foreclosed forever.

This 3-year limitation was initially included in the law to avoid delayed enrollment resulting in the payment of substantial benefits with very little payments in premiums. At present, however, there is a 95 percent rate of participation in the program and since the vast majority of enrollees enroll at the earliest possible time there is no reason to retain the 3-year enrollment rules. Late enrollees will still be charged higher premiums established on an actuarial basis, and any advantage gained by enrolling at a later date would be offset by the disadvantage of higher premiums.

It is my belief that this amendment will benefit our social security recipients by allowing medicare enrollment during any enrolling period, and also the medicare program by increasing the possible amount of contributions to the system.

Mr. President, I introduce this bill for appropriate reference and ask unanimous consent that it be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

S. 2014

A bill to amend title XVIII of the Social Security Act to eliminate the provision which prevents an individual from enrolling in the supplementary medical insurance program established by part B of such title if he fails to enroll therein within 3 years after he is first eligible to enroll therein

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1837(b) of the Social Security Act is amended to read as follows:

"(b) No individual may enroll under this part more than twice."

SENATE CONCURRENT RESOLUTION 28—SUBMISSION OF A CONCURRENT RESOLUTION RELATING TO U.S. ROUTE 219

Mr. SCHWEIKER submitted the following concurrent resolution (S. Con. Res. 28), which was referred to the Committee on Public Works:

S. CON. RES. 28

Concurrent resolution to express the sense of the Congress with respect to the incorporation into the Interstate System of United States Route 219

Whereas United States Route 219 passes through the Appalachian region of New York, Pennsylvania, Maryland, West Virginia, and Virginia where one of the most critical problems is the lack of good access into and through the area; and

Whereas making United States Route 219 a part of the Interstate System will help remove this portion of the Appalachian region from its isolation; and

Whereas United States Route 219 passes through or is adjacent to more of the natural resources of America than any other highway east of the Mississippi River; and

Whereas United States Route 219 as a major north-south artery would play a key role in improving the national defense capability; and

Whereas United States Route 219 is largely inadequate, obsolete, and dangerous: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the State highway departments of those States within which United States Route 219 is located, together with the Secretary of Transportation, should designate, as soon as possible, such route as a part of the National System of Interstate and Defense Highways in accordance with, and for the purposes of, title 23 of the United States Code.

COMPREHENSIVE CHILD DEVELOPMENT ACT OF 1971—AMENDMENT

AMENDMENT NO. 142

(Ordered to be printed and referred to the Committee on Labor and Public Welfare.)

Mr. RIBICOFF. Mr. President, I would like to take this opportunity to commend the distinguished Senator from Minnesota (Mr. MONDALE), the distinguished Senator from New York (Mr. JAVITS), the distinguished Senator from Wisconsin (Mr. NELSON), and the distinguished Senator from Pennsylvania (Mr. SCHWEIKER) for introducing S. 1512, the Comprehensive Child Care Development Act.

This bill, which I am pleased to cosponsor, will not be a panacea for all the problems American children face. It will, however, be a major advance toward meeting the educational, health and nutritional needs of millions of youngsters across the land.

All too often in the past, children in need slipped by unnoticed and untreated as a result of our fragmented system of delivering child care services. To help correct this inadequacy I introduced S. 1414, the Child Advocacy Act. Under this bill a neighborhood child advocate would constantly analyze the needs of local children and bring gaps in the system to the attention of responsible officials.

Because I believe the child advocate can play an important role in a comprehensive child care system, I am today submitting an advocacy amendment intended to be proposed by me, to S. 1512.

The role of the child advocate will be a dual one. First, he will be the link between the child in need and the program that fills that need. For example, a mother in a poverty area might come to the child advocate with a child who has an unusual hearing problem. The advocate will direct that mother and child to the proper care center, check to see that the service was provided, and follow up later to see how the child is progressing. The child will not be abandoned in the bureaucratic morass of the present system, but will be guided through and helped at every turn.

Most children are lost to society not because of poor care, but rather because they never received care. The advocate will see that they obtain the necessary services and that those who provide these services are accountable.

The advocate's second role is as overseer of all children's programs. Since he is an independent agent solely concerned with the welfare of his clients, he will be best able to assess the needs of a community's children, to evaluate the adequacy of the community's performance and to set goals and priorities. He will spot inefficiencies and inadequacies in the present system and press for their solution. For example, the same advocate who aided the child mentioned above may find other children with undetected and untreated hearing problems. As he moves through the community he may discover that the local school has not been conducting the required annual hearing tests and that some children

have gone for years with their impairments undiagnosed. The advocate will call attention to the deficiency and ask the local authorities to redress the situation and insure that it is not occurring in other areas as well.

The amendment I submit today would empower the Director of the Office of Child Development in the Department of Health, Education, and Welfare to establish and administer up to 20 demonstration projects across the Nation by funding selected public or private nonprofit agencies willing to establish a neighborhood office of child advocacy—NOCA.

The group selected to establish the NOCA will also form a neighborhood council of child development which will serve as the governing body of the local NOCA. At least one-half of the members of the Council will be residents of the neighborhood to be served. The neighborhood council will select the Director of the NOCA, establish personnel and fiscal policies, and generally oversee the operations of the NOCA. In addition, it will use the information its members gather to develop a comprehensive plan for providing services to the local children.

The NOCA, composed of child care professionals, will be the local representative of the neighborhood children. These advocates will assist parents and their children in finding the service they might need whether it be legal, psychological, medical, or educational. There will be a small charge—based on a sliding scale according to family income—for this counseling and referral assistance.

If a child comes in with a problem no existing agency can handle, the NOCA will be permitted to contract with another person or institution to provide the necessary service. Such a purchase is not expected to go on indefinitely. The NOCA would be required to review every 6 months the effectiveness of the purchased service and the need for continuation. If it is necessary to continue it, the NOCA will make every effort to have another agency assume the burden.

Any purchase which continues for 12 months must be reported to the Director along with a full report of the number of similar problems in the neighborhood and the possibility of State and local authorities establishing a program to treat such problems.

This continuous review of the NOCA's operations is an important part of the advocacy concept. The advocacy system will not be expected to replace existing delivery systems. It is not intended to become a permanent institution, but rather is designed to be the catalyst for revamping and modernizing the present system. Once the system becomes truly responsive, there will no longer be a need for an advocate.

The Director, by reviewing NOCA actions and expenditures, can spot inefficiencies in the national system as well. If, for example, several NOCA's report that they have to contract out for aid for undernourished children, the Director will know that a national program needs to be developed.

The advocacy system can be of major assistance in redirecting the efforts of our children's agencies to the needs of the children. Existing institutions often cannot analyze their own or their competitor's capabilities and resources because of built in professional and personal biases. As an independent, trained observer of child care needs and programs, the advocate will be able to analyze the shortcomings of the existing structure and recommend needed changes.

At the end of the 5-year life of the demonstration projects, the Director will be able to determine the efficacy of the advocacy system. He will then recommend to Congress whether the program should be eliminated, restructed or expanded.

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

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

AMENDMENT NO. 142

On page 46, between lines 13 and 14, insert the following new paragraph:

"PART E—NATIONAL CHILD ADVOCACY PROGRAM

"STATEMENT OF PURPOSE

"SEC. 561. It is the purpose of this part, through the conduct of demonstration projects, to explore the feasibility of the establishment of a national child advocacy system which will—

"(1) focus the Nation's resources on the healthy development of children, with special attention to very young children;

"(2) strengthen and improve the capabilities of the family unit to insure healthy child development;

"(3) create a focal point of responsibility at every level in the American society to guarantee that children and the families of which children are members receive the services needed to prevent, and to cope with, mental and physical disabilities;

"(4) change or eliminate inefficient programs relating to child development and replace them with more effective means of insuring the healthy growth of children;

"(5) coordinate and consolidate programs relating to child development which are of proven effectiveness so as to achieve the most economic use of funds and manpower;

"(6) evaluate existing programs for children and develop better ways of providing services for children;

"(7) forge a new partnership between elected officials, the general public, civil servants, and the private sector of the economy in the planning and operation of programs affecting children; and

"(8) determine the amount of funding and manpower required to extend proper services for children to every community in the Nation.

"DEMONSTRATION GRANTS

"SEC. 562. (a) (1) In order to carry out the purposes of this part, the Director of the Office of Child Development (hereinafter referred to as the 'Director') is authorized, in accordance with the provisions of this part, to make grants for the establishment and operation of up to twenty Neighborhood Offices of Child Advocacy to provide a means of gathering data to evaluate the cost-effectiveness of all programs affecting children as a basis for reordering national and local priorities, and to test new types of remedial programs and service delivery systems.

"(2) The Director shall also evaluate the effectiveness of such Offices in providing a simple and convenient focal point of responsibility and referral to assist children and their families and of assuring continuity of attention to the developmental problems of children.

"(3) Not later than five years after the date of enactment of this part, the Director shall submit a report to the President and the Congress containing the Director's evaluation of the effectiveness of the Neighborhood Offices of Child Advocacy established pursuant to this part and the Director's recommendations for the termination of such Offices or for the transferral of such Offices to an appropriate Federal agency for continued operation.

"(b) Neighborhood Offices of Child Advocacy established under this part shall be distributed in such manner as to assure, to the maximum extent feasible, that such an Office will be located in each of the various geographic areas of the United States and that the persons served by such Offices will be representative of the various racial, ethnic, and economic groups in the United States. If more than seven such Offices are established, at least one shall be on an Indian reservation, and at least two shall be in rural areas.

"PLANNING ASSISTANCE

"SEC. 563. The Director is authorized to make planning grants to, and otherwise assist, through technical advice and otherwise, any public or nonprofit private agency and organization which desires to establish a Neighborhood Office of Child Advocacy.

"DUTIES AND FUNCTIONS OF NEIGHBORHOOD OFFICES OF CHILD ADVOCACY

"SEC. 564. (a) It shall be the duty and function of each Neighborhood Office of Child Advocacy to—

"(1) provide an assessment of the needs of children who reside in the neighborhood served by such Office;

"(2) publicize its services to all residents of the neighborhood served by the Office and to all professionals providing services affecting children in such neighborhood;

"(3) provide counseling to any family with children residing within the neighborhood served by such Office which desires counseling assistance;

"(4) provide to any such family referral and purchasing of services when determined to be necessary or proper after assessment of needs and counseling;

"(5) collect data and maintain current records regarding its activities and the services provided by it; and

"(6) provide training services.

"(b) (1) The assessment of Neighborhood Offices of Child Advocacy shall include, but not be limited to, evaluations of nutritional, medical, psychological, social, educational, recreational, vocational, and economic needs of the families served by any such Office.

"(2) (A) The counseling function of Neighborhood Offices of Child Advocacy shall include the provision by any such Office of advice and guidance to any family residing in the neighborhood served by such Office which desires assistance in locating and using appropriate services to meet their needs, including, but not limited to, the following: nutrition; family income supplementation; housing; transportation; sanitation; recreation; adult education; disease prevention; education; medical care; employment; day care and preschool programs; family planning and birth control services; genetic counseling; prenatal care and homemaker services; budget planning; youth employment services; vocational training; rehabilitation; consumer education; special education; residential care; specialized foster homes; group homes and institutional services; family, marital, and premarital counseling; protective services; legal services; and inpatient and outpatient mental health treatment services.

"(B) Such counseling function shall also include assistance to families in dealing with other agencies which have a responsibility with respect to the developmental needs of children. Any Neighborhood Office of Child Advocacy, in providing such assistance, may advise families as to various courses of action available to them, may accompany them in their contact with such other agencies, and may assist them in preparing correspondence or taking such other actions as may be lawful and proper to secure appropriate services for their children.

"(3)(A) The referral and purchasing services function of Neighborhood Offices of Child Advocacy may be provided to a family with children residing in the neighborhood served by any such Office only after the assessment and counseling functions of such Office have been provided to such family. Such referral and purchasing services shall be designed to assist a family with children in securing any services required to assure the healthy development of the child or children of such family or remedial assistance regarding a problem of such a child.

"(B) Such referral function includes, but is not limited to, the following:

"(i) informing the family of available services;

"(ii) making appointments with providers of needed services on the family's behalf;

"(iii) discussing the child's problem with the appropriate provider of services;

"(iv) appraising the outcome of referrals;

"(v) arranging for personal escort and transportation when necessary.

"(C)(i) The referral function shall be considered complete when the agency or individual to whom a family has been referred by such an Office accepts responsibility for providing the services necessary to meet the problem giving rise to the referral.

"(ii) Whenever any Neighborhood Office of Child Advocacy has completed referral of any child, such Office shall maintain surveillance of such child's progress and shall have responsibility to re-refer such child if such child's progress is inadequate.

"(D)(i) In carrying out its referral function, each Neighborhood Office of Child Advocacy shall maintain a current and comprehensive file of all community services, both public and private, available in the neighborhood served by such Office.

"(ii) In carrying out such function, each such Officer shall maintain records of—

"(I) all agreements currently in effect between such Office and agencies or individuals accepting referrals from such Office; and

"(II) evaluations of the results of referrals previously made by such Office.

"(4)(A) In the event that the services required by a child are inadequate, unavailable, or beyond the financial capability of the family of such child, a Neighborhood Office of Child Advocacy may, if it deems appropriate, act as purchasing agent to assist the family of such child in securing and paying for the services needed by such child.

"(B) A Neighborhood Office of Child Advocacy may not expend funds for the purchase of services for any child unless—

"(i) such Office has made an assessment of such child's needs and, as a result of such assessment, such Office has determined that such child needs such services;

"(ii) the family or guardian of such child has been involved in the decision of such Office to seek such services and agrees with the services chosen by the Office to meet such child's needs;

"(iii) the services required are either unavailable in the community in which such child resides, or the services available to such child under other programs are inadequate to meet such child's needs; and

"(iv) the Office has, after full investigation, determined that funds for the purchase of such services are not available to such child through sources other than the Office.

"(C) Any such Office shall, in purchasing services for any child, obtain such services from agencies in accordance with the following priorities—

"(i) from public or private nonprofit agencies which presently provide the required service in an effective and efficient manner;

"(ii) from public or private nonprofit agencies which do not presently provide the required service, but is willing and capable of expanding its functions to meet the needs of such child;

"(iii) from any provider of service which presently provides the required service in an effective and efficient manner;

"(iv) from a provider of service which does not presently provide the required service, but is willing and capable of expanding its functions to meet the needs of such child; and

"(v) by creating (through the making of a demonstration grant to an appropriate public or private nonprofit agency for such purpose) a new program to provide the required services.

"(D) Services provided by any Neighborhood Office of Child Advocacy may be provided through contract, purchase, or the creation of new programs, but shall not be provided directly by such Office.

"(5)(A) Each Neighborhood Office of Child Advocacy shall maintain current records regarding all services provided by and all expenditures made by it, in accordance with requirements of this part and regulations of the Director, and shall provide a continuing record of each child who receives services provided by such Office.

"(B) Such records shall include such demographic information, such information respecting services provided by such Office, as the Director shall by regulations prescribe, and an evaluation by such Office of the effectiveness of the various providers of services (in the community served by such Office) determined, among other factors, on the experience that clients of such Office have had with such providers.

"(C) Separate records shall be kept on the amount of funds allotted by the Office for individual families served by it and for each category of service provided by such Office.

"(D) Whenever a family moves from a neighborhood served by any Neighborhood Office of Child Advocacy to any other neighborhood served by any such Office, such Office serving the neighborhood from which such family moves shall, upon the request of such family, transfer its records pertaining to such family to the Neighborhood Office of Child Advocacy serving the area to which such family moves.

"(6)(A) All purchases of services under this section shall be reviewed every six months to determine the effect of the service and need for continuation of the service.

"(B) Any service which is purchased for more than twelve months shall be reported directly to the Director.

"(C) Such report shall state, but shall not be limited to,

"(i) why the purchase was originally necessary;

"(ii) how many persons in the neighborhood need similar services;

"(iii) how many persons in the neighborhood receive similar services;

"(iv) what steps are being taken by the State and local authorities to relieve the need for such purchase.

"(7)(A) Each Neighborhood Office of Child Advocacy shall, whenever possible, develop and maintain relationships with public and private educational and training institutions under which such Office will be utilized, whenever appropriate, by such institutions as a training resource for the training of paraprofessional and professional personnel.

"(B) Each such Office shall, in carrying out its functions, utilize to the maximum extent feasible the services of paraprofessional personnel and appropriate individuals who are residents of the area served by such Office as 'Neighborhood Health Representatives'.

"(C) With the approval of the Director, any such Office may provide services through individuals not licensed to provide such services, if such Office determines that utilization of such individuals to provide such services is necessary to facilitate the utilization and training by such Office of personnel needed to perform such services.

"(D) Each such Office shall make maximum use of volunteer workers and shall attempt to assure the utilization of young people and the aged in carrying out its functions with respect to children (or the families of children) who are in need of services provided by such Office.

"APPLICATIONS FOR GRANTS

"SEC. 565. (a)(1) Grants under section 562 may be made only upon application therefor by one or more sponsors each of which is a private nonprofit agency or organization.

"(2) Grants under section 562 shall be in such amounts, on such terms and conditions, and paid at such time or times, and in such manner, as the Director shall prescribe in order most effectively to carry out the purposes of this part and protect the financial interests of the United States.

"(b) The Director shall not approve any application for a grant under section 562 unless such application contains or is supported by—

"(1) assurances satisfactory to the Director that the Neighborhood Office of Child Advocacy with respect to which such application is submitted will be governed by a Neighborhood Council on Child Development which meets the requirements and other criteria contained in section 566.

"(2) reasonable assurances that Federal funds paid pursuant to any such grant will be used only for the purposes for which paid and in accordance with applicable provisions of this part and regulations promulgated thereunder;

"(3) reasonable assurances that the applicant will provide for such fiscal control and fund accounting procedures as are required by the Director to assure proper disbursement of and accounting for such Federal funds;

"(4) reasonable assurances that the applicant will make such reports, in such form and manner and containing such information as the Director may from time to time reasonably require, and will keep such records and afford such access thereto as the Director may find necessary to assure the correctness and verification of such reports;

"(5) reasonable assurances that the Neighborhood Office of Child Advocacy with respect to which such grant is requested will undertake to cooperate with, and whenever appropriate enter into cooperative agreements with, other public and private agencies providing services for children in the area to be served by such Office, including, but not limited to, community planning councils, local school districts, family service agencies, community mental health centers, mental health and public health departments and agencies, welfare agencies, community action councils, Model Cities' Boards, and local consumer organizations; and

"(6) indications of support for the Office from the Chief Executive of the political subdivision in which Office is to be located and local private and public agencies serving the area to be served by such Office.

"NEIGHBORHOOD COUNCILS ON CHILD DEVELOPMENT

"SEC. 566. (a)(1) The agency or organization designated to plan the NOCA shall form a Neighborhood Council on Child Development serving as the governing body of

any Neighborhood Office of Child Advocacy shall be composed of not less than nine or more than twenty-one members.

"(2) At least one-half of the members of any such Council shall be individuals representing residents of the neighborhood served by the Neighborhood Office of Child Advocacy governed by such Council; and one member shall be such an individual who has not attained age twenty-one (but who has attained age fifteen).

"(3) Members of any such Council may be elected, or appointed, or some may be elected and some appointed.

"(4) The term of office of members of any such Council shall not exceed three years.

"(b) The duties and responsibilities of any such Council shall include—

"(1) the selection and employment of an individual to serve as Director of the Neighborhood Office of Child Advocacy governed by such Council, which Director shall have authority to secure through employment or under contract such additional personnel as may be necessary, subject to budgetary limitations, to carry out the duties of such Office;

"(2) the development, for the neighborhood served by such Office, of a comprehensive plan to provide services for the children of such neighborhood designed to meet, in accordance with priorities contained in the plan, the needs of such children, and to develop new and improve existing services to meet the needs of such children;

"(3) the maintenance of the fiscal responsibility of the Office which it governs;

"(4) the establishment of personnel policies;

"(5) acting as an appeals body for parents who are dissatisfied with services provided for their children by the Neighborhood Office of Child Advocacy governed by such Council;

"(6) the assumption of responsibility for coordinating and encouraging the development of services for children;

"(7) the development of effective and continuing liaison with the Governor's Council (if any) for the State in which such Council serves and with officials of the political subdivision in which is located the Neighborhood Office of Child Advocacy governed by such Council;

"(8) the preparation of the annual budget for the Neighborhood Office of Child Advocacy governed by such Council, and the submission periodically of reports to State Councils on Child Development and the Director on the conduct of the programs operated by the Neighborhood Office of Child Advocacy governed by such Council, results of evaluations by the Council of services rendered by such Office, and the projected needs of such Office;

"(9) whenever it deems the same to be desirable and feasible, to develop and submit to the Director applications for demonstration programs under section 567; and

"(10) otherwise to take such action as may be appropriate to comply with the assurances provided or required to be provided under section 565(b).

"EXPERIMENTAL PROGRAMS FOR COMPREHENSIVE CHILD CARE

"SEC. 567. (a) The Director is authorized, in accordance with the provisions of this section, to make to any Neighborhood Office of Child Advocacy which has received a grant under section 562 a special demonstration grant for the purpose of enabling such Office to establish new experimental programs of comprehensive child care.

"(b) No application for a grant under this section shall be considered by the Director if such application is submitted with respect to a Neighborhood Office of Child Advocacy which first received a grant under section 562 more than six months prior to the date such application is submitted to the Director.

"(c) Any application for a grant under this section must include—

"(1) reasonable assurances that the demonstration program with respect to which such grant is requested will be carried out in the neighborhood served by the Neighborhood Office of Child Advocacy with respect to which such grant is requested by a public or nonprofit private agency or organization;

"(2) reasonable assurances that such program will be consistent with the comprehensive plan developed for such Office pursuant to section 566(b)(2) by the Neighborhood Council Development governing such Office;

"(3) reasonable assurances that not less than 30 per centum of the cost of such program will be furnished from non-Federal funds; and

"(4) reasonable assurances that there will be collected and submitted with respect to the operation of such program such data and information as the Director may prescribe to enable him to evaluate the effectiveness of such program;

"GOVERNOR'S COUNCIL ON CHILD DEVELOPMENT

"SEC. 568. (a)(1) The Director shall take steps to encourage the establishment in each State (in accordance with the laws of such State) of a Governor's Council on Child Development (in this part referred to as a 'Governor's Council').

"(2)(A) The Director is authorized to provide such technical assistance as may be necessary or appropriate to assist a State in establishing a Governor's Council in such State.

"(B) The Director shall develop and maintain close liaison with and shall otherwise cooperate with each Governor's Council.

"(3) The Governor's Council of any State shall serve as the State Child Advocate for such State.

"(b)(1) The duties and responsibilities of any Governor's Council shall include, but not be limited to—

"(A) developing a State Comprehensive Plan for Children's Services;

"(B) conducting a survey of the State's services for families with children;

"(C) making an assessment of the needs of families with children in the State;

"(D) formulating plans to coordinate State programs affecting children; and

"(E) advising the Governor, heads of State agencies, and the State legislature regarding the implementation of the State Comprehensive Plan for Children's Services; and the preparation and submission, not less often than once each year, to the Governor, heads of State agencies, and the State legislature of a full and complete report regarding the implementation of such plan, together with its recommendations for legislation designed to implement such plan.

"(2) It shall also be the duty of each Governor's Council to cooperate with and assist any Neighborhood Office of Child Advocacy which is located in the State served by such Council with a view consolidating and improving child care services in the State.

"(c)(1)(A) Any Governor's Council shall be composed of fifteen members.

"(B) At least ten of such members shall be representatives of consumers of children's and families' services, who live in the State served by such council.

"(C) Not more than seven of such members shall be professionals with recognized competence in formulating, innovating, planning, assessing, or delivering children's services.

"(D) Members of legislative bodies shall be ineligible for membership in such Council.

"(d)(1) Upon the request of any State, the Director is authorized to make grants to such State for the purpose of assisting such State in meeting the reasonable and necessary costs of—

"(A) operating the Governor's Council in such State;

"(B) preparation by the Governor's Council of the State Comprehensive Plan for Children's Services;

"(C) preparation by the Governor's Council of its annual progress report;

"(D) the conduct, by the Governor's Council of its data collection and program evaluation activities; and

"(E) carrying on such other activities as may be required under this part or by regulations of the Director.

"(2) No grant to a State under this subsection shall exceed 75 per centum of the costs with respect to which the grant is made.

"(3) In considering applications for grants under this subsection, the Director shall give priority to applications from States in which there is located one or more Neighborhood Offices of Child Advocacy.

"ESTABLISHMENT OF ADDITIONAL COUNCILS ON CHILD DEVELOPMENT

"SEC. 569 (a) In addition to the Councils authorized to be established by the preceding provisions of this part, the Director is authorized to make grants to assist in the establishment and operation of such additional Councils at appropriate levels in the Federal and in State governments as he determines to be necessary to carry out the purposes of this part.

"(b) Grants under this section shall be in such amounts, made on such terms and conditions, and paid at such time or times, and in such manner as the Director shall prescribe most effectively to carry out the purposes of this part and protect the financial interests of the United States.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 570. For the purpose of carrying out the provisions of this part there are authorized to be appropriated for each fiscal year $20,000,000 commencing with the fiscal year ending June 30, 1972.

"ACCEPTANCE OF SERVICES TO BE ON VOLUNTARY BASIS

"SEC. 571. No Neighborhood Office of Child Advocacy shall coerce any family to accept services provided by such Office, but each such Office shall actively encourage all eligible residents of the neighborhood served by such Office to accept the services provided by the Office and all residents of such neighborhood to participate as volunteer workers in carrying out the activities of the Office.

"CONFIDENTIALITY OF RECORDS

"SEC. 572. (a)(1) Each Neighborhood Office of Child Advocacy shall treat all records pertaining to children and families who are receiving or have received services provided by such Office as confidential and shall maintain such records in such manner as to protect the privacy of individuals with respect to whom such records pertain.

"(2) Such records pertaining to any child shall be available for inspection and review by the parents or guardian of such child and information contained therein may be made available to other persons (including any public or private agency or individual) authorized by the Neighborhood Office of Child Advocacy to receive such information, but only if the parent or guardian of such child agrees in writing that such information may be made available to any such other person.

"(b) If any individual divulges, in contravention of the provisions of subsection (a), information referred to in such subsection pertaining to any person, such person may (without regard to the amount in controversy) bring in the appropriate district court of the United States an action against such individual for the recovery of whichever of the following amounts is the greater—

"(1) $500, or

"(2) an amount equal to three times the actual damages (if any) sustained by such

person by reason of the action of such individual in divulging such information.

"(c) Whenever any person has reasonable cause to believe that any individual is preparing to take any action which would, in contravention of the provisions of subsection (a), divulge information referred to in such subsection pertaining to such person, such person may bring a civil suit in the appropriate district court of the United States to enjoin such individual from taking such action.

"FEES FOR SERVICES

"SEC. 573. (a) Each Neighborhood Office of Child Advocacy shall, except as otherwise provided in this section, impose fees for services provided for children or families with children by such Office. The amount of the fee imposed for any service shall be related to the ability to pay (as determined under regulations of the Director) of the family of the person receiving such service.

"(b) Any family with an income below the level of income determined to be required, for families of the same size as such family and living in the same region (as established by the Bureau of Labor Statistics) as such family, to maintain a moderate living standard shall be regarded as unable to pay any fee for services provided by any Neighborhood Office of Child Advocacy.

"(c) The ability of any family with an income above that referred to in subsection (b) shall be determined on the basis of the income of such family as related to the level of income of other families of the same size and living in the same region (as established by the Bureau of Labor Statistics).

"(d) No fee shall be charged to any person by any Neighborhood Office of Child Advocacy for or on account of any assessment of need or counseling services provided by such Office.

"(e) In no event shall the fee charged by any such Office for any service provided by it exceed the cost of such service to such Office.

"DEFINITIONS

"SEC. 574. For purposes of this part—

"(a) The term 'neighborhood,' as used in connection with the area served by any Neighborhood Office of Child Advocacy, means an area in which there resides not less than two thousand and not more than ten thousand children, and wherever possible should coincide with the jurisdictions served by the other Federal child-serving programs.

"(b) The term 'child' means an individual who has not attained age eighteen.

"(c) The term 'children's services' means those programs which provide the educational, social health and mental health, nutritional, and physical services needed for children to achieve their full potential.

"(d) The term 'provider of children's services' means any public or private agency or institution which as part of its mission provides directly or indirectly services to children and/or their families to aid or improve the children's personal development and to protect their welfare, including health and mental health, educational, and social services and any similar or related program.

"(e) The term 'low-income family' shall be determined by regulation in a manner consistent with the definition used by other related Federal programs as established by the Bureau of Labor Statistics".

On page 46, line 14, strike out "Part E" and insert in lieu thereof "Part F".

On page 46, line 16, strike out "SEC. 561" and insert in lieu thereof "SEC. 581".

On page 49, line 6, strike out "SEC. 562" and insert in lieu thereof "SEC. 582".

On page 49, line 11, after "Development" insert "administered by a Director".

On page 49, line 19, strike out "SEC. 563" and insert in lieu thereof "SEC. 583".

On page 50, line 19, strike out "SEC. 564" and insert in lieu thereof "SEC. 584".

On page 51, line 7, strike out "SEC. 565" and insert in lieu thereof "SEC. 585".

On page 52, line 8, strike out "SEC. 566" and insert in lieu thereof "SEC. 586".

On page 52, line 14, strike out "Sec. 567" and insert in lieu thereof "Sec. 587".

On page 52, line 21, strike out "SEC. 568" and insert in lieu thereof "SEC. 588".

SECTION BY SECTION ANALYSIS

Sec. 561. Sates that the purpose of the act is to explore the feasibility of a national child advocacy system to focus the Nation's resources on the needs of our children, to coordinate, consolidate and evaluate existing programs and to propose new programs and methods to insure the healthy development of our children.

Sec. 562. (a) Gives the Director authority to establish and fund not more than 20 Neighborhood Offices of Child Advocacy (NOCA) to determine the cost-effectiveness of present programs and to test experimental programs.

The Director shall: evaluate the effectiveness of such Offices in assisting and referring children to the appropriate services; and submit after 5 years an evaluation report to the President and the Congress and a recommendation for the termination of such offices or for the transfer to an appropriate Federal agency for continued operation.

(b) Directs that the NOCA's be esablished in various geographic regions and that persons served by such offices be representative of diverse racial and socio-economic groups.

Sec. 563. Authorizes the Director to make planning grants to public or private nonprofit agencies or organizations desirous of establishing a Neighborhood Office of Child Advocacy.

Sec. 564. (a) Describes duties and functions of each Neighborhood Office of Child Advocacy (NOCA) including responsibility to: assess the needs of neighborhood children; publicize NOCA's existence and services; counsel families with children needing assistance; refer such families to appropriate agencies; purchase services, if necessary; and provide training facilities for interested professionals and para-professionals.

(b) The NOCA assessment shall include the nutritional, medical, psychological, social, educational, recreational, vocational and economic needs of neighborhood children. The counseling and referral function shall include determination of a family's needs, explaining what programs are available and directing families to these programs. The NOCA shall keep note of a child's progress and maintain adequate records of all its cases.

(b) (4) (5) If indeed services are unavailable and it is determined that the family cannot afford such services, the NOCA is authorized to purchase the services for the child. Accurate records of any such purchase must be maintained by the NOCA.

(b) (6) Any purchase shall be reviewed every six months to determine the effect of the service and its continued need. Any service purchased for more than 12 months shall be reported to the Director detailing the reason for the original purchase, how many persons need and receive similar services, and what steps are being taken by state and local authorities to relieve the need for such purchase.

Sec. 565. Details the procedure for applying for NOCA grants.

Sec. 566. (a) The agency which establishes a NOCA shall also form a Neighborhood Council on Child Development composed of neighborhood residents and qualified professionals which shall be the governing body of the NOCA.

(b) The Neighborhood Council shall select the Director of the NOCA; establish appropriate personnel policies; develop a comprehensive plan for neighborhood child services; prepare the annual budget; and act as an appeals body for parents dissatisfied with services provided by NOCA.

Sec. 567. Authorizes the Director of the Office of Child Development to give to any NOCA a special demonstration grant to allow such NOCA to establish experimental programs of comprehensive child care.

Sec. 568. States that the Director shall encourage the establishment in each state of a Governor's Council on Child Development which shall survey the needs of the state's children, serve as the state's child advocate for its children, develop a state plan for meeting the needs of its children, review action taken by appropriate state agencies, and assist NOCA's located within the state.

Sec. 569. Authorizes the Director of the Office of Child Development to make grants to any additional Councils at appropriate levels of state and federal government as may be needed to carry out the purposes of this Act.

Sec. 570. Authorizes all appropriations of $20,000,000.

Sec. 571. States that the NOCA shall encourage neighborhood families to avail themselves of its service, but shall exert no coercion on them to use the facilities.

Sec. 572. All records of the NOCA shall remain confidential and shall be open only to the concerned family and can be made available to a service agency only with the consent of the family.

Sec. 573. Each NOCA shall impose fees for its services except simple assessment and counseling services. Such fees shall be based on an "ability to pay" schedule determined by the NOCA Director. No fee shall exceed the cost of the service provided.

CHILD ADVOCACY

Mr. MONDALE. Mr. President, I would like to commend the senior Senator from Connecticut (Mr. RIBICOFF) for introducing National Child Advocacy Act, and express my support for the objectives of this legislation. The Senator has long been one of our Nation's foremost advocates for children—as Governor of Connecticut, Secretary of Health, Education, and Welfare, and a member of the Senate—and the proposal he is introducing today is another example of his commitment to America's young. I am delighted to be a cosponsor of this bill.

I share the concern of the Senator about the way in which the needs of millions of American children and youth are ignored and neglected. I share his conclusions that our present systems of child care are fragmented and uncoordinated. This lack of attention and this fragmentation is one reason the Labor and Public Welfare Committee recently established a Subcommittee on Children and Youth, which I am privileged to chair. It is my hope that this subcommittee can provide a forum for the concerns of children and youth within the Senate, view the problems of the whole child, and help overcome the fragmentation that exists in our approach to the problems and needs of children and youth.

This lack of attention and fragmentation are also reasons that the concept of a child advocate has received support: first by the joint commission on the mental health of children, chaired so ably by Dr. Reginald S. Lourie, and more recently by the delegates at the White House Conference on Children.

The concept of a child advocacy system to help assure that families and chil-

dren receive the services or treatment they need, and to help assess community needs for children's services—makes a good deal of sense. We should test this concept, find out how it works in actual practice, discover its strengths and weaknesses. This is precisely what Senator RIBICOFF's bill would provide—by establishing Neighborhood Offices of Child Advocacy in up to 20 communities throughout the Nation—and precisely the reason I support this proposal.

One concern that has been expressed about the concept of the child advocate, and a concern I share, is that child advocates might interfere or intervene unnecessarily into the activities of families and diminish the parent-child relationship. I am pleased to note that the legislation Senator RIBICOFF is introducing pays particular attention to this potential problem, by referring consistently to assisting families with children rather than simply children, by providing that the family or guardian of a child must have been involved in decisions to use services for a child and agree with the services chosen, and by containing specific prohibitions against any possible attempts by Neighborhood Offices of Child Advocacy to coerce any family to accept services.

Mr. President, I support the child advocacy demonstration proposal Senator RIBICOFF is introducing today. The approach he is proposing represents a reasonable and modest first step, and I am hopeful that it will receive favorable action by the Congress.

AUTHORIZATION OF MILITARY APPROPRIATIONS, 1972—AMENDMENT

AMENDMENT NO. 144

(Ordered to be printed and referred to the Committee on Armed Services.)

AMENDMENT TO LIMIT PENTAGON OUTLAYS FOR FISCAL YEAR 1972 TO $68 BILLION

Mr. PROXMIRE. Mr. President, on behalf of myself and the Senator from Maryland (Mr. MATHIAS), and the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Michigan (Mr. HART), and the Senator from West Virginia (Mr. RANDOLPH), I submit an amendment to the military authorization bill (S. 939) to limit the amount the Pentagon can spend in fiscal year 1972 to $68 billion:

Notwithstanding any other provision of law, the aggregate amount that may be expended for Department of Defense—Military Functions for the fiscal year ending June 30, 1972, shall not exceed $68,000,000,000.

We are introducing the Proxmire-Mathias proposal as an amendment to the military authorization bill due for Senate consideration in July. However, we may call it up for a vote earlier on some other bill, such as the continuing resolution for military appropriations, if that course of action appears to be more appropriate.

The Department of Defense—military functions' item in the budget which the Proxmire-Mathias amendment would cut, includes funds the Congress appropriates in three different bills—the military appropriations bill, the military construction bill, and for civil defense expenditures funded in separate legislation.

In the last 4 fiscal years, the Pentagon has spent $10.4 billion more than Congress has appropriated for these items. This year—fiscal year 1971—Congress appropriated $68.7 billion. But the Pentagon is actually spending an estimated $73.4 billion instead. Next year they propose to spend $75 billion for these purposes.

The major reason the Pentagon spends more than Congress appropriates year after year is the huge backlog of obligated and unobligated funds now on hand which total $35 billion. When Congress cuts their funds, they dip into the backlog and make up for the cuts.

We propose a ceiling of $68 billion on Pentagon spending for a variety of reasons. These include:

First, this cut is almost the precise amount Congress appropriated last year for Department of Defense military functions. If Congress is to control military spending, the military should spend what Congress appropriates instead of spending much more.

Second, the annual incremental costs of the Vietnam war have been cut back from about $24 billion at the war's peak to $8 billion in fiscal year 1972. That is a reduction of $16 billion or two-thirds. Military manpower will be down about 1 million men by the end of the year. Civilian personnel has also been cut. Even with inflation and pay raises, these huge reductions should be reflected in military outlays. For these reasons, the Pentagon budget should be coming down, instead of going up, as the Pentagon proposes.

Third, this is the only major way to reorder priorities and provide for our great domestic needs—job training, housing, health, aid to States and cities, and other desperate needs. The hard fact is that unless we cut military spending below that proposed, existing programs will eat up all added revenues generated from economic growth for the next 2 years.

Fourth, as we disengage from our military involvement in Indochina, it becomes increasingly clear that our future national security and technological world leadership is dependent upon a concentrated national investment in military and civilian research and development, and not in the nearsighted production of Edselesque weapons systems which too often turn out to be obsolescent, redunant, or cost-ineffective.

Fifth, there is ample precedent for amendments to place a ceiling on Pentagon and other types of spending. Last year a similar Proxmire-Mathis amendment was defeated by only an 11-vote margin, 42 to 31. This, year with the help of dozens of religious, business, trade union, urban, and other public interest groups, we will make every effort to win.

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

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

AMENDMENT No. 144

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

"SEC. —. Notwithstanding any other provision of law, the aggregate amount that may be expended for 'Department of Defense—Military Functions' for the fiscal year ending June 30, 1972, shall not exceed $68,000,000,000."

THE MILITARY SELECTIVE SERVICE ACT

AMENDMENT NO. 145

Mr. KENNEDY submitted an amendment 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, which was ordered to be printed and to lie on the table.

AMENDMENT NO. 146

(Ordered to be printed and to lie on the table.)

Mr. KENNEDY. Mr. President, I am submitting today, for myself and Senator MCINTYRE and Senator JAVITS, an amendment to H.R. 6531 which would put into effect the reorganization of the Selective Service System called for by the National Advisory Commission on Selective Service.

The Commission, directed by former Assistant Attorney General Burke Marshall, recommended a far-reaching restructuring of the Selective Service System. The objective was to assure that the rule of law, a concept that individuals in like circumstances should be treated alike, would apply to the Selective Service System.

In carrying out that objective, the Commission called for a process to reduce the possibility that accidents of geographical location, color or status would affect a man's rights and obligations.

The amendment I am introducing seeks to accomplish this purpose.

The organization would be as follows:

National headquarters should formulate and issue clear and binding policies concerning classifications, exemptions, and deferments to be applied uniformly throughout the country.

A structure of eight regional offices—alined for national security purposes with the eight regions of the Office of Emergency Planning—should be established to administer the policy and monitor its uniform application.

An additional structure of area offices should be established on a population basis with at least one in each State. At these offices men would be registered and classified in accordance with the policy directives disseminated from national headquarters. These area offices would be distributed on a population basis, with at least one in each State. Approximately 300 to 500 of these offices being able to answer the national need.

The use of modern data handling equipment, as well as the application of uniform rules, would facilitate processing, registration, and classification.

Under appropriate regulations, registrants would change their registration from one area office to another as they changed their permanent residence.

Local boards, composed of volunteer citizens, would operate at the area office

level as the registrants' court of first appeal.

Appeal boards should be colocated with the eight regional offices, although operate independently of them. The National Selective Service—Presidential—Appeal Board would remain as presently constituted.

ADDITIONAL COSPONSORS OF AN AMENDMENT

AMENDMENT NO. 115

At the request of Mr. ALLOTT, the Senator from Kentucky (Mr. COOK), the Senator from Ohio (Mr. TAFT), the Senator from Pennsylvania (Mr. SCHWEIKER), the Senator from Iowa (Mr. HUGHES), the Senators from Indiana (Mr. HARTKE and Mr. BAYH), the Senator from Michigan (Mr. HART), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Montana (Mr. MANSFIELD), the Senator from Hawaii (Mr. INOUYE), the Senator from Minnesota (Mr. MONDALE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from New Jersey (Mr. WILLIAMS), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Massachusetts (Mr. BROOKE), the Senator from Alaska (Mr. GRAVEL), the Senator from Utah (Mr. Moss), the Senator from Wisconsin (Mr. NELSON), and the Senator from Rhode Island (Mr. PASTORE), were added as cosponsors of amendment No. 115 to H.R. 6531, the Military Selective Service Act.

NOTICE OF HEARINGS OF THE SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

Mr. MONDALE. Mr. President, in accordance with the requirements of section 111(a) of the Legislative Reorganization Act of 1970, I announce that the Select Committee on Equal Educational Opportunity will hold hearings on June 14 and 15 in room 1318 of the New Senate Office Building.

These hearings will be to examine the U.S. Supreme Court decision on the Swann against Charlotte-Mecklenburg case and the implications of recent court decisions. They will also examine the displacement and present status of black school principals in desegregated school districts.

The committee has also scheduled a field trip to New York City on June 17 and 18, 1971. The field trip will include visits to public schools in various areas of the city.

NOTICE OF HEARING IN WOONSOCKET, R.I., ON CUTBACKS IN MEDICARE AND MEDICAID COVERAGE

Mr. MUSKIE. Mr. President, the Subcommittee on Health of the Elderly of the Senate Special Committee on Aging will continue its study of the impact on older Americans of proposed cutbacks in medicare and medicaid coverage. The committee's first hearing was held in Los Angeles, Calif., on May 10.

Our next hearing on this subject will take place on June 14, 1971, in Woonsocket, R.I., at 10 a.m. at the Elks Club, 380 Social Street. Senator CLAIBORNE PELL will preside.

ADDITIONAL STATEMENTS

AIRLINE AND PILOTS UNION AID VIETNAM POW'S AND MIA'S

Mr. RANDOLPH. Mr. President, an airline and a pilots' union last week announced a compassionate and eminently worthwhile program for veterans of the Vietnam conflict who have been prisoners of war or missing in action.

Eastern Air Lines and the Air Line Pilots Association on May 26 issued a press release on a program under which Eastern would hire returning military pilots who have been prisoners of war or have held missing-in-action status. These veterans would be offered important seniority advantages if they choose to fly with Eastern within a year of their return to American control.

At a time when the public and, indeed, the Government, feel a need to help the men who have served their country so ably and so well, it is highly commendable that private industry and a union have joined hands in arriving at a specific program to recompense POW's and MIA's for the special hardships they have endured.

I would urge that other airlines and other industries follow the splendid lead of Eastern and ALPA. I ask unanimous consent that the pilots' union press release be printed in the RECORD.

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

POW RATED PILOTS OFFERED AIRLINE PILOT ADVANTAGES

WASHINGTON, D.C.—U.S. military pilots now in Southeast Asia and carried by the Department of Defense as prisoners of war or in a missing in action status may look to immediate airline pilot careers with seniority advantages, should they choose to take up the option upon return to the United States.

The program, conceived and developed by an Eastern Air Lines pilot, was announced today by Captain J. J. O'Donnell, president of the 31,000-member Air Line Pilots Association (ALPA).

At a Washington news conference, O'Donnell praised the imagination and efforts of First Officer Charles (Chuck) Dyer in working out the complex details with Eastern Air Lines' vice president for operations, former astronaut and Air Force Colonel, Frank C. Borman. O'Donnell said: "This program represents a small but important reward for all prisoners of war and those now in missing status who may choose to take up the option within a year following their return to American control."

The plan calls for date-of-hire or seniority to be pegged to May 30, 1971. All rated military pilots, who can meet physical and training requirements within a year after release, will qualify for employment and the date-of-hire advantage.

EAL pilot Dyer, who is also a naval reserve pilot from Boston, has three friends currently believed held in North Vietnamese prison camps. He lauds his company's willingness and Colonel Borman's interest in extending the offer as "a gesture of appreciation for the ordeal these men have endured for their country."

O'Donnell pointed out: "This original and stimulating program is indicative of the progress a forward-looking management can accomplish by working in close harmony and cooperation with its pilots in seeking solutions to national as well as company problems."

He added: "The professional pilots of ALPA, who man the transports of 41 domestic and American flag carriers, look forward to working cooperatively in similar fashion with their managements." He cited recent beyond-the-cockpit programs generated by Eastern Air Lines, Trans World Airlines, Caribair and other pilot groups that are designed to assist their companies in broadening the market base, in filling empty jet seats and improving operating efficiencies where safety is not compromised.

Under the ALPA/Eastern Air Lines plan, that carrier will provide the necessary training to prepare ex-POW/MIA pilots for commercial airline operations.

Of the more than 1,500 Americans carried in missing status or known to be in enemy prison camps, several hundred are believed to be eligible candidates, should they elect to pick up the option. Following release from prison, they will have a year to decide, to regain required physical status and to enter Eastern's training program before the offer expires.

Having the retroactive date-of-hire of May 30, 1971, offers important seniority and career benefits upon successful completion of training.

Eastern Air Lines has not furloughed pilots in the current traffic slump and expects to reopen hiring action later this year.

Captain O'Donnell stated at the close of the news conference: "The Air Line Pilots Association is proud to be a partner with Eastern Air Lines in this imaginative effort and to be able to demonstrate what can be accomplished through mutual understanding and cooperation by pilots and management. Colonel Borman, Eastern Air Lines and Mr. Dyer are to be congratulated."

PRESIDENT TRUMAN'S 87TH BIRTHDAY ANNIVERSARY

Mr. MANSFIELD. Mr. President, I should like to bring to the attention of the Senate a letter from former President Harry S. Truman. It was sent to the Secretary of the Senate in acknowledgment of Senate Resolution 118, by which the Senate extended greetings to former President Truman on his 87th birthday. I think I can speak for Members of this body in saying that we welcome this word from our former colleague and President. It was a pleasure to salute this distinguished citizen. His patriotism and enthusiasm are an inspiration to all who know him. It is my hope that he will continue in good health and that we may have many more opportunities to greet him in the future.

I ask unanimous consent that a letter from Mr. Truman addressed to the Secretary be included at this point in the RECORD.

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

INDEPENDENCE, MO.,
May 28, 1971.

Mr. FRANCIS R. VALEO,
Secretary of the Senate,
Washington, D.C.

DEAR SECRETARY VALEO: I wish to express my grateful thanks to the Members of the United States Senate for the Senate Resolution No. 118, adopted by the Senate on the occasion of my eighty-seventh birthday.

I am very grateful for this special honor

and I will appreciate it if you will convey my very best wishes and warm personal regards to all of the members.

Sincerely yours,

HARRY S. TRUMAN.

OPPOSITION TO A CONFERENCE REPORT

Mr. COOPER. Mr. President, the conference report on S. 575 may be taken up in the Senate on Tuesday, June 8.

I believe adoption by the Senate of this conference report could establish a precedent which would severely restrict the ability of the Senate to deal with House amendments to Senate bills. For this reason, I intend to oppose adoption of the conference report, and to ask for a record vote on it.

As passed by the Senate, the bill extended two well-established programs—the Appalachian Regional Development Act and the Public Works and Economic Development Act of 1965. The House concurred generally in the Senate bill, but added a new title I—an accelerated public works program—and requested a conference. The Senate agreed to go to conference, where the Senate conferees unanimously offered a substitute for House title I, on the subject of emergency assistance to high unemployment areas.

The House managers, however, contended that the Senate substitute could not be accepted, nor could any substantial modification of title I as passed by the House be considered. They did so on the advice of the House Parliamentarian, citing House Rule XXVIII (3), as recently amended by the Legislative Reorganization Act of 1970. Finally, the Senate conferees receded.

I did not sign the conference report, because I considered that the procedure followed raises an issue which could affect all Senate committees, and all legislative measures initiated in the Senate.

The first effect of such an application of the revised House rules, if acquiesced in by the Senate, could be to establish that House additions to legislation originated by the Senate cannot be significantly modified or reviewed by Senate conferees. It could result in major legislative proposals escaping the influence of Senate review and revision.

Second, the precedent which would be established by Senate adoption of the conference report on S. 575 could impair the right of the Senate to originate legislative measures. While the House can add such new matter as it desires to Senate bills and then ask for a conference, the Senate conferees would be known to be foreclosed from offering amendments except of very limited scope, such as deletions or reductions in amounts. Therefore, only if the House is allowed to originate the legislation, would the Senate committee having jurisdiction be able to have its proposals considered and included in the bill.

The House has the right under the Constitution to originate revenue measures. It has always asserted exclusive authority to initiate appropriations bills. Now, if the conference report on S. 575 should be adopted, the Senate may relinquish in practice its right to develop and originate authorization bills.

Of course, another way to deal with House amendments to Senate bills would be to refuse to go to conference—instead of amending the House substitute. But, third, this would have the effect of destroying the institution of the Senate-House conference, which I consider a valuable and, at least until now, constructive procedure.

If the interpretation of the House rules applied to the conference report on S. 575 is allowed to prevail, the only way the Senate could work its will on new matter added by the House to Senate bills would be for the Senate itself to act upon the House substitute without going to conference—returning the bill to the House for adoption, rejection, or modification of the Senate revision. That could well be a fruitless procedure. In any event it would be terminated by House modification of the Senate revision, an amendment in the second degree. At that point the Senate would again be confronted with a House proposal which must be accepted in whole, or the bill abandoned.

I presented this argument in the conference, and moved that the conference report in disagreement, as a means of recognizing the procedural issue and returning the House substitute to the Senate itself for decision.

It is my position now that the conference report should be rejected, to avoid a precedent which would place the Senate in a position subordinate to the House of Representatives. I should think this issue would concern the chairmen and the ranking minority members of other Senate committees, and the Senate as a whole.

Rejection of the conference report on S. 575 will place the bill as amended by the House before the Senate, for whatever action it desires. I believe that would be the proper course at this time, and would at least serve notice that the Senate is unwilling to accept this new application of the House rules to Senate bills.

I am mailing a copy of the statement to all Members of the Senate, and ask unanimous consent that it be printed in the RECORD.

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

RULE XXVIII, CLAUSE 3

RULES OF THE HOUSE OF REPRESENTATIVES AS AMENDED BY SECTION 125(B)(3) OF THE LEGISLATIVE REORGANIZATION ACT OF 1970

New matter; (deletion)

Whenever a disagreement to an amendment in the nature of a substitute has been committed to a conference committee it shall be in order for the Managers on the part of the House to propose a substitute which is a germane modification of the matter in disagreement, but (their report shall not include matter) *the introduction of any language in that substitute presenting a specific additional topic, question, issue, or proposition* not committed to the conference committee by either House *shall not constitute a germane modification of the matter in disagreement. Moreover, their report shall not include matter not committed to the conference committee by either House, nor shall their report include a modification of any specific topic, question, issue, or proposition committed to the conference committee by either or both Houses if that modification is beyond the scope of that specific topic, question, issue, or proposition as so committed to the conference committee.*

Mr. BAKER. Mr. President, I would like to add my support to the grave concern Senator COOPER has expressed with regard to the procedural dilemma that developed during the recent Senate-House conference on S. 575. The interpretation which was given rule 28, clause 3, of the House rules will, if approved by Senate adoption of the conference report, severely endanger the effectiveness of future Senate-House conferences on legislation originated by the Senate. Senator COOPER has ably defined the hazard to the institution of the conference, and to legislative initiative in the Senate.

But accepting such a narrow interpretation of the House rules will have a further and more immediate impact, to which I would call the attention of the Senate.

The accelerated public works program, proposed to be authorized for appropriations by the House-added title I of S. 575, has historically had the dignity of a separate piece of legislation. Senator RANDOLPH recently introduced a bill in the Senate which would have substantially the same effect as title I. Only in S. 575 as returned from the House has accelerated public works been appended to nonemergency economic measures.

By severely limiting the ability of the Senate conferees to deal with title I in conference, and by sending that title to the Senate floor appended to other important measures, the House has effectively precluded the Senate from reviewing this piece of legislation. Title I of S. 575 is therefore a House enactment which, for all practical purposes, has escaped the legislative influence of the Senate.

If this conference report is approved, and S. 575 as amended by the House enacted with title I included, the House of Representatives will have effectively passed a law on its own—without the Senate having ever had any real opportunity to debate, modify, or review the measure. Mr. President, that is a grave situation and a real threat to the legislative power of this body.

Measures will have to be taken to end the intolerable restrictions placed on Senate-House conferees by House Rule XXIII (3). I am confident that disapproval of this conference report will encourage action to restore the effectiveness of the conference procedure and eliminate the threat to the dignity of this body.

In response to the immediate problem, it should be noted that disapproval of the conference report would put before the Senate the bill as passed by the House, enabling this body to establish the dialog on title I which was frustrated and pretermitted in conference.

For these reasons I urge that the Senate disapprove the conference report on S. 575.

TYRONE, PA., FLOOD CONTROL PROJECT

Mr. SCOTT. Mr. President, because of the extreme trouble which the town of Tyrone, Pa., is currently facing. I have

asked both the House and Senate Subcommittees on Public Works Appropriations to set aside $500,000 for the flood control project for the city of Tyrone.

Tyrone was first hit with massive flooding in 1937, yet since that time little has been done to stem the continual threat of more flooding. I therefore ask unanimous consent that my remarks to both House and Senate subcommittees be printed in the RECORD.

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

STATEMENT BY SENATOR HUGH SCOTT (R–PA.), SENATE MINORITY LEADER BEFORE THE SENATE SUBCOMMITTEE ON APPROPRIATIONS, JUNE 3, 1971, RE: TYRONE FLOOD CONTROL PROJECT

Mr. Chairman and Members of the Subcommittee: The town of Tyrone, Pennsylvania is currently facing real problems—massive unemployment, massive out-migration and massive flooding. It is to this last, and most enduring problem which I want to address myself today.

In March of 1937, the Little Juniata River in Tyrone overflowed its banks, flooding the town and causing extensive loss of property and other serious damage. Some say this was the beginning of Tyrone's problems.

The 1937 flood served as the impetus of a 35-year struggle for flood protection for Blair County. In 1944, a Flood Control Act was authorized, but since that time little else has been done to combat this problem.

However, due to the concern of Eugene Hamill, President of the Blair County Board of Commissioners and the entire Board of Commissioners, the flooding problem of Tyrone is again being brought to the attention of members of Congress.

Since 1937, significant flooding has continued to occur in Blair County and particularly in Tyrone. None of the floods has been as severe as the 1937 flood, but they have been significant enough to cause considerable damage and severe enough to indicate that the flooding problem still exists. To combat this continued flooding and to help further the development of Tyrone, the Blair County Board of Commissioners has proposed a 3-pronged concept they call the Tyrone Multi-Agency Metropolitan Development Project.

This is composed of three parts: 1) Relocation and reconstruction of Pennsylvania Route 350; 2) Construction of Stage I of a regional sewage treatment plant, and 3) construction of the long-planned Tyrone Flood Control Project. It is imperative that each of the 3 components of the project proceed according to the overall plan. At present, both the sewage treatment and highway construction portions of the proposal are proceeding according to schedule. However, unless progress in the flood control project (part 3) can be accelerated, the success of a truly coordinated, three-component multi-agency project is in serious jeopardy.

For Part 3 to proceed, $500,000 must therefore be included in the Federal Budget for Fiscal Year 1972 for the Flood Control Component of the overall multi-agency metropolitan project.

I was surprised and disappointed to note that funds for this flood control project were not included in the President's Fiscal Year 1972 budget. I had assumed that due to the length of time this project has been awaiting initiation and the active discussion between the Corps of Engineers, the Commonwealth and local county and municipal agencies in the past year, that funds would surely be made available to allow the Corps to follow its proposed schedule of construction.

I cannot be more forceful in my urging today that the needed $500,000 be set aside in the Federal Budget for Fiscal Year 1972 for the Tyrone Flood Control Project.

My reasons for supporting this worthwhile project throughout the years have not diminished. It is urgent that the Tyrone Project construction begin. It is vital to the community of Blair County and necessary to our entire State.

This much needed flood protection proposal needs the positive and favorable recommendation of all the members of the Appropriations Subcommittee. I urge your strong and speedy endorsement.

We must put a stop to the damage these continual floods have caused—damage to Tyrone's land and property, but more important, damage to the faith of Tyrone's people that they must deal with flooding unaided.

WE MAY NOT LOVE THE SST, BUT OUR CHILDREN WILL

Mr. PROXMIRE. Mr. President, in the closing days of the SST debate, Congress was treated to a massive lobbying and propaganda blitz by the well-heeled pro-SST forces. Financed and supported by the aerospace industry and organized labor, these lobbying groups budgeted $350,000 over a 30-day period to convince Congress to provide further funding for the SST. Fortunately, Congress was not swayed.

Mr. President, just recently a different type of SST propaganda came to my attention. It is far more insidious than the lobbying effort aimed at Congress. It has apparently been underway for quite some time. It is aimed at minds that are extremely pliable. And, to add insult to injury, it is being financed by the Federal taxpayer.

I am referring to a program of aviation education which is under the jurisdiction of the U.S. Department of Transportation. As part of this program, the DOT has printed and circulated a 73-page booklet entitled, "Teacher's Guide for SST–T–T—Sound, Sense, Today, Tomorrow, Thereafter."

This booklet is a primer for school-age children. It is clearly designed to put them in the right frame of mind for the coming "SST age." The booklet consists of exercises, classroom activities, writing, and research assignments, and short fables—most of which promote the glories of supersonic travel.

The most interesting are the fables. The cast of characters include:

"Supersonic Pussycat"—the first feline to fly to Paris aboard the SST.

"Shaky the Helicopter," the friendly shuttle to Disneyland, described as a "ring-ding whirlybird of the West"—"a multi-fisted, hard biting chopper"—just like something designed "way back in 1500" by "a paint-slinging hombre named da Vinci."

"Deci Belle"—a noisy young thing who could be described as a "roar with a heart of gold."

The situations are appropriate to the supersonic age. Here are some of the chapters:

"The House That Had to Move"—a tale that ends "Today the movers are coming to take me away. Now the airport has room to grow, more jets can do their job of helping people travel. Already I can hear the happy sound I love."

Or—

"The Boom in the Desert"—a short story in which sonic booms are described as "a dull boom," "a dull booming sound" and "a soft, dull thud."

Or—

"Danger on the Runway"—a thrilling account of how a flock of ducks endangered the operations at an airport—"one great metal bird facing 25 small feathery ones as in a jousting tournament."

The art of poetry is not omitted from the volume. There is a limerick entitled "Left Behind" which stars Maxwell the Mouse. The author is anonymous—a merciful gesture. Really, his poetic license should be revoked.

One of the most exciting adventures is that of Marita, the Supersonic Pussycat, whose silver fur is washed, brushed and perfumed and whose nails are done at Fifi's Feline Salon. The Supersonic Pussycat was the only feline aboard the first commercial supersonic transport flight between this country and Paris—although Marita and her mistress were actually headed for their annual visit to the Riviera. "French, of course," Marita purrs.

I might say at this point that I think it was actually very fair of the Department of Transportation to make the point I argued in the debate on the SST: that the plane was of more interest to people who can fly to the French Riviera with their cats than the average American taxpayer who was getting soaked for this project.

As a reward for being the first pussycat to fly supersonically, Marita's mistress had her fur dyed pink, which caused the cat to remark:

And you know, my dear, Supersonic Pink is the In Color this year!

I guess the cat forgot about Lockheed where the fashionable shade today seems to be Bookkeeper's Red.

I also found interesting the story of "Deci Belle" who is described as a "smooth chick with good looks" who "had a big assortment of the right clothes, minis and all."

Deci, we are told "was attracted to noise—the louder the better."

"If there wasn't any around, she would create it."

"Deci, when she paid attention to unnoise-like things, was a good student. While studying about transportation in a social studies class, she read about the supersonic airliners being planned for air travel in a few years. She was interested particularly in one problem the developers were having to meet—the sonic boom. Oh, how she would love to hear one—a great big loud one."

But in the true style of repentant fiction, Deci Belle saw the light while trapped in a traffic jam near the airport one day. Planes were zooming in and out overhead. Trucks and taxis were hitting their horns. A rattling freight train was moving by on tracks beside the road.

As the story ends, we read:

From this day on, Deci was a changed girl. Oh, she was fun, but she knew there was a time and a place for noise and then only to degrees. She now was more interested in hearing the smooth sounds of what was going on around her—particularly those coming from the boys.

If the teachers are not skilled enough in using these stories to mold little minds, there is a teacher's manual which accompanies the text.

The suggested exercises are interesting.

It is recommended that the students put their heads down on their desks and listen to the sounds around them. Could they identify different sounds? I can guarantee that if a supersonic transport had flown over they would have had no trouble identifying the racket.

Teachers are urged to "discuss why some noises are necessary." Could it be that one such "necessary" noise is the roar of the SST?

Role playing is a big part of teaching these days—and some of the roles which this little book suggests students play are fantastic.

For example: "You are the Administrator of the Federal Aviation Administration. You have been asked to appear before a television audience to explain the phenomenon of sonic boom as a side effect of supersonic travel. You have been informed that many citizens are concerned and upset with news that a sonic boom might cause considerable damage and thunderous noise. You must convince them that the program is important and should continue by presenting the facts about sonic booms and their effects."

Also, students would collect articles on noise and aviation and "Determine if there are any subjective, inferential statements that might be directed toward influencing the public to adopt a certain attitude."

Recruiting new talent for the pro-SST lobby, perhaps?

Mr. President, the frontispiece of the booklet gives us just a clue how it was put together. It reads:

This publication was made possible by the joint cooperation of the following: Teachers and students of the Fort Myer Elementary School, Fort Myer, Virginia: The Department of Transportation's Interagency Aircraft Noise Abatement Program (Information Education Committee) and the Federal Aviation Administration's offices including the Office of Supersonic Transport, Office of Noise Abatement, Office of Aviation Medicine, and the Office of General Aviation Affairs.

And as for printing, there is this notation on the frontispiece:

Printed by: Department of Transportation, Federal Aviation Administration, Aviation Education, Office of General Aviation Affairs, Washington, D.C.

Mr. President, how can we justify spending taxpayers' money for this kind of blatant propaganda? It would be reprehensible enough if this type of material were for distribution to the public generally; it is doubly reprehensible to distribute this for teaching grade school youngsters, whose minds are particularly malleable and pliable.

This is supposed to be a government for the people. But when we allow Federal money to be used to indoctrinate our children to support Government policies and programs, we twist the constitutional mandate, and create a people for the Government.

Yesterday I wrote to Secretary of Transportation, John A. Volpe, requesting a complete briefing on these educational activities. Among other things, I have asked Secretary Volpe:

Who paid for this booklet?

How much did it cost?

To whom were the booklets distributed?

Are these booklets still in current use?

Mr. President, I ask unanimous consent that my letter to Secretary Volpe be printed in the RECORD.

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

JUNE 2, 1971.

Hon. JOHN A. VOLPE,
Department of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: It has recently come to my attention that a booklet entitled, "Teachers' Guide for SST . . T . . T (Sound, Sense, Today, Tomorrow, Thereafter,") has been printed by the Department of Transportation, Federal Aviation Administration, Aviation Education, Office of General Aviation Affairs, and distributed to educational institutions.

Certainly the government and its agencies have an important educational function to perform, but after noting the tone and character of the booklet to which I referred I have serious questions about the wisdom of taxpayers' money being spent on such openly propagandistic material.

In this regard, will you please answer the following questions regarding the booklet itself and the teacher's manual which accompanies it.

1. Under what authorization and appropriation legislation was the booklet produced?
2. What was the cost of producing and distributing the booklet, including the cost of writing, editing and designing the booklet?
3. When was it first printed and was there more than one printing?
4. How many of the booklets were printed?
5. To whom were the books distributed?
6. Are they still in use?

I look forward to hearing from you.

Sincerely,

WILLIAM PROXMIRE.

DEPUTY ATTORNEY GENERAL KLEINDIENST CLARIFIES MAYDAY FACTS

Mr. DOLE. Mr. President, large scale demonstrations and serious disruptions were fomented by the so-called Mayday tribe in Washington, D.C., this past month. Subsequently, these activities and the events surrounding them have been the subject of a good deal of romanticizing, mythmaking, and outright fiction in the press by certain political figures and by those who were involved in the attempts to halt the regular processes of society at that time. Often the actions taken by local law-enforcement agencies to maintain order and insure the safety of the general public have been subjected to abuse, attack, and invidious comparison with policies and philosophies inimicable to our Democratic form of Government.

I was pleased to see that a forceful clarification of the facts and fallacies of the Mayday disruptions was made by Deputy Attorney General Kleindienst in a speech yesterday, before the Rotary Club of Cleveland, Ohio. Mr. Kleindienst's remarks merit careful study by every citizen who is concerned with the functioning of law-enforcement agencies in today's difficult times, and I ask unanimous consent that Deputy Attorney General Kleindienst's remarks be printed in the RECORD.

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

"MAYDAY FABLE AND MAYDAY FACT"

(An address by Richard G., Kleindienst, Deputy Attorney General of the United States, Before the Rotary Club of Cleveland, June 3, 1971)

One month ago today, a large-scale coordinated effort was made to stop the Federal Government from functioning in Washington, D.C. It was the first time this had been attempted by an organized mob in the history of the United States.

Certainly there have been numerous mass demonstrations in the nation's capital. In 1894 Jacob Coxey led 20,000 unemployed from the Midwest to Washington. In 1932 World War I veterans marched in Washington to demand payment in full of their military bonuses. In the 1960s several very large demonstrations were staged in Washington for civil rights and antiwar objectives. Again, in the third week of April 1971, antiwar protest marches and demonstrations were held in Washington. But all of these were staged to dramatize popular support for certain causes, not to interfere with Governmental processes.

The May 3 action was openly planned and executed to stop the Government. It was met firmly and decisively by the highly competent Washington, D.C. metropolitan police, who were also thoroughly conscious of the liberties and rights of the public. And they not only kept the city functioning normally, but did so without giving the mob the opportunity to make claims of police brutality.

They won the thanks and commendation not only of the President of the United States, but also of the vast majority of members of Congress who commented on the event. The attempt to stop the Government had failed, and it failed in a way that reflected credit on the law enforcement officers and cast discredit on the disrupters.

In view of the alarming spread of violent mob actions in recent years, it is my hope and expectation that this event is an historic turning point, and that the rule of the anarchistic mob will not prevail in this country.

Despite all this, we have come to expect that voices will be raised in justification of such mobs and in criticism of efforts to maintain peace and order. The Washington case is no exception. The debris left by the disrupters was still being swept from the streets when the chorus of complaints began. Out of these complaints has come a fictitious Mayday in Washington—a Mayday that never happened. Napoleon cynically observed that "History is a fable agreed upon," but those of us who saw the reality of Mayday can never agree to the fable that has been created. We cannot live with history that is a fable. I want to separate for you the fable and the fact in Washington, D.C. on May 3, 1971.

Fable No. One—that the Mayday action was a spontaneous outburst of antiwar opposition—that its participants were harmless demonstrators merely trying to get the Government's attention. I quote from the *New York Times* of May 12, 1971: "In fact, the Mayday demonstrators were mostly feckless and leaderless."

Fact No. One. The Mayday disruption—and I am speaking from public sources freely

open to all—was planned as early as June 1970, when its leaders met in a Strategy Action Conference in Milwaukee. In the summer the plans were pushed along in a meeting at Berkeley, California. An organization known as the National Coalition Against War, Racism and Repression was formed, and approved the concept of shutting down Washington, D.C. Later the name of this organization was changed to the People's Coalition for Peace and Justice—familiar to us as the group which organized the Mayday event. Leaders of the organization went around the country speaking to students and inviting them to come to Washington and shut down the Government by blocking the streets and bridges of the capital.

Now, since immediate abandonment of South Vietnam by the United States would obviously benefit the Viet Cong and the North Vietnam regime, a natural question has been whether the People's Coalition for Peace and Justice was in any way connected with those foreign adversary interests.

Leaders of the People's Coalition for Peace and Justice have met repeatedly with representatives of the Viet Cong in conferences at Stockholm. A leader of the PCPJ has met twice with the North Vietnam delegation at the Paris Peace talks. Late in 1970 leaders of the movement went to Hanoi and negotiated a so-called "People's Peace Treaty" with North Vietnamese students. And during Mayday week the banners waved by the disrupters were those of the forces fighting against American soldiers overseas. Other lawbreakers pulled down American flags at the Washington monument.

Returning to the plans made for Mayday, a Student and Youth Conference on a People's Peace, meeting last February 7 at Ann Arbor, Michigan, approved the Mayday disruption and sent out a call for support. Meanwhile, headquarters for the Mayday effort had been established in Washington, and participants were recruited all over the country with a propaganda movie and leaflets. Orientation sessions for regional leaders were held in Washington early in April. A 24-page Mayday Tactical Manual was printed and distributed through the coalition's regional offices. It gave detailed descriptions of the key bridges and traffic circles leading into the central city, and explicit instructions on how to block them.

It also made some clear statements of purpose. These included the intent to engage in "disruptive actions in major Government centers, primarily Washington, D.C. (creating the spectre of social chaos). . ." Again I quote, "The objective is to close down the Federal Government sections of Washington, D.C., by blocking traffic arteries during the early morning rush hours of May 3 and 4." And again, "If the Government won't stop the war, we'll stop the Government."

Make no mistake, this was a calculated attempt by organized disrupters, led by people who had met repeatedly with Viet Cong and North Vietnamese leaders. It was not a group of frolicking picnickers, as some Washington columnists have tried to make out. This was a deadly serious program to halt the U.S. Government, and a force of 20,000 had been mobilized to do just that.

Fable No. Two—that the police mostly arrested innocent bystanders and office workers trying to get to their jobs. A newspaper advertisement by the American Civil Liberties Union states, "We say categorically that the majority of those arrested were not committing any offense whatever, and the Government knew it when they swept them up and knows it now."

Fact No. Two. Out of about 7,500 arrests that had to be made on Mayday to keep the mob from taking over Washington, there were probably a few lawful arrests of persons who turned out to be innocent, but these are certainly the exception rather than the rule. A great many cases have since been dismissed because it had not been possible at the time of arrest to preserve evidence. But that is not the same as saying that these persons have been tried and acquitted. On Mayday the police were arresting disrupters who were breaking District of Columbia laws, and the offenders knew it when they were arrested and they know it now.

Let's look at a few figures now available from the arrest processing. Out of 12,400 arrested from May 3 to May 5, the arrest records of nearly 2,300 have so far been reviewed for place of residence. Only 11 percent were from the District of Columbia, and a substantial majority of these gave various temporary addresses. It might be claimed that most of those arrested were commuters from neighboring Maryland or Virginia, but the fact is that those two states together accounted for only a small proportion of those arrested. Several other states contributed more of those arrested than did Maryland and Virginia, although one would think that the proximity of these two states to the capital would yield a larger proportion of disrupters. The large majority who came from other states could not by any stretch of the imagination be called commuters trying to get to work, but maybe the American Civil Liberties Union will tell us that they were all tourists who just happened to be on the streets and bridges at 6 o'clock in the morning.

The truth is that eye-witnesses tell a completely different story from the ACLU fable. Says the Washington Post, "Our observations on the street at the time and from the films made that day don't bear out the assertion that most of those arrested were innocent, even though it is true that the government lacks the evidence now to prove they were guilty." The legality of an arrest hinges on the circumstances reasonably known to the arresting officer, not on proof beyond a reasonable doubt.

Fable No. Three—that the activists were not really doing anything that would justify the arrest of more than 7,000 people on May 3. One of the few senators critical of the police, Senator Kennedy of Massachusetts, referred to the Mayday week's activities as "civil disobedience in the American tradition of Thoreau and Martin Luther King." The New York Times said of the participants, "They did not generally taunt the police; they tried to engage in friendly dialogue with them, they did not resist arrest. Incidents of violence against property were comparatively few and well within the power of the police to contain."

Fact No. Three. Approximately 20,000 disrupters tried their best to carry out their announced intention of paralyzing Washington and stopping the Government. They did this by widespread and unremitting acts of violence. The minute-by-minute police log of May 3 and numerous on-the-spot photographs of the incidents show conclusively that the disrupters endangered people by rolling boulders into streets, laying metal pipes across roadbeds, stringing barbed wire and ropes across streets, setting fire to trash cans, spreading nails on roads, throwing rocks and bottles at passing motorists, removing manhole covers, slashing at motorists with wooden poles.

They destroyed property by smashing windows, slashing tires, overturning cars, pushing parked vehicles into traffic lanes, ripping down signs and traffic markers. On one occasion they stopped a fire truck trying to get to a fire and took away its ladders to use in blocking traffic. On another occasion they pushed an automobile trailer down a steep hill, completely destroying the trailer and spilling its contents over the street. On still another occasion they cleared a path through the underbrush on a steep hill overlooking a boulevard; they held a truck in place at the top with steel cables, then cut the cables so the truck plummeted down into the street.

They blocked police enmergency vehicles, turned on fire hydrants, disabled city buses and commuters' autos, abandoned cars on bridge approaches and in tunnels, and dumped all manner of trash into the streets. They stoned and beat policemen and tried to prevent their making arrests. The total count of policemen they injured by the end of Mayday week now stands at 39.

To compare this vicious and wanton mob attack on Washington with the civil disobedience of Thoreau and Martin Luther King is to insult the memory of those men who stood for peaceful, nonviolent protest.

And in view of the enormity of this attack and of the necessity of arresting more than 12,000 persons within three days, it is a testimony to the professional discipline and restraint of the Washington police that not one shot was fired, and so far as I know, no serious injuries of disrupters have been reported.

Fable No. Four—that the police acted illegally—that they suspended the Constitution. At the President's press conference earlier this week a reporter stated that the defendants "are not being released on the grounds that guilt isn't proved. They are being released on the grounds that they weren't properly arrested." This charge refers principally to a period from 6:45 a.m. to 2:10 p.m. on May 3 in which the use of Field Arrest Forms was suspended.

Fact No. Four. The validity of the arrests was *not* challenged by the Court, which dismissed cases for lack of evidence, *not* for improper arrests. There is no requirement in the Constitution or in the D. C. law for the use of Field Arrest Forms. Such forms had been previously adopted as an administrative procedure. Their use could be and was suspended during emergency situations at the discretion of the Chief of Police. The reason for doing so for seven hours and 25 minutes on May 3 was that the offenses of thousands of disrupters bent on destroying the processes of Government were coming so fast that there was no time for officers to fill out the forms.

To do so at this time would have immobilized them in the performance of their duty to prevent the disruption of the nation's capital. This is not an excuse for violating lawful processes, because the arrests made without the forms were perfectly legal. But according to the critics, the police should have turned their backs on a rampaging mob in order to busy themselves as clerks with procedural forms.

It so happened that the sheer volume of arrests forced upon the police made it very difficult for arresting officers later to link up defendants with specific offenses. But this was not due to any calculated scheme on the part of the police, as charged by their critics. On the contrary, it was caused by the calculated scheme of the lawbreakers to disrupt all the processes of Government, including the police.

That the courts did not consider these arrests illegal is shown by the statement of the Chief Judge of the Superior Court of the District of Columbia: "The fact is that thousands of persons were arrested under circumstances which in many instances would not permit the gathering of evidence. This court has no criticism of that procedure."

Fable No. Five—that those arrested were detained for a long period of time to keep them from going back on the streets and creating more disturbances. A spokesman of the ACLU wrote: "There is not a shred of evidence that there was any intention of releasing them until after the crisis had passed . . ."

Fact No. Five. The record shows that the police processed the defendants as fast as physically possible in the face of the massive

enforcement problem forced upon them, and that undue delays were caused mainly by the defendants themselves—including hundreds who refused to identify themselves.

Let's look at the figures as far as they are available from data processing that has not been finished. Of about 7,500 arrested on May 3, most were given the opportunity, beginning on the same day, to be released by posting collateral of $10 each. By noon of the following day, about 4,700, or more than 60 percent, were released. That same Monday, 400 persons were presented by the police in court and released on bail. Of the remaining 2,400, approximately 1,000 were released after submitting to court-ordered photographing and fingerprinting. About 600 were released without even that requirement, so that by Tuesday night only about 500 persons who refused to be processed remained in custody. They were released the next day, May 5. The other 300 or so persons were either charged with more serious offenses or were juveniles and processed in a separate manner.

All were given the opportunity to be released within hours after their arrests. The vast majority was released within less than one day, only about 500 remained in custody after a day-and-a-half, and because of their refusal to be processed were released the following day, having been in custody for up to two-and-a-half days.

I am not supporting two-and-a-half days or one-and-a-half days as a proper time for defendants to be held without being charged, but I do say that under the conditions deliberately imposed by the organized disrupters, the police did a remarkably fast job of processing those arrested—faster than the law itself required under the circumstances. The real cause of any delay was the determination of the disrupters to shut down the services of the city, including the processes of justice. As their Mayday Tactical Manual said, "It greatly enhances our tactical position if the jails and detention facilities are filled with demonstrators." And the mid-April issue of the *Quicksilver Times*, which was also used beforehand to instruct the disrupters, told them: "Many people are choosing to post no bail in Washington, since it is expected that tens of thousands of arrests will take place and the judicial system can be effectively paralyzed if people stay in jail."

The critics who charge that due process of law was inadequate do not talk about the fact that masses of people came with the express purpose of overwhelming those legal processes. This is a little like a skyjacker forcing a pilot to fly to Cuba and then complaining because the plane ran out of gas on the way.

Moreover, those eager to get back on the streets for more disruptions were certainly accommodated. A preliminary review of disruption-type arrests over a two-week period shows approximately 630 persons were arrested two and even three times.

Fable No. Six—that the police held the defendants incommunicado under beastly conditions without basic facilities. The American Civil Liberties Union said they were "illegally penned into detention centers without shelter, adequate food or sanitary facilities or medical attention, without the chance to notify their families or call a lawyer."

Fact No. Six. Contrary to the claims, the defendants did have telephones available, though they had to stand in line for them. They did have rest room facilities available, though they had to stand in line for them. Attorneys could and did contact them. They were given lunch by 2:00 in the afternoon on May 3, and were not without meals thereafter. They were given blankets, though not as early as they would have liked.

Extensive press reports of the scene did not record any degree of suffering. On the contrary, they recorded a kind of festival marked by singing, chanting and dancing. RFK Stadium and the Washington Coliseum are not claimed as ideal jails, but the charges of inhuman treatment were fabricated in order to find something on which to fault the police. The fact is that the activists came to Washington to disrupt the Government services, and then they complained that those services were inadequate. They came planning to be arrested by the thousands, and then complained when the jail facilities were overtaxed.

The truth is that those who leaped forward to cry "foul" when the Washington police did their duty would have found something to complain about no matter how Mayday was handled. The truth is that the police foiled an attempt to stop the Government with a minimum exercise of authority. Any less authority would have risked letting the mob rule the national capital.

So as in Aesop's fable of the fox and the sour grapes, the critics have nothing left but to carp at the police department and create a fable about its conduct. They have not come up with one reasonable suggestion as to how *they* would have handled the situation.

And in their eagerness to fault the police these sidewalk superintendents make some revealing omissions. They find no fault with the disrupters for trafficking with those who are shooting at our soldiers in Vietnam. They are not expressing shock and indignation that 20,000 lawbreakers would try to stop the Government. They are not appalled that a mob would make life unsafe for hours at a time at key points on the streets of Washington, and would injure 39 policemen. Instead it was the police, according to the Washington chairman of the ACLU, "who were the cause of most of the wrong."

This, I submit, is a fable that far outdoes Aesop or Hans Christian Andersen. Even Napoleon never dreamed such history could be fabricated, much less agreed upon. I further submit that the Washington police proved that a serious attempt to stop the Government of the United States could be blocked without impairing Constitutional rights, and without giving the disrupters new grievances on which to feed. Finally, I submit that if these facts triumph over the fable that has been invented, there is hope that the first attempt of an organized mob to stop the United States Government will also be the last.

THE SPACE SHUTTLE

Mr. CANNON. Mr. President, last week the distinguished senior Senator from Minnesota made a short statement concerning the space shuttle program and placed in the RECORD a report which he identified as a Rand report with the title "The Space Shuttle as an Element in the National Space Program." In his statement the Senator said that Rand's conclusions were "devastating."

Inasmuch as the report came out last October, I was curious as to why it had not received more attention than it had. After some inquiry, I discovered why. The report was obsolete before it was published. It is based on data, perhaps the best available at the time the study began, which is by now nearly 2 years old and was already out of date by the time the study was published in October 1970. The study did not represent the official opinion or policy of the Rand Corp., or the Air Force, as the disclaimer shows on page 17101 of the CONGRESSIONAL RECORD for May 26, 1971. Furthermore, after the report was released, neither the Rand Corp. nor the Air Force chose to continue with this effort, in spite of the fact that the report suggested and everybody agreed that additional analyses were needed. Why was this?

The answer is simple; a much more comprehensive and sophisticated study was needed and NASA proceeded to undertake one. Or, more specifically, they contracted with Mathematica, Inc., to conduct it. That study should soon be completed, but a preliminary form of it is available and has been available since March 15. The Senator from Minnesota has a copy of it.

Without going into great detail at this time, the more recent study is a vastly more extensive and complex investigation representing a much greater manpower effort, with more current information in its analyses. It analyzes the value of the shuttle in terms of discount rates—an analysis that the Rand report did not do but said should be done. More important, the Mathematica report shows that the shuttle is a break-even proposition even if the Nation is only going to fly a total of 39 space missions a year, and that includes both military and NASA missions. Utilizing the requirements projected by NASA and DOD of 56 missions a year, the total savings over a 20-year period come to more than $14 billion compared to currently expendable systems. I personally believe that the projections of 56 total missions a year is far too conservative and far too small. Historically we have almost always underestimated our use of new transportation systems and there is no reason to believe that this won't be true for the shuttle, too. But even at 56 launches a year, the savings amount to more than $14 billion.

Does the Rand report represent the views of the Air Force? Or of Rand for that matter? The Air Force states flatly that the report is not an official working document and does not reflect current economic considerations. And the Rand Corp. says that it was an independent exercise by four members of its staff and was not requested by the Air Force. Space Business Daily, an authoritative trade journal, on May 28, 1971, even quotes one of the participants in the study as saying, "We didn't really come out against the space shuttle—we merely asked some questions."

Based on this last statement, Space Business Daily then went on to analyze the Rand report in greater detail and discovered, despite all the rhetoric, that if the Rand report were viewed in terms of the conditions and requirements as they now exist, that it would actually offer powerful support for the shuttle.

Mr. President, I ask unanimous consent that these items from Space Business Daily be included in the RECORD at the conclusion of my remarks.

I have just one final comment. The real question here is whether or not we are going to have a space program at all. This is a political and not an economic decision. On the basis of economics, I think it is clear that the shuttle will be cost effective if we are going to fly them some minimum number of times a year. What the economists cannot tell us is how important it will be for us to have an advanced and versatile space trans-

portation system with the capability of precise and failsafe launches any time, in any direction and for any purpose. That is a political decision, and we will have to make it.

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

RAND REPORT OFFERS POWERFUL ECONOMIC SUPPORT FOR SHUTTLE—III

The Rand report on the space shuttle, cited by Senator Mondale as proof that the shuttle is not justified on economic grounds (SPACE Daily, May 27–28), does, in fact, give powerful support for development of the shuttle exactly on those grounds.

It is on political grounds—namely, the willingness of Congress to support the relatively large peak annual budgets required by the shuttle—that the four Rand authors question, though not oppose, the desirability of shuttle development by 1977.

SHUTTLE WILL PAY FOR ITSELF

But on the grounds of cost-effectiveness, that is, will the shuttle pay for itself? (Will "the total savings over other methods for accomplishment the same total effort exceed the cost of the shuttle's RDT&E and investment"), the Rand report concludes that it will. Not only that, but the report makes this conclusion using only savings accruing from lower launch costs—excluding from this cost-effectiveness estimate the savings that would result from payload advantages. These payload savings will account for 61 percent of the shuttle's total savings according to NASA (SPACE Daily, Sept. 29), or near 50 percent according to the Rand authors. Thus the following analysis by the Rand report is based on only half the potential savings which the authors envision for the shuttle.

COST-EFFECTIVE AT CONSERVATIVE LAUNCH RATE

The cost analysis is based on the Presidential Space Task Group's Option III for NASA, the lowest level recommended, and the Option B for the Defense Department, a "modest" plan using well-defined military support missions. (See SPACE Daily, Sept. 19 and 22, 1969.)

"Because of the generally conservative traffic-rate estimates implied by these plans, this is a more severe test of the economic justification of the shuttle than would result from using the more ambitious plans found in the STG report," the Rand report pointed out. Its conclusion:

"Given our tentative launch-traffic estimates (both DOD and NASA launches), an estimated cost for shuttle RDT&E plus facilities of $9.0 billion, an assumed 100-flight useful lifetime, and a two-week shuttle turnaround time, the money recovered by the shuttle would exceed its cost after about 11 years of operation (late in 1987). The annual launch cost savings in the mid- and late 1980's would often exceed $1 billion per year. Ignoring other factors, our estimated traffic rates (about 60 launches per year in the mid-1980s) seem to justify initiation of shuttle development . . ."

While the combined NASA/DOD program would thus justify shuttle development, "neither NASA nor DOD alone would have sufficient space traffic by 1990 to warrant separate shuttle developments," Rand said.

The shuttle lifetime and turn-around time were given by STG, and from this the Rand authors estimated a requirement for 10 shuttles (exclusive of [illegible] required for RDT&E). They said if turn-around time was increased to four weeks, 3 additional shuttles would be needed at an incremental cost of $1.3 billion; and if lifetime was reduced to 50 flights, 6 additional shuttles would be required at a cost of $2.45 billion. On the other hand, if the shuttles do not crash or wear out through 1990, then only 3 shuttles would be needed, saving $3.3 billion in investment.

POLITICAL CONSIDERATIONS AND ALTERNATIVE PLANS

While the shuttle is justifiable on a cost basis, "the final decision to develop a fully reusable shuttle must, of course reflect much more than a simple cost summary," the Rand researchers declared.

"For example, the space plan used to generate a traffic model should be analyzed carefully, since the average yearly expenditure required for it is larger than the current (and declining) space budget, and the amount by which its peak funding exceeds current funding levels is substantial. This latter peak, occurring as early as 1975, is particularly troublesome as it is caused primarily by the shuttle's development schedule. . . ."

(According to the Rand authors, development of the shuttle at its present schedule would result in peak NASA budgets of $6.4 billion, $7.1 billion, and $6.7 billion in FY '74–75–76. This is in disagreement with the STG evaluation, which calculated peak budgets for those years of $5.0 billion and $5.5 billion.)

The peak space budget will be "troublesome," the Rand report indicated, because Congress and the President won't support them. Despite the fact that the STG, NASA, the President's Scientific Advisory Council and many engineering and scientific organizations "have all identified the shuttle as an important element in a future national space program . . . support for their proposals within the Administration and the Congress has not mounted noticeably," it said. Moreover, space programs "are particularly visible targets for cost reduction."

On the assumed basis of non-support of the cost-effective shuttle development schedule outlined, the Rand authors generated their own "alternative" space program schedules aimed at reducing funding peaks.

By arbitrarily delaying some projects and eliminating others recommended by the STG as a minimum program, the Rand authors have managed to eliminate funding peaks. In their seven imaginary programs (whose basis is nothing other than annual even-kneel funding), four of which eliminate the U.S. lunar program entirely, the authors have also managed to remove the cost advantage of the shuttle by 1990 in all but one case. In four of the cases, shuttle deployment is pushed back to FY '81–82, making it impossible for the shuttle to pay for itself by 1990 at given launch rates; in other cases, projects which the shuttle would be used to support are pushed back, again preventing the shuttle from making a return on its investment.

By thus delaying and distorting the space program which the Presidential Space Task Group recommended as the minimum necessary to meet national needs, the Rand authors allowed Mondale to announce to the nation: "Using traffic rates based on NASA and Defense Department estimates, the Rand Report considered 8 alternative space plans for use of the shuttle. Only in one of these 8 plans did the shuttle demonstrate a net monetary gain by 1990 . . ."

That plan was the one recommended as a minimum effort for the nation by the STG. The other so-called "plans" were Frankensteined up by the Rand authors, who clearly stated that "none (of the plans) are recommended as replacements for those in the STG report . . ."

The Rand authors concluded that if the space program is emasculated, as sought by the Mondales and the Proxmires, then "near-term development of the currently proposed two-stage fully reusable shuttle may or may not be desired." But if the minimum program of the STG is followed, the shuttle "promises many future advantages, including cost savings . . ."

The Rand findings are thus very similar to the Mathematica cost study of the shuttle (SPACE Daily, May 5–7). Both investigations concluded that the space shuttle would be cost-effective if the United States continues at least a conservative space program. For example, while DOD and NASA have established scientific, applications and security requirements for 56 flights a year in the 1978–93 time period, Mathematica determine that the shuttle would be economically desirable at only 39 flights a year. On the other hand, if the United States decides to curtail its exploitation of space to the extent of flying only 20 or 30 missions a year in the next decade, then the cost argument for the shuttle is no longer applicable and "criteria other than cost" would have to be used to evaluate its desirability.

AIR FORCE DISAVOWS RAND SHUTTLE REPORT

The Air Force said yesterday that the Rand report cited by Sen. Walter F. Mondale (D-Minn.) as evidence that the space shuttle could not be justified on economic grounds (SPACE Daily, May 27) is not an official or working document and does not reflect current economic conditions.

The Rand Corporation says the study, from which Mondale utilized selective conclusions to substantiate his charges that the space shuttle development program should not be continued, was an independent exercise by four members of its staff and was not requested by the Air Force. One of the participants in the study says: "We didn't really come out against the space shuttle—we merely asked some questions," based upon what was known about the program in 1969.

A Rand official explains that a thorough reading of the report of the study will result in a general disagreement with the selective conclusions reached by Mondale. He says the study was initiated within the company and was only an interim investigation that will not be completed. However, the report is now being reevaluated with the company in the light of the Mathematica and other study findings.

The Air Force emphasizes that the report is based on 1969 data and "does not represent current economic considerations." It was explained that the Air Force is awaiting the results of NASA's Phase B design definition studies and official on-going Air Force studies before the final cost-effectiveness analysis can and will be made.

Air Force officials make it quite clear that they completely disagree with the conclusions drawn by Mondale from the report regarding the space shuttle's economic justification. The Air Force says its position has not changed from the one expressed by Secretary Robert Seamans a few weeks ago during a special hearing on the space shuttle program.

Seamans told the Senate Space Committee that the Defense Department's investment in the space shuttle "should amortize itself in a few years" and the national investment "could be amortized in about a decade after the system becomes operational (SPACE Daily, April 2)."

Seamans explained that the DOD was planning a fleet of the space shuttles to phase out the present expendable booster inventory—"this could be a requirement during the middle and latter part of this decade."

The Rand report, released in October 1970, was first discussed publically as part of the space shuttle dialogue by Rep. Joseph E. Karth (D-Minn.) when he predicted on May 18 that the space shuttle's "social discount rate may be under attack by the other body (Senate)" (SPACE Daily, May 19). On May 20, Mondale received a copy of the Rand report, at his request, from the Air Force. The Rand Corporation says it was not contacted by Mondale nor informed of his pending actions.

Karth, who last year led the House action against the space shuttle and who has been credited by Mondale with generating his in-

terest in the program, said last week that he had studied the Rand report on the shuttle, as well as Mathematica's report and one by Aerospace Corporation, and concluded that cost estimates "look favorable," although his present support is about midway between the "Proxmires" and the "Gung-ho's."

Senate shuttle supporters, commenting on Mondale's use of the Rand report in his attack on the shuttle, noted that the Mathematica study "answers most of the questions raised by the Rand study" and provides justifications which the Rand report could not supply. They point out that Mondale requested and was supplied a copy of the Mathematica study long before he received the Rand report.

RAND REPORT FINDS SHUTTLE WILL NOT INCREASE SPACE PROGRAM COST—II

The Rand Corporation interim report ("The Space Shuttle as an Element in the National Space Program," October 1970, R. D. Shaver, D. J. Dreyfuss, W. D. Gosch and G. S. Levenson of the Rand Corp.) on the space shuttle has concluded that it will cost this country no more to build and employ the advanced and versatile shuttle over the next two decades than it would to continue using existing launch vehicles with their limited capabilities. Stated the report:

". . . The total space funding requirements over the next 20 years are not significantly different from plans that use the shuttle for space transportation and those that accomplish the same missions without the shuttle. . . ."

Because of this cost "parity," however, the four Rand report authors were reluctant to claim that the shuttle was justified on *economic terms alone.*

But, in fact, they did conclude that based on only a "conservative" launch rate, the shuttle could result in a cost savings of $2.8 billion by 1990. And, this cost of saving with this shuttle *does not include* three of the most important cost reducing aspects of the shuttle launch system, as the authors acknowledge:

1. Allowing the use of satellites which do not have to meet the costly aspects of hardening to withstand launch rigors, miniaturization, etc.

2. Permitting recovery and reuse of satellites which have completed their initial lifetime or have malfunctioned.

3. Allowing maintenance of satellites in orbit to prevent malfunctioning and to extend useful lifetimes.

The cost savings from these three functions—savings which are not included in the Rand "economic justification analysis" come to $150–200 million a year, or more than $1.5 billion for one decade.

What the report authors did mention as a detriment to shuttle development was that—while it would cost about the same as use of existing vehicles in the long run—it would require a peak NASA budget (according to the authors) of $7 billion in five years and other annual budgets which are higher than the current NASA budget.

The authors used this point among their economic discussions, even though it is unrelated to cost-effectiveness, apparently because of their keen awareness of what is, and what is not politically popular. They pointed out that $7 billion would be twice as much as the current NASA budget, though without mentioning that the NASA budget is at its lowest level in nine years, or the possibility that costs of the shuttle might be shared by the Defense Department.

However, the Rand authors concluded that such cost arguments are not a sound basis for opposing the shuttle, just as cost arguments—despite the potential savings—should not be the sole basis for supporting the shuttle: ". . . criteria other than cost should be used to evaluate the desirability of the space transportation system." (i.e., the advantage of having an advanced and versatile system with the capability of precise and fail-safe launches, the ability to compensate for inevitable satellite failures, and the capability of flying man in space when and where he wants to go for such crucial missions as military surveillance.)

MONDALE HITS SHUTTLE COST

While the Rand report specifically concludes that the shuttle will cost about the same as using present launchers and that costs should not be used in arguing for or against the shuttle, Sen. Walter F. Mondale (D-Minn.) has issued a statement claiming that the report justifies his contention that the shuttle should not be built because it costs too much (SPACE Daily, May 27).

Despite the fact that the Rand authors had concluded that the cost argument technique is not a sound justification for opposing the shuttle; Mondale issued the following cost charges:

NASA is requesting $100 million for this shuttle in FY '72. This is "only the tip of the iceberg; the ultimate cost of developing a shuttle could be well over $12 billion."

The shuttle, along with the space station, "represents NASA's next commitment to a huge manned space program. The total development costs of both the shuttle and station will be at least $20–25 billion over the next decade."

R&D costs of the shuttle "have increased by almost $3 billion" since the Rand report was written last fall.

"According to the Rand report, the decision to proceed with the shuttle will mean a NASA spending level of $75 billion to $140 billion between 1975 and 1990 . . ."

"The report observes that shuttle development requires a peak civilian space budget for one year in excess of $7.0 billion, about double the present annual budget."

Rather than building the shuttle, "which cannot be justified on economic grounds," Mondale concluded, "I believe that the American taxpayer will conclude that there are more urgent needs here on Earth which deserve priority."

RAND REPORT SUMMARY

While NASA has documented that the space shuttle is merited on the basis of the money it will save in launch and satellite costs (See SPACE Daily, Sept. 28.), the "Summary" of the Rand Corp. report on the shuttle used by Senator Mondale finds that the shuttle "is not easy to justify" on economic grounds alone. And, it suggests that "criteria other than cost" be used to determine the desirability of the project.

By thus rejecting cost arguments for determining the shuttle's future, the report reduces the decision on shuttle go-ahead to one of choosing between an advanced technology system with great capability and immense versatility and an existing dead-end system with a limited capability and very little room for flexibility or growth. With only this choice to make, the decision should be obvious. The text of the Summary follows:

SUMMARY

"The concept of a two-stage, fully reusable launch vehicle that can place a 50,000-lb. payload into low earth orbit is currently being studied by the Department of Defense and NASA for possible inclusion in a future space transportation system. Although such a vehicle has been recommended for development by the President's Space Task (STG), that development is not easy to justify. Based on traffic rates derived from conservative options in the STG and DOD space plans, this space shuttle, with an estimated RDT&E cost of almost $9 billion, could show a net (undiscounted) transportation cost saving of $2.8 billion by 1990. However, shuttle development would require a peak civilian space budget in excess of $7.0 billion in 1975, about double the present level. Other annual funding levels, while not as large as the peak levels, still exceed current budgets by significant amounts. Alternative space plans might be adopted that would alleviate budget peaks by slipping various elements in the basic space plan (e.g., reduced shuttle operations), but none of those examined in this study resulted in savings in space transportation costs sufficient to compensate for the space shuttle's RDT&E and investment costs through 1990. Also while a saving of $2.8 billion seems large, total program costs for a variety of plans range from about $75 billion to about $140 billion (1975 to 1990), and any program uncertainties could cancel these savings or make them appear small by the time they are predicted to be realized.

"Some transportation cost savings might be augmented by redesigning satellites to use the excess payload potential of the shuttle, by employing the shuttle to recover and reuse satellites, or by using the shuttle for satellite maintenance in orbit. Very preliminary estimates have shown cost savings directly attributable to satellite redesign to be between $150 million and $200 million per year. These savings could strengthen the economic rationale for the shuttle.

"While primary emphasis has been placed on a shuttle with a 50,000-lb. payload capability, preliminary cost estimates indicate that there is little difference in total space transportation costs through 1990 for design payload weights as low as 25,000 lb., as long as the cargo-bay volume remains at 15-ft. diameter and 60-ft. length. Furthermore, the funding peaks in the civilian space budget would not be reduced markedly by designing the space shuttle for a smaller payload weight. At the same time, considerations such as flexibility in satisfying unanticipated future requirements and the ability to realize promised satellite cost savings argue for the larger shuttle.

"It appears that estimated costs for individual designs of generic shuttles having a given payload capability would not vary significantly, using presently available cost-estimating techniques. Also, the total space funding requirements over the next 20 years are not "significantly different from plans that use the shuttle for space transportation and those that accomplish the same missions without the shuttle. All of these results indicate that criteria other than cost should be used to evaluate the desirability of the space transportation system."

NASA CHALLENGES MONDALE SHUTTLE DENOUNCEMENT

NASA yesterday challenged Sen. Walter Mondale's charge that the space shuttle was not economically justified by citing conclusions of the Mathematical study which said that a 10–15 percent return on the shuttle investment was possible in a 13-year period. (See SPACE Daily, May 5, 6 & 7.)

NASA reemphasized that the shuttle "will be a cost-effective system" that does not depend on it being associated with a space station. The agency also called attention to the Air Force's continued support of the program subsequent to the date of the Rand report (See also page 151).

The text of NASA's answer to Monadle's charge that the Rand report "destroys NASA's principle justification for developing this enormously expensive project" follows:

"NASA has contracted with Mathematica Inc., Princeton, N.J., to make a study concerning "Benefit Cost Analysis of New Space Transportation." An interim report dated March 15, 1971 indicates that the space shuttle will be a cost-effective system because of its influence on both launch and payload costs.

"Development costs of the shuttle itself have been estimated at about $9 billion over an 8-year period. Estimated cost for the nonrecurring total system is $12.7 billion. This includes all research and development costs for the shuttle, a tug which would transport payloads from a low-earth shuttle orbit to

higher orbits, all facility costs, and adequate fleets of shuttles and tugs to handle the future anticipated traffic of more than 700 flights in 13 years.

"Cost-effectiveness of the shuttle does not depend on its being associated with a space station program. Reductions in launch and payload costs with use of the shuttle, and cost reductions from retrieval of satellites for return to earth and reuse are expected to attract a large number of users from the national and international governments, commercial and scientific groups. Missions would include deployment of unmanned satellites, repair as well as retrieval of satellites and space rescue and long duration orbital science and application missions.

"Results of the Mathematica studies show that launch cost savings are significant using the shuttle instead of expendable launch vehicles—from about $1,000 to about $100 per pound per payload—and that savings of nearly 50 percent in payload costs are possible because of reusable and less complex designs of payloads carried by the shuttle as compared with payloads on expendable launch vehicles.

"Results of the study show that in a program of 500 flights over a 13-year period a return on investment of 10 percent would be achieved. If space activity reached a total of 700 flights over the same period the return on investments would be close to 15 percent.

"Since the date of the Rand report quoted by Sen. Mondale, the Air Force has continued to support the NASA shuttle program. In a statement to the U.S. Senate Committee on Aeronautical and Space Sciences on March 30, 1971, Robert C. Seamans, Jr. Secretary of the Air Force said:

"'A reusable space transportation system with proper capabilities and operational flexibility can offer an opportunity to provide an economical way to transport payloads into and out of space . . . Development of space shuttle which employs fully reusable stages rather than expandable ones appears to be the surest way to achieve a sizeable cost reduction . . . the national investment could be amortized in about a decade after the system becomes operational . . .

"'The Air Force supports the proposed NASA FY 1972 space shuttle effort.'"

SENATOR CASE PROBES FUNDING OF THAI TROOPS IN LAOS

Mr. JAVITS. Mr. President, Members of the Senate, and indeed our whole Nation, are deeply concerned over the extent of the U.S. involvement in war in Indochina. New facts keep coming to light, on situations which could further involve the United States though we feel we are pursuing a national policy of disengagement from the Indochina war.

My colleague, the senior Senator from New Jersey (Mr. CASE) has taken the initiative in probing a question of considerable concern—financing by the United States of Thai troops fighting in Laos. Senator CASE's initiative—reflecting his very alert and informed attention to this matter—has been the subject of a number of recent articles in the press. I believe that it would be useful to have a selection of the those articles, laying out the story for all to read, printed in the RECORD. Accordingly, I ask unanimous consent that eight press articles on the issue be printed in the RECORD.

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

[From the Washington Post, May 21, 1971]

CASE SAYS UNITED STATES SECRETLY PAYS COSTS OF THAI TROOPS IN LAOS

(By Murrey Marder)

The United States is secretly paying "through CIA" for the costs of "four to six thousand Thai troops in Laos" without any direct action by Congress, Sen. Clifford P. Case (R–N.J.) said yesterday.

Case called on the administration for "the specific terms of the agreement," which he said he first read about in the press last month. "Congress has never directly voted a penny to pay Thai troops in Laos," said Case, and both Congress and the public have "a right to know" what is happening.

Thailand has denied having any troops in Laos; its officials have said only that there may be Thai "volunteers" or "ethnic Thais" serving in Laos. U.S. officials have been publicly silent on the subject, except to refer back to the elliptical Thai statements.

Case finally got a reply yesterday to a letter he sent on April 23 to the State Department—but he said the reply was marked secret.

The substance of the reply to Case, according to State Department spokesman Charles W. Bray, was that "nothing is being done that is not within present legislative authority." Bray said the subject had been discussed in closed session with the Senate Foreign Relations Committee, of which Case is a member, and State could discuss the matter further only in the same manner.

Case said last night that "I'm still not satisfied . . . We should have been advised before the thing started, rather than having it dribble out afterwards in a way in which we can do little more than wring our hands."

The senator said that as he recalls, the subject of Thai units in Laos was only "touched on" by Central Intelligence Agency director Richard Helms, in a closed meeting.

After reading press accounts last month about a new U.S.-Thai agreement "for a sharp increase in Thai troops to be used in Laos," said Case, he made his own inquiries.

"I was able to ascertain," said Case, "on an absolutely not for quotation basis, from government sources that there are four to six thousand Thai troops in Laos and the U.S. government, through CIA, is paying for them."

Case said that "If an action by our country cannot stand up to public exposure, then our leaders should seriously reconsider that action."

His letter to Secretary of State William P. Rogers asked if financial support for Thai troops in Laos violated a congressional ban on payment of mercenaries in Laos except to aid American troop withdrawals or aid in release of U.S. prisoners; the terms of the Thai agreement, and whether the United States agreed to provide support "in event the Thai troops in Laos encounter difficulties."

[From the New York Times, May 22, 1971]

UNITED STATES SAID TO PAY THAIS AIDING LAOS—FULBRIGHT SAYS FINANCING OF 4,800 VIOLATES THE LAW

(By John W. Finney)

WASHINGTON.—Senator J. W. Fulbright said today that 4,800 Thai troops, financed by the United States, were fighting in Laos in support of the Royal Laotian Government.

Mr. Fulbright, Chairman of the Senate Foreign Relations Committee, suggested that such support by Thai troops in Laos was "inconsistent with the spirit" of the "antimercenary" amendment that had been incorporated in the Defense appropriations bill at his suggestion.

The amendment provided that none of the defense funds could be used "to support Vietnamese or other free-world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos."

Among other aims, this provision was specifically designed to prevent the introduction of American-financed Thai troops into Laos or Cambodia.

But as part of the compromise leading to House and Administration acceptance of the Fulbright "antimercenary" amendment, a clause was included specifying that the amendment would not "prohibit support of actions required to insure the safe and orderly withdrawal or disengagement of United States forces from Southeast Asia or to aid in the release of Americans held as prisoners of war."

The State Department refused to confirm or deny the figure of 4,800. But its spokesman, Robert J. McCloskey, said the department had informed Senator Fulbright, an Arkansas Democrat, and Senator Clifford P. Case of New Jersey, a Republican member of the committee, that American support of Thai troops in Laos did not violate the "antimercenary" amendment.

There have been recurring reports of Thai battalions fighting the Communists in Laos, particularly in the north in support of an irregular army of mountain tribesmen financed by the Central Intelligence Agency.

However, Mr. Fulbright offered the first authoritative estimate of the size of the Thai contingent. He made his statement after the Foreign Relations Subcommittee on Foreign Commitments, headed by Senator Stuart Symington, Democrat of Missouri, had received a secret briefing from two committee staff members, James G. Lowenstein and Richard M. Moose, who recently returned from a 10-day inspection trip to Laos.

The State Department sent letters yesterday to Senators Case and Fulbright that clearly indicated that the Thai participation in the war in Laos was being supported financially by the Central Intelligence Agency.

LETTERS CLASSIFIED SECRET

The letters, responding to questions by the Senators about reports of Thai troops in Laos, were classified secret, and the State Department and the Senators therefore refused to make the texts public.

But department officials said that the letters had declared that the costs of supporting the Thai troops did not come within the State Department's jurisdiction, thus clearly pointing to the C.I.A. as the agency providing financial support.

The letters, department officials said, contended that financial support for Thai troops in Laos did not violate the "antimercenary" amendment.

The executive branch could argue—although the State Department did not in the letters—that the use of Thai troops in northern Laos were related to the withdrawal of American troops from South Vietnam and thus permissible under the Fulbright amendment.

But the Administration would be somewhat handicapped in advancing such an argument because of a statement made last month by William H. Sullivan, Deputy Assistant Secretary of State for East Asian and Pacific Affairs, before the Senate Refugee Subcommittee headed by Senator Edward M. Kennedy, Democrat of Massachusetts.

In his prepared testimony, Mr. Sullivan said that the "other war" in northern Laos "has nothing to do with military operations in South Vietnam or Cambodia."

Alternatively, the Administration could argue that the "antimercenary" amendment applied only to Defense Department appropriations and not to funds provided to the C.I.A.

In protesting yesterday on the Senate floor against the financing of Thai troops in Laos without the knowledge or approval of Con-

gress, Mr. Case observed that "the money comes out of that vast treasure chest, which Congress has appropriated but never controlled, for discretionary military and intelligence purposes."

The agreement to provide financial support to the Thai troops apparently predates enactment of the Fulbright amendment last December.

According to reports from Vientiane, the Laotian administrative capital, the Thai battalions were first introduced about a year ago when the C.I.A.-supported army of mountain tribesmen, commanded by Maj. Gen. Vang Pao, was under severe pressure from the Communist forces.

[From the Christian Science Monitor, June 1, 1971]

UNITED STATES ROLE IN LAOS STIRS RUMBLINGS IN CONGRESS

(By George W. Ashworth)

WASHINGTON.—American activities in Laos—and the administration's extreme reluctance to talk about them—threaten now to increase the President's difficulties on Capitol Hill and with the public.

Little is known outside administration circles of the precise extent of American involvement in Laos. This administration—like the Democratic administration before it—simply does not want to discuss the subject at all. Senators have run into difficulty finding out even in private just what is going on.

That fact is much more worrisome to the regular critics of the President's policies in Indo-China, such as Sen. J. W. Fulbright (D) of Arkansas, chairman of the Senate Foreign Relations Committee, that it is to those more favorably inclined to the President's war policies.

But Laos provides a source of contention, and the administration now is urged by critics to level with Capitol Hill and with the public.

This newspaper reported a month ago that the administration has worked out an agreement with the Government of Thailand for sharply increased use of Thai forces in Laos in support of the neutralist government.

It was reported that, as a consequence, the use of Thai forces had sharply risen in Laos over some months from well under 1,000 to a figure believed in excess of 4,000. And, from all indications, the Thai Government was willing to provide far more if the American administration would provide funds.

The story prompted Sen. Clifford P. Case (R) of New Jersey to fire off a letter to Secretary of State William P. Rogers asking comment on the accuracy of the reports, and, assuming correctness, answers on five points:

Does the administration consider the financial support of Thai troops in Laos to be in accord with the Cooper-Church provisions in the 1970 Defense Appropriations Act that bans the payment of mercenaries except to protect a safe and orderly American withdrawal or disengagement from Southeast Asia or to aid in the release of United States prisoners?

In the agreement with Thailand to be presented as a treaty to the Senate?

What are the agreement's specifics, including cost and duration?

Will supplemental appropriations be asked, or is reprograming envisioned?

Has the U.S. Government given the Thais assurance of support in the event Thai troops encounter difficulties?

BRIEF RESPONSE

According to sources, the administration's written response was far from elaborate. Further elaboration is being sought. After comparing the State Department report with information given by two Foreign Relations Committee aides just back from Laos, Senator Case described the administration reply as "incomplete and in certain respects inaccurate."

Marshall Green, Assistant Secretary of State for Far Eastern and Pacific Affairs, is expected in the near future to be available to brief the committee in secret session on the Laos operations.

The Thai troops are not the only issue related to Laos that has drawn senatorial interest. So far, the costs of various activities in Laos are sketchy at best. The only generally available figure is $50 million or so per year for activities of the Agency for International Development (AID).

MILITARY AID DISCLOSED

Total military assistance funded by the services in Laos in fiscal 1970 was disclosed in subcommittee hearings as $90 million. But the figures for fiscal 1971, which now is drawing to a close, and fiscal 1972, beginning July 1, are so far not on the record.

Nor is the cost of the U.S. establishment in Laos or of bombing missions in support of the fighting in northern Laos on the record.

This administration and the one before it argue that full or relatively full disclosure would make the U.S. in clear violation of the Geneva Accords that established the theoretical neutrality of Laos.

The North Vietnamese have been extremely active in Laos for years. And the Americans have been in the fray as a counter to that North Vietnamese activity.

REASON FOR RELUCTANCE

Since the North Vietnamese will not admit what they are doing, the Americans are also reluctant to be open on the matter. To do so would not only hurt the bargaining position of the South Vietnamese side, but it would also give the North Vietnamese substantial ammunition for propaganda warfare. And, beyond that disclosure could, it is argued, make it almost certainly impossible to re-establish neutrality under the present Geneva Accords.

As a result of this policy, however, the North Vietnamese, the Pathet Lao, the Royal Lao Government, the Americans involved, all Communist-bloc nations, and other interested parties have a pretty clear idea of what the North Vietnamese and the Americans are doing. Left out in the informational cold are the Congress and the American public.

OVERSEEING FUNCTION

In such a circumstance, critics argue, the overseeing function of the Congress cannot be exercised, and it is necessary to take the administration on blind faith in such matters. For doubters, such as Mr. Fulbright and Mr. Case, blind faith is not enough.

Much of the American effort in Laos is being carried out under the direction of the Central Intelligence Agency. One skeptic said, "From what I can gather, the CIA is doing a very capable job in Laos. No other group, such as the Army, could do nearly so well. From the point of view of how well what we are doing in Laos is being handled, there probably isn't much argument. But there is the question of just how much of what we are doing we should be doing."

[From the Baltimore Sun, May 21, 1971]

CASE REPORTS CONFIRMATION UNITED STATES FINANCES THAIS IN LAOS

(By Gene Oishi)

WASHINGTON.—Senator Clifford P. Case (R., N.J.) said today "government sources" have confirmed that the United States is financing 4,000 to 6,000 Thai troops in Laos in accordance with a still-secret agreement.

In a speech on the Senate floor, Mr. Case said he first read about the U.S.-Thai agreement in the *Christian Science Monitor* on April 17, but that the State Department still has not responded to his queries on the article.

THROUGH THE CIA

Since then, Mr. Case said, "I was able to ascertain, on an absolutely not-for-quotation basis from government sources, that there are 4,000 to 6,000 Thai troops in Laos and the U.S. government, through the CIA, is paying for them."

While he places no faith in the credibility of Radio Hanoi, he added, he was also aware of its broadcasts discussing the presence of Thai troops in Laos.

"My perhaps plaintive question is: should a U.S. senator who is a member of the Foreign Relations Committee have to learn of important agreements our government has made by reading the newspapers, by talking privately with government officials who do not wish to be quoted and by listening to foreign radio broadcasts?" Mr. Case said.

CONSTITUTIONAL VIOLATION

He suggested that the alleged agreement with Thailand violated the Constitution in two respects: the Senate has not ratified it and Congress has not appropriated any funds for paying Thai troops in Laos.

Meanwhile, Mr. Case joined Senator Harold E. Hughes (D., Iowa) and Senator Richard S. Schweiker (R., Pa.) in co-sponsoring today two amendments to the draft bill which is pending on the Senate floor.

The two amendments, designed to lead to an all-volunteer Army, would extend the draft for only one year instead of two as the bill now provides, and sharply increase military pay.

[From the Baltimore News American, May 20, 1971]

SECRET THAI DEAL CHARGED BY CASE

WASHINGTON.—Sen. Clifford P. Case, R-N.J., today charged the Nixon administration with "apparent widening of American involvement in Southeast Asia" by secretly agreeing to pick up the tab for thousands of Thai combat troops in Laos.

He charged in a prepared Senate speech that this could cost the American taxpayer "tens of millions of dollars" and "lead our country into a serious military involvement if we ever had to bail out the Thais."

Despite the administration's failure to cooperate with Congress, Case disclosed, "I was able to ascertain, on an absolutely not for quotation basis from government sources, that there are 4,000 to 6,000 Thai troops in Laos and the U.S. government, through CIA, is paying for them."

Case disclosed that he had sought for the last month to get an explanation from Secretary of State William P. Rogers and other high administration officials of why the secret pact was made without consultation with Congress.

But the New Jersey senator said that his month-old letter was still unanswered and that Acting Secretary of State John Irwin, during Rogers' absence in the Middle East, had refused to discuss the issue, except in a closed-door, "executive" session of the Senate Foreign Relations Committee.

"I am sure that at some future time an administration representative will sit down with the Foreign Relations Committee behind locked doors and inform us how and why the United States is paying for Thai troops in Laos," Case added.

"But this will be months after the fact," he charged, "and we shall undoubtedly be told about an on-going program which would be difficult to stop even if we were so inclined.

"The administration should have consulted with us before embarking on a new policy," the senator contended, adding that "our nation's foreign policy is weakened when it does not reflect consultation and interaction with the American people."

"Moreover, the Congress has the sole constitutional authority to appropriate funds," Case pointed out. "These are presumably government funds being paid to Thailand.

But Congress has never directly voted a penny to pay Thai troops in Laos.

"The money comes out of that vast treasure chest, which Congress has appropriated but never controlled, for discretionary military and intelligence purposes," Case charged. "I strongly believe that Congress should control this money. Certainly we should know how it is being spent."

[From the Newark (N.J.) Evening News, May 20, 1971]

(By John J. Farmer)

WASHINGTON.—Sen. Clifford P. Case, R-N.J., charged today that the Nixon administration has negotiated and is financing a sharp increase of Thai troops in Laos without congressional consent.

"This is an apparent widening of American involvement in Southeast Asia, and the administration should have consulted with us before embarking on an new policy," he asserted in a speech for delivery on the Senate floor.

The speech continues—indeed steps up—Case's criticism of the Nixon administration's war, information and defense budget policies.

He expressed particular anger that even his position on the Foreign Relations Committee provided no access to the agreement with Thailand. He discovered it first in the Christian Science Monitor, Case said.

LETTER UNANSWERED

The New Jersey Republican said he wrote to Secretary of State Rogers seeking information. The letter remains unanswered, Case said, but other government sources indicated "that there are four to six thousand Thai troops in Laos and the U.S. Government, through the CIA, is paying for them."

The agreement violates the constitutional right of the Senate to review treaties, Case charged.

Some, he said, might argue that the agreement is not a treaty, but executive agreement, a practice done early in American history to facilitate the handling of minor business with foreign governments.

"I find it hard to believe that the framers of the Constitution would not have considered as a treaty an agreement which calls for the potential expenditure of tens of millions of dollars and which might lead the country into a serious military involvement if we had to bail out the Thais," he declared.

NO DIRECT VOTE

Congress, he continued, has sole constitutional authority to appropriate these funds but has never voted directly on the issue. The Cooper-Church amendment prohibits American financing of mercenaries in Laos, except to protect an American withdrawal, Case said.

"The money," he declared, "comes out of that vast treasure chest which Congress has appropriated but never controlled for discretionary military and intelligence purposes. I strongly believe that Congress should control this money. Certainly we should know how it is being spent."

Although his letter remains unanswered, Case said, the State Department tried to persuade him not to press the issue when Acting Secretary of State John Irwin appeared before a May 3 Foreign Relations Committee meeting.

Case raised the issue nevertheless—"I felt that both Congress and the American people had a right to know"—but Irwin refused to discuss it except in closed session, the senator said.

Case predicted that eventually administration representatives will provide details of the Laos operation "behind the locked doors."

"But this will be months after the fact, and we shall undoubtedly be told about an ongoing program which would be difficult to stop even we were so included," Case said.

The events mock Rogers' recent protests of the administration's recognition of the need for consultation with Congress, Case indicated. At the same time the senator stressed his own awareness that some foreign agreements must be negotiated in secrecy.

"But Congress and the people should be informed," he said, "before our country is indelibly committed to a position . . . for the people must be the ultimate arbiter of the course our nation follows."

[From the Trenton (N.J.) Evening Times, May 20, 1971]

WASHINGTON—Sen. Clifford P. Case (R-N.J.) said today that U.S. payments to Thai mercenaries fighting in Laos represent a "widening of American involvement in Southeast Asia" and are a violation of the Cooper-Church provisions on Laos.

In a speech prepared for delivery on the Senate floor, the senator said an informed government source told him that the U.S. Central Intelligence Agency (CIA) is paying for about 4,000–6,000 Thai troops presently in Laos.

The Cooper-Church Amendment cited by Case prohibits U.S. payment for the use of mercenaries in Laos, except to protect U.S. troops as they withdraw or to aid in the release of American prisoners.

The New Jersey legislator criticized the Nixon administration for consummating this arrangement with Thailand without consulting or even notifying the Senate Foreign Relations Committee, of which he is a member.

SECRET AGREEMENTS

Case has been long critical of the increasing use of secret executive agreements, like the Thai arrangement, as an expedient substitute for formal treaties, which require the approval of the Senate.

"I find it hard to believe that the framers of the Constitution would not have considered as a treaty an agreement which calls for the potential expenditure of tens of millions of dollars, and which might lead our country into a serious military involvement if we ever had to bail out the Thais," Case said.

"Congress has never directly voted a penny to pay Thai troops in Laos," Case said, adding that the money "comes out of that vast treasure chest, which Congress has appropriated but never controlled, for discretionary military and intelligence purposes."

The senator has previously suggested that the large CIA budget be studied and approved in the same itemized way that Congress appropriates all other federal funds.

NO DISCUSSION

Case noted that acting Secretary of State John Irwin refused at an open hearing of the Foreign Relations Committee earlier this month to discuss the question of Thai troops in Laos.

The senator said he is sure that the administration will put the facts of the situation before the committee in a closed session sometime in the future, but only after it has become difficult or impossible to reverse the events.

"Obviously, there is a need for secrecy while negotiations are still under way, but congress and the people should be informed before our country is indelibly committed to a position," Case said.

The senator said the support of Thai mercenaries in Laos "is an apparent widening of American involvement in Southeast Asia, and the administration should have consulted with us before embarking on a new policy."

The senator added, "If an action by our country cannot stand up to public exposure, then our country cannot stand up to public exposure, then our leaders should seriously reconsider that action."

Case said he first learned of the Thai agreement from an article in the Christian Science Monitor on April 17.

The agreement was confirmed, he said, by a government official who emphatically asked that he not be quoted. The presence of the Thai troops in Laos was also discussed, in broadcasts by Radio Hanoi, in whose credibility "I place almost no faith," Case added.

SOMETHING'S WRONG

The senator said something is wrong with the process of foreign policy decision-making when a senator who is a member of the Foreign Relations Committee "has to learn of important agreements our government has made by reading the newspaper, by talking privately with government officials who do not wish to be quoted, and by listening to foreign radio broadcasts."

Case said he has not yet received a reply to a letter he sent to Secretary of State William P. Rogers asking for further information about the Thai mercenary situation.

The letter asks for information on funding of the Thai troops and U.S. assurances, if any, to the Thai government of American military support in the event that the Thai troops encounter difficulties in Laos.

[From the Washington Post, May 22, 1971]

SENATORS TOLD CIA AIDS LAOS

(By Spencer Rich)

Two investigators just back from Indochina told a Senate Foreign Relations subcommittee in secret session yesterday that the CIA is covertly financing 4,800 Thai troops fighting in northern Laos in support of the Laotian government.

Sen. Clifford P. Case (R-N.J.) told reporters after the meeting that the CIA had begun hiring Thais several years ago to fight in northern Laos, and was now apparently considerably increasing the number because, after years of war in Laos, "the pool of people available for military operations is shrinking rapidly."

These expenditures, however, have been kept secret from the public and are not revealed in budget and appropriations documents.

Case said that the report given to the subcommittee by staff members James Lowenstein and Richard Moose confirmed his own information, obtained here privately from government sources, that "there are 4,000 to 6,000 Thai troops in Laos and the U.S. government, through the CIA, is paying for them."

Case earlier had cited one newspaper report that for six or seven years there were only 1,000 Thai troops there but that number had jumped in the past year.

Senators and staff members at the meeting were reluctant to discuss the Lowenstein-Moose report because, according to Foreign Relations Committee Chairman J. W. Fulbright (D-Ark.), government agencies had imposed as a condition of cooperation with the two investigators that the information they received be declassified by the Executive Branch before it could be made public.

However, when asked how many Thai troops were being financed by the CIA, Fulbright answered, "It's not very secret. I think it's 4,800."

Fulbright said he expected the committee to sponsor some proposals for changes in the basic CIA law, especially with regard to informing Congress about its activities.

Case, who had just received a reply from Secretary of State William P. Rogers to his earlier requests for information about the matter, said facts stated by Lowenstein and Moose in their report "indicate clearly to me that information contained in the State Department letter was incomplete and in certain respects inaccurate."

Subcommittee Chairman Stuart Syming-

ton (D-Mo.), Case and Fulbright all said it was extremely important that the Lowenstein-Moose report be declassified so that, as Case put, "we can lay the thing out for the American people so they can make the judgments" as to whether the nation should support such activities.

Another source said, however, that the pay and allowances for the Thais would run to perhaps $2,000 a year per man—or about $10 million for the 4,800 men—plus costs for equipment, transportation and other items that could easily double, perhaps triple, the initial figure.

Case also said the report confirmed that while general U.S. air activities over northern Laos had been decreasing, U.S. B–52 bombing raids there had increased.

Other Senators present gave these added details:

Meo tribesmen in the north, operating from a center provided by the secret CIA base at Long Cheng, were so decimated that the Thai troops were needed to supply extra manpower.

Total U.S. costs in Laos, not just for the Thais but for aid to the Laotian government and interdiction in the south, was so great that "$100 million wouldn't touch it."

The State Department has offered to have Marshall Green, Assistant Secretary of State for Far Eastern and Pacific Affairs, brief the committee on Laos operations in secret session.

Sen. Frank Church (D-Idaho) said, "The whole lurid tale of this covert war makes it obvious that, if Congress is to recover control over war and peace, it must make the CIA return to the role it was originally intended to fill, that of an intelligence agency collecting information. Covert operations of this kind will have to be taken away." He is sponsoring legislation to do just that.

GENOCIDE CONVENTION PLEDGE RENEWED

Mr. PROXMIRE. Mr. President, since January 11, 1967, I have called for ratification of the Genocide Convention every day the Senate has been in session. I have delivered 815 speeches during the past 5 years pleading for action. But we are little closer to ratification today than we were June 16, 1949, when President Truman transmitted the convention to the Senate.

Today I renew my pledge of 1967. I again state, "I intend to speak day after day in this body to remind the Senate of our failure to act and of the necessity for prompt action."

How long must the citizens of this great land await our verdict? A new generation of Americans have reached adulthood since the convention was first submitted. The President supports the convention. The Secretary of State and the Attorney General agree that there are no constitutional drawbacks to ratification. What citizen of this Nation feels anything but disdain for the act of genocide?

Why has the Senate not acted? Why does the Senate continue our international embarrassment? Why have we set ourselves apart from the civilized world?

Mr. President, the Senate has failed the Nation and the world in the realm of human rights. I call upon the Senate to right this wrong and ratify the human rights treaties—now.

THE ARMY CORPS OF ENGINEERS AND ENVIRONMENTAL RESTORATION

Mr. PACKWOOD. Mr. President, I have spoken here before about the need for redirecting the great capacity and energy of the Army Corps of Engineers to cope with the many environmental problems across the Nation that were born from the once much sought after projects such as dams. I have pointed out the problems along the Snake and Columbia Rivers as current and acute examples. I have recognized that we all must share the blame if there is to be any for the damages we are now suffering.

Except for a handful of conservationists and fishermen across the country not many of us questioned the economic and development benefits of dam construction which often meant flood control, irrigated land, recreation, more jobs, and more money. No one thought about the need to preserve a wild free-running stream—we had loads of them. No one worried about the threats to our salmon and steelhead population. We were abundantly supplied.

Now, it is a different story, and the story of the Snake and Columbia Rivers is becoming a common one across the country.

Why should we not reorient our priorities so that an organization such as the corps, which has proved by its past record of public works accomplishments that it is up to meeting the needs of the time, and can indeed dedicate its efforts and abilities toward a goal of environmental restoration. The corps could well become our major tool in meeting this great goal, for it is already here, organized. All it needs is a directive from the Congress to turn the tide.

Mr. President, the Nation today is weighing in balance our environmental values with our economic and technological progress. The Nation has awakened and is running way ahead of us on this. I believe it is time we catch up with them, before the overwhelming public opinion is so far ahead that it can no longer look back and see us.

Mr. President, in this morning's Washington Post a small item appeared regarding Assistant Secretary Reed's testimony before a House Subcommittee. Mr. Reed has shown considerable moral courage in his reported testimony. He has sounded the alarm for us. Mr. President, I ask unanimous consent that this article be printed in the RECORD.

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

[From the Washington Post, June 4, 1971]

INTERIOR OFFICIAL SCORES U.S. WATERWAY ACTIONS

(By Elsie Carper)

Nathaniel P. Reed, the Interior Department's new assistant secretary, accused two other federal agencies yesterday of paying "nothing more than lip service" to environmental protection.

In testimony before the House Conservation Subcommittee, Reed declared that stream construction projects by the Army Corps of Engineers and the Agriculture Department's Soil Conservation Service are having "a devastating effect" upon the nation's waterways.

"What is needed," he said, "is a complete rethink and redirection by the men who are designing and constructing the projects."

Reed, former chairman of Florida's Department of Air and Water Pollution, was sworn in as Assistant Secretary for Fish and Wildlife and Parks less than a month ago. He was congratulated by Subcommittee Chairman Henry S. Reuss (D-Wisc.), a longtime critic of federal programs to dredge, modify and channel streams. Reuss called his testimony "the finest" he has heard.

Rep. Sam Steiger (R-Ariz.) countered that he did not share Reuss' enthusiasm for Reed's "sweeping condemnation" of the projects. Later, in commenting on Reed's yes-and-no replies to questions, Steiger said "you are going to have to avoid those direct answers if you are going to stay alive in this town."

Reed told the subcommittee that "stream channel alteration under the banner of channel 'improvement' for navigation, flood reduction, and agricultural drainage is undoubtedly one of the more, if not the most, destructive water development or management practices from the viewpoint of renewable natural resources."

The projects, have resulted, he said, in severe damage to fish and waterfowl habitat and have increased siltation to the point that they are "the aquatic version of the dust bowl disaster."

He urged a complete review of all river and stream channelization projects by federal environmental agencies and a new national policy on flood control.

THE SENATE CHAPLAIN'S BACCALAUREATE SERMON AT THE UNIVERSITY OF WYOMING

Mr. HANSEN. Mr. President, last Sunday the University of Wyoming celebrated its annual commencement exercises, the 81st in the school's history.

Having consolidated the activities into a single day, the baccalaureate speaker makes the single principle address.

This year we were most fortunate to have the Chaplain of the Senate to speak to the graduates, their families, and friends.

Few speakers have been as warmly received; fewer still have commanded the attention and interest Dr. Elson's words generated.

Because I believe his message is timely and probes knowledgeably and deeply into today's problems I ask unanimous consent that it may be printed in the RECORD.

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

BACCALAUREATE SERMON

(By the Reverend Dr. Edward L. R. Elson)

TURBULENCE IN THE BIG ROOM

"Thou hast set my feet in a large room." Psalm 31: 8b.

For many years now I have lived in a Washington educational institution. It has been inhabited by Elsons at various ages and stages in the educational process. One day when she was first introduced to the study of ancient history, a little red head looked up wistfully and exclaimed, "My Daddy, it must have been fun when you were a little boy living among all those dinosaurs and ancient reptiles." In that moment the perennial generation gap descended with a thud.

Would it not have been fun, as Beverly put it, to have lived in the dim distant past and to be alive now, and then by some superior prescience, be able to project ourselves into the uncharted future? Alas, for all our success at geriatrics and the prolongation of life, the best we can do is to live in our own time, do the best we can, live out our own life span and leave the consequences to God and the processes of history.

Today we are not certain what time it is in history. We put a date at the top of our letters but we are not sure of what it means. We do not even know whether it is the last century of a departing civilization or the first century of a new civilization. Change is the only certainty.

Several days ago I stood in the Explorers Hall of the National Geographic Society and looked at a miniature of our cosmos. Yonder were the great constellations—Jupiter, Saturn, and vast galaxies millions of light years away from the tiny ball called Earth—just a wee bit of a golf ball beside an enormous basketball. Yet this tiny globe is the home of man, and our western heritage has said man is God's highest creation.

Today man makes his home on this little orb, but he voyages in space ships to the vast regions beyond and returns to tell us of the incomparable wonder that yet remains in the beyond. Yet with all his new knowledge and his ability to travel, to see, to hear, to know, man himself is lonely, fearful, contentious, anxious and unsure. Vexed and disconsolate, modern man roams about in this big universe where he has not yet learned to be at home. In this vast, incomparable, wall-less, dimensionless arena there is turbulence. New idols are erected, synthetic gods arise, finite values take on infinite meanings, and men reject half-truths because the other half is not yet known. Max Picard, looking at the scene, says "The missing element is overwhelmingly present." The missing element is a sense of the transcendent and eternal.

Now this is not the first time men have been baffled, bereft and lonely. Many times in human history, in the face of new discoveries, new theories, unfamiliar data, men have felt bewildered, lonely and unsure and have had to go on "believing where they could not prove," as Longfellow's hymn says.

Such a state the psalmist sings about in the 31st Psalm when he says, "Thou hast set my feet in a large room." All sorts of insecurities and uncertainties overwhelmed him. False gods had arisen. There were people who felt God had abandoned them. While wrestling with great, dark, furtive powers, the author kept his affirmations. Listen to his song:

"In Thee, O Lord, do I seek refuge.
Incline thine ear to me.
Take me out of the net that is hidden from me.
Into Thy hands I commit my spirit.
Thou has set my feet in a large room."

How did the writer get into this large room, this bewildering vastness? He affirms that God put him there. That's how he got there. And this is the psalm Jesus of Nazareth quoted on a cross in the dark hour of his own agony and in the darker hour of world history, when lingering between life and death He found himself in the wall-less room.

Doesn't this give us a clue as to how we can live in this physical universe which seems so incomprehensibly boundless, wall-less, immeasurable, with neither bottom nor top nor sides, where it is so easy to be lonely and powerless? Man has to live in it. If he is to live in it he must make some choices.

Looking at this big room a man can say of it that it is a vast impersonal, mindless, spirit-less universe where man is caught and controlled by the vast relentless, impersonal forces of nature. Looking at it he can say that man is just a few dollars worth of chemicals, blended into the universe in an undefinable impersonal way.

A man who makes this kind of choice inevitably must feel unsupported by any transcendent power beyond himself. Moreover, he will never be able adequately to explain or account for what we describe as self-consciousness, awareness, creativity, or self-criticism, which will remain to baffle him. That is one hypothesis from which a man may begin.

The older theologians used to say that if you find a watch ticking away, you conclude that someone must have made it, wound it up and set it going. So you conclude that in this universe with its law and order there must have been a mind, and mind reposes in a Person. This Creative Person, spelled with capital letters, guides this world in these tumultuous, turbulent, revolutionary days.

Thus a man may choose the God hypothesis and say there is a creative, personal spirit or energy at the center of things which is vital, transcendent and eternal. He can acknowledge the reality of traffic between the seen and the unseen, the inter-action between the visible and the invisible, and that in this communion there is life and growth. If he chooses the God hypothesis he affirms that God is know-able and that prayer is a reality. In this choice he is supported by the data of history. For the record of the mystics, saints, prophets and seers, and the person of Jesus validate this hypothesis. Only as a man takes into account these realities is he really an educated man. Only thus does he understand himself. He will learn too that the theistic premise is more likely to integrate and reinforce his personality and give him the plus factor of the transcendent.

In Jean Paul Sartre's "Speech of the Dead Christ from the Building of the World" he describes the terrible vision of a world without God as "finiteness chewing its own cud." The dimension of the infinite, supernatural and eternal is conspicuously absent. It is this missing element that the psalmist puts in life and keeps in life when he says, "Thou hast put my feet in a large room."

It is God who has put us in this big room, a room without walls or barriers, only open spaces, with vast incredible, incomprehensible possibilities for good or ill. But it is God who put us in this space and time. Then let us get into this big room, get all the way into it, get in with both feet. Don't leave part of yourself in another room, another space and time with its outmoded forms and patterns.

What we do not recognize is that there are some real and there are some false revolutions. There is the authentic revolution, creative and constructive, and some lesser backlash disturbances some folk think are revolutions.

The view which one has of reality determines whether or not he has a sick mind or a well mind. The sick mind is one that will not face reality, which avoids looking at the whole scene as it is, runs from it and tries to escape. The healthy mind admits what it sees, defines the problems, analyzes the issues and brings all possible energies and resources to solving the problems. When somebody writes an editorial saying "America is sick," I wonder what he sees—where is his sense of history, of the transcendent, the eternal? Problems do not make people sick, surmounting problems makes them healthy. This is the difference between real and false revolutions. Most of the problems in our world today are problems of progress. Our problems are not problems of decay but of dynamic change, and we need to get in with the right kind of revolution as we live in this big room.

An old College friend, Dr. John Furbay, points out that living in this big room with its revolutionary complexities is like living in a house while remodeling it. When you look at the blueprint you see where you are going, what is happening, you have a vision of the finished product. Thus you do not mind the noise, the disorder, the dirt. You are working on solutions, you are a builder. People are always miserable when they see only the dirt. You can live either way in this big room which is our world in our time. You can see the authentic revolution moving toward the coming of a better world, or you can get tangled in the phony revolution and tiny side shows where everything is destructive, where you know all the things that are wrong, where you see only the dirt and debris and not the blueprint. Or you can recognize the turbulence for what it is—the dynamism of a God-released creativity.

Think of the revolution in communications as radio, television, motion pictures, and the means of disseminating the printed word, which have multiplied explosively within a generation or two. The people of the world have been made immediately aware of one another. The whole world is a neighborhood. That is one of the features of living in this big room today.

Some time ago I was strolling through the Rotunda of the Capitol when stopped by two attractive women who said, "You are Dr. Elson, aren't you?" to which I replied in the affirmative. Then they said, "We are from New Zealand and we want to thank you for the magnificent funeral service you conducted for President Eisenhower. We saw and heard it by Telstar." And they surely had heard it and seen it. That single event was heard and seen by more people than any other funeral in the history of the world because there were more radios and television sets than before. The communications revolution emphasizes what it means for humanity to live in this one big room.

Take the explosion in knowledge abetted by the spread in communications and computer. We are told that if all the knowledge developed in the physical sciences throughout history up to 1900 were given the weight of one unit, another unit had been developed by 1940, and that now scientific knowledge is doubling about every 15 years. Of all the genuine scientists who have lived in the world it is reported that 90 percent are living today. Although we have more knowledge about life and the physical universe, the challenge of the revolution in knowledge is in the interpretation and use of it.

Look at the revolution in health and life expectancy.

This is the first generation to be devoid of epidemics such as flu, diphtheria, smallpox, scarlet fever, mumps, measles, and tuberculosis.

A College classmate of mine, beside whom I played a horn in the College band, died as a result of an appendectomy a few days before he was to get his degree. Peritonitis took his life. Had there been penicillin he would probably be living an adult life today. Such a death is almost unheard of today. Such is the revoution in health.

Look at the difference in life expectancy. A young man today can expect to live 50 percent longer than his grandfather. The American Geriatrics Society has predicted that by the end of the century an American may look forward to a life expectancy of 120 years with Social Security beginning at 105 if you choose to retire. That's part of the creative, constructive revolution.

Think of this—the authentic revolution in my lifetime. For 15 years of my early life I lived in one house, which went through the metamorphosis from kerosene lamps, to gas light, to modern electricity with all the gadgets—and for heat went through the stages of a fireplace in every room to central hot air distributed and controlled in every area of the house.

Look at transportation. I remember delivering milk from a horse-drawn wagon to a small town route, of pitching hay up on a horse-drawn hay ladder, of working with a hand-hoe, of spreading fertilizer by hand-fork, of helping milk by hand 18 head of cows. Now that farm has a big gas tank and a stable not full of horses, but machinery.

As a boy riding the railroad trains into Pittsburgh, trains which ran about every 30 minutes, I was always fascinated by the horse-drawn trolley waiting for the train at the 30th Street Station. Passengers got off the train and got on the trolley. The horse pulled the trolley up the grade to the crest of a hill. Then the single crew man unhitched the horse, put the horse on the platform, and the car coasted with man and horse back down the hill for the next train. Now the hill has almost been removed and the people zip up in something like a tube.

Think of the revolution in transportation.

Some time ago I preached at both morning church services in Washington, then had Sunday dinner at home. That afternoon I took a jet to Las Vegas—for some very proper appointments. Upon arrival I settled in a comfortable room where I slept for 3 hours. Then I dressed, went to the Convention hall and spoke to 5,000 people at the Kiwanis convention about religion in American life—all on one Sunday.

That's what we do in this world of revolutionary change where God has put us in a big room.

Take the problem of poverty. Poverty is always relative.

Since government officials have only in recent years defined poverty in terms of so many dollars per year, a lot of people are suddenly realizing they grew up in poverty but didn't know it. Some of our greatest leaders today, by their own present definitions, grew up in poverty—but they didn't know it. Indeed they were rich in proportion to the fewness of their wants. They didn't have television and radio and high pressure advertising to tell them what other people had.

Poverty is relative—always relative. Poverty in the United States is affluence in Peru or India. Viewed against the whole world some in the United States are only less affluent than others because the whole nation is affluent. We are the first generation with too much food and we are working on the problem of distribution. That is the authentic revolution because we are working on it. It is true that a lot of people need to be fed better, clothed better, housed better, educated better—but it is coming.

Poverty and the population explosion are interrelated. If babies continue to be born at the present rate we will all soon have to stand up all the time, there will be so many people. But there is a scientific revolution in population control that gives promise. A young doctor at a recent Medical Association convention was shocked to hear a lecturer say that 100 years ago nobody knew what caused babies. They knew what they did and got babies, but nobody knew how human life was generated. Now we know every step and talk about generating life in a test tube. The recent invention of the I.U.D.—which costs only 1¢ and can be made available anywhere in the world—is a fantastic breakthrough in our generation, a potential revolution in birth control and a help in reducing poverty, because what the earth yields to support life can go to fewer people.

Again, consider the problem of crime. Some people think they are leading a revolution by ganging up on policemen—calling them "pigs," making the custodians of our safety accursed. and the lawbreakers the heroes. They are not in the real revolution. There is no great eagerness to help or build or heal in these effects, only to break down, destroy, injure, kill. The real revolution is with those who strive for better laws, improved correctional methods, more emphatic enforcement. Do you know more teenagers were lost last year in New York state on drugs than were killed in Vietnam? We are going to have a revolution here that is real—because some of the horrors of drugs will so shock young people they, in their idealism and energy, will rise up and solve them.

Look at the problem of pollution—a real anxiety. How did we get it? Because of progress. We are busy on it! We had better work on it if we are to live in this big room. The biggest amount of polluting is done by individuals. One state last year spent $50 million on one super highway keeping it clean. We will solve much of it when we learn never to throw anything down which someone else much pick up.

Look at religion and the Church. There has been more creative discontent and constructive renewal in the last 10 years than in the preceding 400. Good Pope John XXIII opened the windows to let in the fresh air and with it came a tornado—like Pentecost "the mighty rushing wind" of energy and creativity, of dynamic change which is transforming everything from the Vatican to the Quaker Meeting.

According to the Gallup Poll, 97% of Americans still believe in God. Young people may not have as much enthusiasm for institutions as their parents but they are very religious. My son took the Confirmation course three times and every time deferred Confirmation. But he gets up every morning at 4:30 to pray. Thirty years ago 10% of the colleges had religious departments, now only 10% of all colleges and universities are without religious studies. It's not the absence of religion, it's the freakish, simplistic, irrational, volatile, uncritical, pneumatic religious expressions which make some of us worry.

Look at how the God-directed authentic revolution has liberated and lifted woman. Now she does everything man does and one thing man doesn't—she still has the babies. At long last nearly every vocation and form of work is open to her somewhere in the world. We even have Page girls in the United States Senate. Last week my denomination for the first time elected a woman Moderator—its highest officer. And next month for the first time in 200 years a highly educated, fully qualified, authentically ordained woman clergyman of a respective denomination, at my invitation, will offer the convening prayer in the United States Senate. The real revolution is all about us.

Look at the problem of civil rights. The reason there is so much noise about it is that we are doing so much. Most of us have too much guilt.

We sometimes forget that white men have been slaves throughout history—Rome, Babylon, Egypt, Syria.

Never forget we were the second nation to abolish slavery—the British were first. Perhaps we need a little credit and less blame. Although we did not grant full civil rights when slavery went out legally, we are doing it now. We are not through. Look at the progress of the last 100 years—more especially the last 20 years. Percentage-wise there are more blacks in U.S. colleges and universities than in England, Germany and Italy combined, and more blacks in U.S. colleges than in all Africa. We are not through. The authentic revolution goes on.

And I hope we will never elect a civil officer or a Church officer because he is black, or red, or yellow, but because he is a man—created by God, redeemed by Christ, qualified because he or she is a person.

Look at the problem of war.

The revolution in science produced the atomic bomb and the bomb has made world wars obsolete. The balance of terror has at least averted war on a world basis.

But we still have little wars—people get killed just as dead—and little wars are expensive too. We are frustrated because we cannot use all the power we have and because the purpose is not for the victor to impose terms on the vanquished. Instead in Southeast Asia the purpose is preventive, to deny North Vietnam imposing an unwanted regime on South Vietnam. The purpose there has been accomplished. The big war is obsolete. Even little wars will become more obsolete as we learn how to use other forms of equivalent power for military power, in the implementation of foreign policy and in guiding the destiny of the nations. We are simply going to have to find alternate ways to solve conflicts if we are to live in this big room into which God has brought us. And even here we have promise—frustrations can be worked out in such world organization as the United Nations.

We have many irritating revolutions—much turbulence because we do not see the big revolution. We do not comprehend the true revolution, because a sense of the transcendence and eternal has gone out of life. We tend to see only the little here and now. We do not see the distant scene, take the long view. The world is better than the phony, destructive revolutionaries say.

You can choose to live in this big room into which God has brought us and flail away in all directions against everything and everybody—or you can see God in the movement of history, believe in His providence, get on with His task.

Our troubles are troubles of sucess, not failure. And the reason we have trouble in America is because the authentic revolution has gotten hold of us. It was first set loose in America on a large scale. It came out of many forces at the pinnacle and convergence of the renaissance, the industrial revolution, the Judean-Christian heritage—primarily the Catoclynamic 16th Century Protestant Reformation saying man is the highest creation, the most valued entity in the universe, he is created by God to be free and every man is equally free under God for maximum growth and well-being. The Declaration of Independence announced it. The Constitution and our institutions confirm and sustain it.

You can try to live in this big room without God—without the infinite, the transcendent or eternal—or you can believe it is God who has put us in the big room—and go on with Him.

That's the way Jesus lived in it. And when He died on a cross He quoted this psalm:

"Into Thy hands I commit my spirit;
Thou hast set my feet in a large room."

If He could live that way and die that way, isn't that the clue for us?

SANDERS DRAMATIZES LOCKHEED LOAN

Mr. PROXMIRE. Mr. President, I am well aware of the restriction that prevents Members of Congress from inserting cartoons in the CONGRESSIONAL RECORD but I cannot resist describing a dramatic and timely cartoon that appeared in the Milwaukee Journal on Monday, May 31, drawn by their gifted cartoonist, Bill Sanders.

The cartoon shows a man sitting behind a desk and on the desk is a label reading "Congressional Loan Company." A determined and forceful figure carrying a briefcase entitled "Administration" is pointing at his client, who is about as seedy looking a bum as can be imagined, dressed in tattered clothes with holes in his shoes and socks, and with an umbrella he can hardly hold up and a cigar butt on the end of a toothpick. He is leaning on the umbrella and he is labeled "Lockheed Management."

The representative of this bum is asking the man behind the Congressional Loan Company sign the following:

What kind of outfit are you running, asking for a credit check? Just lend him the $250 million.

Bill Sanders, the editorial cartoonist of the Milwaukee Journal, has caught exactly the issue in this whole Lockheed loan controversy. Certainly if the American taxpayer is going to be asked to put up a $250 million guarantee for the Lockheed Co., we should insist on the full cash flow statement and all other pertinent data on the company.

I have repeatedly asked the Defense Department for this information. They have told me that they have it but they will refuse to give it to me or make it available in any way, shape, or form.

Mr. President, it is my understanding that the Secretary of the Treasury has this data and I have written him repeatedly asking for it but he has ignored my letters.

Mr. President, under these circumstances it would seem to me that Congress should insist upon being recognized by the executive branch, with the authority and the responsibility we have, and that means no guarantee, no loan until we have full and complete information to act on it.

The Sanders cartoon is most appropriate because we are in the position of a banker who would certainly require this kind of information before he would make a loan of $50,000 or $100,000, let alone a $250 million loan or guarantee of a loan.

Mr. President, this is why I repeatedly said that until this information is forthcoming, I intend to do everything I can as a Senator to stop this guarantee from being approved by the Congress.

PARKINSON'S DISEASE

Mr. JAVITS. Mr. President, today, thanks to the painstaking research of medical scientists and the discovery of such chemotherapeutic agents such as L-Dopa, there is new hope and relief from suffering for more than 1,500,000 Americans afflicted with Parkinson's disease.

In this effort, the Parkinson's Disease Foundation has made a very special contribution through a strong basic and applied research program and its training of physicians for work in this field. The foundation has also brought new insight and understanding about Parkinson's and allied diseases through its programs of public education and information.

I am pleased to serve as a member of the National Sponsors Committee of this foundation together with Senators ANDERSON, HUMPHREY, TOWER, and TUNNEY—as well as a number of distinguished Members of the House of Representatives.

On the occasion of the foundation's annual awards dinner, Dr. Julius Axelrod 1970 Nobel prize laureate, was cited for his notable scientific contributions. Dr. Axelrod has been Chief of Pharmacology at the National Institute of Mental Health since 1955, and has given the nation extraordinary leadership in our quest for a better understanding of human behavior and for new weapons to cure nervous and mental disorders.

Dr. H. Houston Merritt, who helped create the Parkinson's Disease Foundation in 1957, was also honored at the dinner for his share in the development of neurology in the Nation and the world.

The importance of this event was underscored by a proclamation issued by Gov. Nelson A. Rockefeller who set April 28 as Parkinson's Disease Day in New York State. The proclamation stated:

Parkinsonism, sometimes known as Parkinson's Disease or "shaking palsy," is a crippling and little understood malady which affects more than 1,500,000 Americans, most of whom are stricken after age 50.

Until recently, its victims faced years of suffering in which their productivity was progressively and significantly curtailed.

Now, thanks to painstaking research and new chemotherapeutic agents forged by medical science, there is relief from suffering and new hope for its victims. Surgery, drugs and exercise have helped to reduce the toll of Parkinsonism and enabled many of the afflicted to lead useful and productive lives.

The Parkinson's Disease Foundation, affiliated with Columbia University in New York City, was the nation's first organization dedicated to finding the cause, prevention and cure of Parkinsonism. Through its programs of research, treatment, public and professional education, and financial support, the Foundation has brought new insight and understanding of this terrible disease.

On April twenty-eighth, the Foundation will mark its fourteenth year in the struggle to alleviate the human anguish caused by Parkinsonism.

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim April 28, 1971, as Parkinson's Disease Day in New York State.

Governor William Cahill of New Jersey also proclaimed the day and paid tribute to the Parkinson's Disease Foundation for its unique contributions to "alleviate the anguish of Parkinson's disease."

The Parkinson's Disease Foundation was established in 1957 and since has become a world center in the struggle against Parkinsonism. William Black, board chairman of the foundation, contributed $5,000,000 to Columbia University toward construction of a new building to provide space for medical research. More than 600 medical research projects are currently being pursued in the 20-story William Black Research Building. In specialized laboratories occupying one floor of the building, 55 scientists and technologists work on a variety of approaches to Parkinsonism. In addition, a special clinic for treating Parkinsonism is held twice weekly at Vanderbilt Clinic.

In 1964, the National Institute of Neurological Diseases and Blindness made a grant of $3,000,000 to Columbia University to establish and maintain a Parkinson's disease research and information center. This grant under the direction of Dr. Melvin Yahr, has recently been renewed for an additional 5 years. It is matched by private funds from the Parkinson's Disease Foundation, which is housed in the William Black Research Building.

The foundation's research has been aided through the establishment of a brain bank 9 years ago. The foundation's medical scientists have studied more than 100 brains willed to the foundation by former patients. The knowledge gained from these studies has been helpful to other investigators over the years. The results of research conducted in the foundation's laboratories are published in international medical journals and are regularly presented at worldwide scientific congresses.

A large group of distinguished Americans who serve as sponsors of the foundation include Hon. William Cahill, Bennett Cerf, Hon. Kenneth Gibson, Mrs. Dwight D. Eisenhower, Andrew Goodman, Mrs. Marjorie Mazia Guthrie, Harold Helm, Conrad N. Hilton, Mrs. Anna Rosenberg Hoffman, Dr. George James, Mrs. Albert D. Lasker, Gustave L. Levy, Hon. John V. Lindsay, Dr. William J. McGill, Page Morton, Jerome K. Ohrbach, Peter Roberts, Hon. Nelson A. Rockefeller, Julius Rosenwald II, and Laurence Tisch.

Other distinguished Americans who serve as sponsors of this vital foundation are: Hon. HALE BOGGS, Hon. EMANUEL CELLER, Hon. JAMES M. COLLINS, Mr. John Charles Daly, Mr. and Mrs. Howard Dietz, Prof. Sir John Eccles, Wilbur Eubank, Hon. DANIEL J. FLOOD, Miss Arlene Francis, Hon. Sanford Garelik, Hon. EDWARD KOCH, George Meany, Dr. Isidor I. Rabi, Hon. OGDEN R. REID, Mrs. Marc B. Rojtman, Dr. James Shannon, Edward Sulzberger, Hon. LESTER L. WOLFF.

Our Nation owes a debt of gratitude to the Parkinson's Disease Foundation for its untiring efforts to improve the health of our people and to free those afflicted from the scourge of this disease.

THE OUTER CITY

Mr. RIBICOFF. Mr. President, just as the cities replaced rural America as the dominant force in our Nation, the suburbs are now supplanting the cities as the focal point of growth in this country.

People and industry are moving to these outlying areas for many reasons. Some move because they fear the inner cities are collapsing, others because land and services are less expensive. Few Americans realize, however, that these suburbs are no longer simply bedroom communities for core cities, but are instead burgeoning cities themselves.

Five correspondents from the New York Times, Jack Rosenthal, Douglas E. Kneeland, Paul Delaney, John Herbers, and Linda Greenhouse, have traveled across the country to explore "the growth, complexities, and attitudes of suburban America." They have asked, how did these areas evolve? What are they now? What is their future?

Their basic conclusion is reflected in the title of their five-part series—"The Outer City." They realize that these developing towns are complex social and political organisms which require constant attention and direction. Their travels have led them to believe that un-

less America begins to take a serious look at the outer cities, they will meet the same fate as their predecessors.

I hope that my colleagues who have not already done so will read this important series that highlights the serious actions needed to assure the survival of American cities. Unless we begin to understand the dynamics of urban growth, the new town of today will become the Newark of tomorrow. As the subtitle of the last article suggests, these outer cities represent growth crying out for guidance.

I ask unanimous consent that the five-part series from the May 30 through June 3 New York Times be printed 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 30, 1971]

THE OUTER CITY: U.S. IN SUBURBAN TURMOIL

(By Jack Rosenthal)

(This is the first of five articles based on a two-week trip by five correspondents of The New York Times through metropolitan areas, exploring the growth, complexities and attitudes of suburban America.)

WASHINGTON, May 29.—Rapidly, relentlessly almost unconsciously, America has created a new form of urban settlement. It is higher, bolder and richer than anything man has yet called city.

Transfixed by the image of bedroom towns in the orbit of true cities, most Americans still speak of suburbs. But a city's suburbs are no longer just bedrooms. They are no longer mere orbital satellites. They are no longer sub.

They are broad, ballooning bands, interlinked as cities in their own right. In population, jobs, investment, construction, stores, political power—all the measurements that add up to "urban"—the old inner city is now rivaled, often surpassed, by the new.

This is the Outer City.

VAST CHANGES NOTED

And from its massive, centerless development, repeated again and again across the country, spring the most serious implications for the quality of urban life.

In 1940, suburbs contained 27 million people; 2 of every 10 Americans; 19 million fewer than the cities. Now they contain 76 million; almost 4 of every 10; 12 million more than the cities that spawned them.

Once-rustic fringe villages now have their own zip codes, area codes, big league stadiums. They are the sites of luxury hotels and industrial plants, fine stores and corporate offices.

In New York, the population remains about equally divided between urban and suburban. But elsewhere the suburbs are already two, three, four times more populous than the inner cities they surround.

Commonly, 40, 50 and even 60 per cent of those who live in a city's suburbs also work in them. Half, or more, of every retail dollar is spent in the suburbs. More than 8 of every 12 dollars spent on housing construction is spent in the suburbs. About two-thirds of all industrial construction is in the suburbs, in the outer cities of the nation.

Visits and interviews in five geographically representative areas—Baltimore, Cleveland, Los Angeles, Houston and Atlanta—showed that the suburbs are individual, diverse communities with a diversity of problems. In the distant exurban greenery, planners worry about how to channel new growth. In closer suburbs officials struggle to show that age need not bring decay. In the closest, decay has already begun.

But taken together, the suburbs have, like New York's, become informally federated in many areas. Their residents use the suburbs collectively: as a city, a centerless city.

Mrs. Ada Mae Hardeman is a Californian who says she doesn't really know where she is from:

"I live in Garden Grove, work in Irvine, shop in Santa Ana, go to the dentist in Anaheim, my husband works in Long Beach, and I used to be president of the League of Women Voters in Fullerton."

She doesn't much mind. "I don't miss central city pleasures out here in spread city. Honestly, I have to say I love it."

NOW THE BELTWAYS

Now such independence of the city is being massively fortified with concrete. Broad beltways already encircle 10 large cities and will soon rim 70 more—the accidental new main streets of the outer cities.

And the residents of the outer cities have become so independent of the inner cities that it is common to hear people brag that they haven't been downtown in months, even years.

Still, like many inner-city residents who think that the urban world revolves around downtown, they do not concede that the suburban rings constitute an alternate city.

They prize the array of urban facilities of their outer city. But many, as in parts of New York's Westchester County and Northern New Jersey, still identify with the image of the pastoral town.

They are alarmed by the consequences of their own growth, like increasing density and pollution. But they still cling to the governmental forms of isolated villages.

FEDERAL ACTION ENDORSED

They are increasingly willing—even, surprisingly, in the most conservative communities—to endorse *Federal* action to assuage the poverty and blight left behind in the inner cities. But, otherwise, they shrink from these problems, often with indifference, sometimes with anger.

Tormented city officials, like Larry Reich, the Baltimore city planner, may denounce what they regard as unfairness:

"The city of Baltimore makes the suburbs possible because we carry the burdens of the old, poor, black and deviants. Why should we keep carrying the burden?"

But in the suburbs, many people quote with unabashed candor the old troopship cry: "Pull up the ladder, Jack, I'm on board."

SEE HOW THEY GROW

And the new outer cities continue—rapidly, centerlessly—to grow:

For all the vitality of downtown Houston, the fashion center is not downtown. Tiffany's in Houston now is a block from the Loop beltway, one small segment of a $300-million retail, commercial and hotel development called City Post Oak. Even in the twilight, the rows of plaza light globes, like luminous pearls, only soften the staggered concrete shapes behind them stretch outward for eight blocks and upward for 22 stories.

It was once second-rate farmland out amid the slash pine and red clay 15 miles from Atlanta's old warehouse district. Now H. C. Patillo, calls himself merely a medium-size local builder, has developed an industrial park, serving local and national concerns alike. It contains long, low, attractive plants, 103 of them, on a 2,000-acre tract.

Roosevelt Field, the lonely little Long Island airport from which Charles Lindbergh took off for Paris in 1927, is now the Roosevelt Shopping Center, one of the East's largest. In place of the tiny crowd that watched the Spirit of St. Louis disappear into the morning fog are the crowds of housewives shuttling from Macy's to Gimbel's.

In Orange County, Calif., once a sprawling bedroom for Los Angeles, Newport Center, a vast alabaster oasis, gleams against the tan foothills near the Pacific. The floor space in the fashion stores and 18-story office towers already nearly equals that of Manhattan's Pan American Building, and they are 49 miles from downtown Los Angeles.

"Everybody thinks a city needs to have a center," says Richard Baisden, a political scientist at the new University of California at Irvine. "Well, why does it? Downtown has ceased to have any real relevance. Its functions have dissipated and decentralized out to where the people are."

This decentralization, it is evident from the visits to five metropolitan areas, is nearly complete.

The barges, boxcars and industries that once gave the inner city its pre-eminence, and jobs, have not disappeared. But now they are rivaled by tractor-trailer rigs, beltways and fork-lift trucks that makes desirable such low-rent industrial plants as the Patillo development in Atlanta.

A HOME AT LAST

The central cities, their variety of apartments, flats and homes growing old, are no longer the sole, or even the most desirable, location of housing. For millions, the automobile and Federal insurance for new housing in outlying areas have crystallized the American dream.

"The suburban house," says Edgardo Contini, a noted Los Angeles urbanist, "is the idealization of every immigrant's dream—the vassal's dream of his own castle.

"Europeans who come here are delighted by our suburbs, even by the worst sprawl. Not to live in an apartment! It is a universal aspiration to own your own home."

"RIBBON OF GOLD"

The movement of people, in turn, has sped the outward spiral of shopping, a movement so rapid that in some cities, total suburban retail sales now far exceed those in the inner city.

And now have come the circumferential highways, what Baltimore calls the Beltway, Houston the Loop, Atlanta the Perimeter—and what one developer calls "the ribbon of gold."

Pasadena, Tex., near the Houston Loop beltway, expects to double and redouble its population. This growth will come, says Mayor Clyde Doyal, despite the fact that "we have no bus station, no railroad, no airport; what we've got is a freeway."

In Atlanta, people call the Perimeter the lifeline to development of the outer city. "People are learning to use it, learning to drive faster by driving farther," says Harold Brockey, president of Rich's. "No one says it took me 10 miles to get here; they say it took me 15 minutes."

The beltways are generating yet another level of growth. Suburban development once meant tract homes, schools and flat shopping centers. Now it is typified by monumental complexes like Mario Doccolo's $22 billion Hampton Plaza in suburban Towson, Md.

Why did he build this gleaming, round, 29-story tower of tan stone—with offices, fine shops and condominium apartments—in the suburbs?

Because, Mr. Doccolo says "This is the city. They're getting out of Baltimore. People go there to do what they have to do and then—zoom!—back out to the suburbs.

"I could see Mohammed wasn't going to the mountain any more, so I said, 'Let's build the mountain out here'. That's what I bet on."

Thus the outer city: people, houses, plants, jobs, stores, space, greenery, independence.

NOT COMPLETE YET

But it is not, at least not yet, the complete city.

Some functions are still left to the inner city. Rapid high-rise office development in many cities testifies to one. White collar pro-

fessionals—lawyers, brokers, bankers, government workers—still require frequent face-to-face contact, a central verbal marketplace.

Inner cities also remain culture centers. But many suburban residents are willing to do without downtown museums, theaters and symphonies, satisfying their cultural needs at outlying universities or amateur performances.

Most notably, the inner cities, despite the erosion of their economic strength, are still called on to perform a major social function: caring for the needy and societizing the poor.

The inner city remains the haven where the rural migrant, the poor black, the struggling widow can find cheap housing, health care, welfare and orientation to the complexities of urban life.

The burden of this function, clear from the straining budgets of every major city, prompts officials everywhere to talk of the swelling new outer cities as parasites.

ABANDONMENT CHARGED

"The middle class has entirely abandoned the city," says Norman Krumholtz, Cleveland's lean, intense planning director. "Twenty years down the road, it's perfectly conceivable that the city will be just one great big poorhouse."

Where, asks Baltimore's Larry Reich, are the blacks in the suburbs? It is a rhetorical question. He knows the suburbs are less than 7 per cent black, compared with the city's 47 per cent.

Where, he asks, do hippies, many of them children of the suburbs, congregate, Where is the suburbanskin row? Where is the fairness?

In Orange County, Calif., the black population is less than 1 per cent. Yet nearly 7,000 of the county's 10,000 blacks are concentrated in beleagured Santa Ana.

In Cleveland, a suburban-dominated regional council, overriding city protests, voted a new freeway that would chew up more of the city's eroding tax base.

The speaker is a suburban city manager in California, but his words convey the sentiments of outer-city residents across the country:

"Social problems in the city? People here would say, 'Sympathy, yes, But willingness to help? That's their tough luck. That's their problem.' "

THE OUTER CITY: THERE IS NO FIRM STEREOTYPE

(This is the 2nd of five articles based on a two-week trip by five correspondents of The New York Times through metropolitan areas, exploring the growth, complexities and attitudes of suburban America.)

(By Douglas E. Kneeland)

PASADENA, TEX.—After World War II, when the trickle to the outer cities became a tide, a myth was built. It was called suburbia.

The myth—the easy stereotype—was nourished by television and the movies, by newspapers and magazines, and novelists, even by Dick and Jane and Alice and Jerry, those monosyllabic suburban tots who ran, jumped, looked, saw from the pages of most of the nation's first-grade readers.

Somehow the suburbs, despite their diversity, became one, frozen in the American mind as solidly as the Main Street of Sinclair Lewis—all green velvet lawns and swimming pools and two-car garages viewed through picture windows by practicing Republicans.

Main Streets there were and are, hundreds, perhaps thousands, almost interchangeable. But the myth is unreal. The homogenized, split-level dream is only a fragment of the new America of 76 million people that has taken root around the nation's inner cities.

Visits in the outer urban areas around five major cities across the country produced ample evidence of problems and life styles as diverse as those found in the New York area's Bayonne and Levittown and Scarsdale.

"Campaigning in the new suburbia drives you crazy," complained a politician from Dekalb County, which takes in a corner of Atlanta and grew more than 150,000 to 416,000 in the decade of the sixties. "It's different from one neighborhood to the next."

And that is the pitfall for politcians or planners or economists or sociologists who view the new America of the Outer Cities as monolithic, predictable and single-minded.

THEY'RE DIFFERENT

Pasadena, just south of Houston, is a clutch of what once was suburbia. It is pushing 100,000 population and is plagued by pollution and the reluctance of its people to let loose of small-town concepts.

Lakewood, Ohio, on Cleveland's west side, did its growing in the early part of the century. Despite a scattering of new luxury apartments along the shore of Lake Erie, its population is relatively stable at 71,000. Lakewood worries most about preserving its property values, its sense of quality. It has adopted strict building codes and last year conducted a door-to-door campaign to check on enforcement.

Newport Beach in Southern California's Orange County is a wealthy playground turned bedroom, where sailboats are as ubiquitous as automobiles. And while its residents fight high-rise apartments and small-home developments, a tract of 6,500 homes in the $250,000 class is being built.

Decatur, Ga., a small and gracious, but aging island, one-third black, is awash in the surge of migration into metropolitan Atlanta's Dekalb County. As one of the few refuges for blacks in the county, it is shunned by whites and fears the fate of such overwhelmingly black suburbs as East Cleveland, Ohio, and Compton, Calif. Turner's Station in Maryland's Baltimore County, crowded onto a bleak point on the outskirts of the steelworkers' town of Dundalk, has never had that worry. It was built for blacks and suffers from most of the problems of the inner-city ghettos.

VARIETY EVERYWHERE

And so it goes, across the land. Suburbs all. Or what were suburbs. Now caught like hundreds of others in the web of the new outer cities—with problems as varied as their landscapes.

The Nixon Administration has been pressing hard for decentralization and local solutions to the nation's troubles. But from Baltimore County to Cleveland's inner and outer cities, from Orange County to Houston and the Atlanta suburbs, mayors, county officials, planners, poverty workers and urbanologists all sounded the same note:

Without strong Federal leadership and financial assistance, no dent can be made in a multitude of problems, ranging from poverty, housing and integration to sewers, pollution control and population dispersal.

In every case, the pleaders were not talking about revenue sharing; they were asking for moral leadership and a national policy, as well as aid.

EVEN THE CONSERVATIVES

Even Santa Ana, the seat of conservative Orange County, is seeking help through a number of Federal programs to deal with its woes. "Until four years ago I was never permitted to take any Federal money, even for civil defense," City Manager Carl Thornton said.

And in nearby Anaheim, City Manager Keith Murdoch declared that, in all probability, only the Federal Government could deal with the problems of poverty. "It will take something with a much broader economic base than a single city, even maybe than a single state," he said.

Here in Pasadena, hard against the so-called navigation district along the Houston ship channel, where miles of petro-chemical plants and other industries spew smoke and gases, Mayor Clyde Doyal was also looking for Federal help.

"Pollution is our biggest problem," said the Mayor, tall and tan, as he relaxed behind his desk. "Up to this point we've been unable to do anything. We're close to them, but we derive little revenue from there. And we can't go outside the city limits to enforce pollution laws."

"A LOT OF MONEY"

Noting that even if Pasadena had control, local laws might frighten away, rather than clean up, the industries on which its growth have been based, he added:

"I think it's going to cost a lot of money to clean up pollution. That's why I think the Federal Government should set the standards. If the Federal Government set national standards, it wouldn't cause any loss of jobs."

Under the shadow of a new freeway here that has yet to feel the rush of cars, the Vernon Collins Motel and trucks and the old Wright Grain Company store languish as grimy reminders of another Pasadena, another Texas.

CONTRASTS IN PASADENA

The contrasts in Pasadena with its half-vacated old downtown and the new steel-and-concrete center springing up around its modern City Hall, in some ways mirror the contrasts in the suddenly emerged outer cities. In Pasadena, $16,000 will still buy a three-bedroom house with air-conditioning, but there are growing neighborhoods of $60,000 homes.

While Mayor Doyal is concerned about pollution, he is not especially worried about the population growth troubling many of the outer cities.

With workers flocking to the area for jobs along the ship channel and whites fleeing a black southward push in Houston, Pasadena, which has "one or two black families," went from a population of 58,000 in 1960 to 89,000 in 1970. A recent annexation and continued in-migration, the Mayor said, have put the total at about 100,000. He believes it will reach 400,000.

This poses some difficulties for the Pasadena that grew up with the Vernon Collins Motel and the Wright Grain Store. For one thing, the city has had to stop serving free coffee in its municipal offices. Last year the bill was $4,500. And there are other problems.

"You're starting like a new city and yet you had all these people already here, used to doing things the old way," Mayor Doyal said a little plaintively. "We had this small-town atmosphere. We went to one-way streets and that kicked up a hell of a furor. We went to paper sacks for garbage collection and that caused a flap. But they like it now."

The citizenry may be lagging, but Pasadena is catching up with itself. Already filling the open stretches around City Hall are a gleaming, 12-story bank, a low-built but luxuriantly landscaped post office, a department store, a new telephone building.

"And we've got another little development coming," Mayor Doyal said casually, gesturing toward a big field on the north side of the building, "out there behind City Hall. It ought to run, oh, about $100-million."

With that, he pulled out a brochure for the planned 40-acre Triton Center, a complex including a hotel, office high rises, shopping

and parking structures and a labor-sponsored Robert F. Kennedy Memorial Hospital.

That is the Pasadena, Tex., twentieth century—part of the new America, the Outer City.

A SHUDDERING THOUGHT

Can it be stereotypes with Santa Ana, Calif., an aging city caught up in Orange County's voracious growth?

Twenty years ago, when Carl Thornton went to Santa Ana as City Manager, it had 42,000 people. Now it has about 160,000 and harbors 66 per cent of Orange County's 10,000 blacks and many of its Mexican-Americans. Ghettos and barrios, some shabby and forlorn, some middle-class and well-kept, freckle the city.

While Pasadena, Tex., dreams of 400,000 citizens, Carl Thornton shudders at what would happen if unchecked apartment construction, which is threatening as banks make more money available for that than for single-family homes, should drop 50,000 more people into some sections of his city.

He also fears the pull of the new city of Irvine that is planned on the outskirts of Santa Ana—a city that some day would have 430,000 people. If whites should abandon Santa Ana for Irvine, he said, his city could follow the path of Pomona in Los Angeles County.

"Pomona has racial problems till hell wouldn't have it," Mr. Thornton said, his wrinkled brow tightening. "What has happened is welfare cases have moved in. As the housing developed, the new towns, their people moved, some of them in flight, some to upgrade. Vacancies became available. Welfare didn't put them in, but the vacancies were there. This could happen to my town—over my dead body. I'm going to fight."

SIGNS OF BLIGHT

But while he's battling to force Irvine to include enough low-income housing in its new city to ease some of the flow of poor and blacks and Mexican-Americans into Santa Ana, he can already see the signs of blight that cause him to characterize the western part of Orange County as much like an old inner city.

"You have a tendency to get old fast under such circumstances," he said, shaking his head wearily. "This is a pressure cooker."

Or can you equate Turner's Station, Md., a black enclave of dreary garden apartments across an estuary from the red smoke and flame of Bethlehem Steel's Sparrows Point Works, with Newport Beach, a paradise of yachts and sailboats and sandy beaches where narrow but elegant waterfront homes command $100,000 to $250,000? They are both on the waterfront. They are both by definition suburbs.

"BUT IT'S BETTER"

At Turner's Station, where the shabby brick apartments were built primarily for black workers at the steel mill, a small beach on the muddy water is littered with cans and glistening shards of glass.

A power line right-of-way, grown to weeds under the humming wires, slices through the community. The streets are potholed, and only a few struggling flowers brighten the yards outside the buildings. Most of the small frame stores have been boarded up.

Standing on her plot of grass behind a wire fence, an elderly black woman, who refused to give her name, summed up life at Turner's Station.

"It's terrible," she said, "but it's better than Cherry Hill."

Cherry Hill is a festering ghetto in the city of Baltimore. She lives in the suburbs, too.

THE OUTER CITY: NEGROES FIND FEW TANGIBLE GAINS

(This is the third of five articles based on a two-week trip by five correspondents of The New York Times through metropolitan areas, exploring the growth, complexities and attitudes of suburban America.)

(By Paul Delaney)

EAST CLEVELAND, OHIO.—A small, growing number of black families is increasingly able to penetrate the new Outer Cities of America, the swelling bands of suburbs that ring the stagnating inner cities.

But for most of the 800,000 blacks who fled, technically, to "the suburbs" in the last decade, the move has been to municipalities like this one, just a political dividing line away from Cleveland's ghetto.

It has meant little more than exchanging one hand-me-down neighborhood for another. If there is improvement over the inner-city ghetto, it is more in the state of mind than in the quality of life.

"They feel that at least they are not living in the inner city," says Gladstone L. Chandler Jr., the stocky black city manager of this town of 39,600—which went from all-white 15 years ago to 60 per cent black now.

TOTAL IS SLIGHT

Even the total number of Negroes who moved to second-hand suburbs on the inner rim of the outer city has been relatively slight.

In the Cleveland area, as in other inner and outer cities visited for an assessment of suburban growth, the figures appear dramatic compared with 1960. The black population of Cleveland's suburbs increased almost 500 per cent in the decade.

In raw numbers, the black "suburban" population increased from 8,000 to 45,000—but that 45,000 is out of a total outer-city population of 1.3 million.

Meanwhile, the outer city has meant nothing to the far larger number of Cleveland blacks, 300,000, still in the inner city.

Actually, the suburbs may have had an effect that is worse than nothing to inner city blacks, considering the deep hostility of middle-income whites, and Negroes, toward making any room for those with low or moderate income.

ONE KIND OF CHANGE

There has been one kind of change, however slight, that a black with a good income can now often penetrate the white suburban ncose.

"You have to earn at least $10,000 or $12,000 a year to move to the Cleveland suburbs," remarked Gerta Friedheim, young, petite Cleveland Heights housewife who heads the Suburban Citizens for Open Housing, an organization pushing for integration of the outer city.

In the upper-income areas of the outer-city, there is salt-and-pepper integration, a sprinkling of Negroes here and there, but it is insignificant.

For example, of 71,000 residents of predominantly Republican and ethnically proud Lakewood, made up of neatly kept neighborhoods and high-rise luxury apartments on Lake Erie west of downtown Cleveland, 21 are Negroes.

In the predominantly Jewish, upper-income bedroom community of University Heights east of the city, there are 88 Negroes out of 17,055 residents.

Anaheim, Calif., has 170 blacks in a population of 166,701. In nearby Newport Beach, a resort town on the Pacific, there are 41 blacks in 49,422.

IT'S NOT ALWAYS EASY

Even these handfuls have not found the move to better suburbs easy. Judson Robinson Jr., a tall handsome black realtor and defeated candidate for the Houston City Council four years ago, explained that blacks literally had to have money in hand if they were interested in a house in a white section.

"If blacks attempt to dicker a little, like even wanting to sleep on a price, the house is gone the next day," Mr. Robinson said. "It is very strange, but somehow the houses seem to sell overnight if blacks express an interest."

Upper-income blacks are also victims of the "Ralph Bunche syndrome," according to a white Baltimore County developer.

"Few whites would complain if a Ralph Bunche moved next door," the developer said as he drove visitors through exclusive sections of Dulaney Valley. "Maybe they would if two moved in.

"They wouldn't complain about a Ralph Bunche, but these same whites would oppose low-income housing in their area, and low-income housing certainly does more for blacks than allowing one Ralph Bunche in."

THE PATTERN

Thus, most outer-city integration has been restricted to areas contiguous to black sections of the inner city, leaving heavier concentrations of poorer blacks at inner-city lines, and a few in middle-income and upper-income suburbs farther away from the city.

Black blue-collar workers replaced white blue-collar residents in East Cleveland, which is a good example of the pattern of black movement from the inner city.

It is repeated in Compton, Calif., with its winding, tree-shaded streets of small houses, populated by blacks who left Watts and East Los Angeles.

It is repeated in the outer city of New York, in Yonkers, New Rochelle and Mount Vernon, as blacks have worked from the Bronx and Harlem.

The move to East Cleveland has merely meant stepping across the boundary lines from the black Glenville section in northeast Cleveland. The homes look exactly alike on either side of the line—two-story and three-story frame homes, most painted white, with detached two-car garages in back and side entrances of the driveway, sitting 20 to 30 feet from the curb, small lawns in front.

EAST CLEVELAND PROCESS

The process by which blacks got to East Cleveland was typical and went like this:

Prior to World War II, blacks were relegated to the deteriorating Central section on the near east side around downtown Cleveland, in big two-story and three-story frame houses situated very close to each other on the side streets of Cedar, Central and Woodland Avenues.

During and right after the war, the Hough area, farther eastward, with its bigger and better homes and many apartment buildings, opened to blacks through a combination of block busting and white flight. It immediately felt the tremendous impact of larger families as blacks from the South poured into the city to work in its steel mills and heavy industry. The larger dwelling units were split into smaller units to accommodate the overflow of people.

In the early fifties, Glenville, even farther eastward, became "the" section of middle-class blacks, with its mixture of smaller homes, fewer apartments and grand old homes along East Boulevard, where black lawyers and doctors resided. However, by the late fifties, Glenville had followed the fate of the Central and Hough areas as the poor flooded in. And then, in 1961, poorer blacks began spilling over into East Cleveland, and middle-class blacks moved to the Mount Pleasant and Shaker Heights areas.

MAINLY A TRANSFERRAL

The migration to the East Cleveland bedroom community, one of the oldest in the area, has improved the self-esteem of blacks

more than it has their condition. They still work at the same jobs, whether at the Ford plant in the western part of Cuyahoga County or the Fisher Body factory nearby. The deterioration still follows them.

The move to the outer city has mainly meant transferring the inner-city.

"We are an inner-city suburb with all the problems of the central city," remarked Mr. Chandler, the articulate, East Cleveland city manager.

He said that larger and poorer families were moving in, taxing the city's services and schools and reducing its revenue, and thereby causing fast deterioration.

A few blacks whose incomes grow move on to other outer cities, such as Shaker Heights and Cleveland Heights, he said.

The same complaint was registered by the Compton, Calif., city manager, James Johnson, 37 years old, quiet and, like Mr. Chandler, black.

Mr. Johnson said that Compton was a town of middle-class Negro professionals—blacks are 70 per cent of the city's 78,611 residents—but that they were moving farther out in the outer city, most to bordering Carson, leaving as replacements low-income families with more children and more problems.

NEW TERMINOLOGY

Although middle-class and upper-income white outer cities grudingly accept a few blacks of similar income levels, the resistance to most blacks, as well as to other minorities and whites who are poor, is probably greater than ever before.

The resistance is couched in new terminology and techniques that still mean "keep out," such as being against "high-density" developments, "low-income" housing and "forced integration" of the outer city.

The fear of blacks' moving to the outer city influences many actions of whites living there and attempting to protect themselves from integration. Dan Colasino, administrative assistant to the Baltimore County executive, noted that the all-white, lower-income, working-class section of Dundalk, in the eastern part of Baltimore County, was quite self-contained.

"Yes, it is its own community," commented Mr. Colasino, a conservative Democrat who wears a key ring with 26 keys on it. "The only thing we need is a swimming pool. But as soon as we did that, the colored'll come in from the city to swim."

THE POOR ARE THERE

This fear of migration by lower-income persons does not mean that there are no poor in the outer city, as believed by many residents. New census data show that 53 per cent of the increase in the number of poor families in the country between 1969 and 1970 was in the outer city.

Poverty in the outer city is often invisible. Much of it is camouflaged by greenery. It is harder to see the poor blacks and other minorities in even Santa Ana, Calif., than it is on Chicago's South Side or Atlanta's Vine City.

What is the future for poor blacks in the city and suburban resistance?

"I really do believe this thing can work," Mrs. Friedheim said at lunch in a Shaker Heights restaurant. "I'm not about to bat my head against the wall unless I think it could work."

She believes that race is disappearing as a factor and that people are at least willing to accept well-to-do Negroes into their neighborhoods.

"The big question then is about the poor," she said.

Mrs. Friedheim paused, then sighed, and added:

"There is no political force for them at all, other than Stokes [Mayor Carl B. Stokes of Cleveland]. If it's going to come at all, it has to come from Federal leverage."

THE OUTER CITY: UNEASINESS OVER FUTURE

(This is the 4th of five articles by correspondents of The New York Times on the growth, complexities and attitudes of suburban America.)

(By John Herbers)

WASHINGTON, June 1.—While America has been creating a dominant, vibrant new form of urban settlement that the residents point to with pride—the Outer City—the proliferating communities themselves have become filled with anxieties, frustrations, defensiveness and a deep sense of uneasiness about the future.

Out along the beltways, where high rises, factories, educational parks and super-hotels are springing up out of the farmlands and suburban sprawl of the nineteen-fifties and sixties and where 76 million people now live, there are diverse, warring jurisdictions, ranging from emerging slums to encampments for millionaires.

Yet a common trait stands out in virtually all of them: a turning inward, a determination to shut out the decay and social upheavals of the central city, a lack of concern about the spreading agony and distress only a few miles away.

There is a lack of concern because the new urban development is based so much on the individual pursuit of a better life and escape from the central city.

There are 121 separate and diverse municipalities around Cleveland, and Harry Bolk, an editor who knows them well, says each "represents some sort of escape from the city."

In Atlanta, a legislator says, "The suburbanite says to himself, 'The reason I worked for so many years was to get away from pollution, bad schools and crime, and I'll be damned if I'll see it all follow me.'"

But in many instances, all these things are following him, and when they do the tendency is to look individually for further escape.

In Orange County, Calif., where restless migrants are pushing against the Pacific Ocean, there is even talk of escaping to Australia. Richard Baisden, a professor at the University of California at Irvine, said, "We offered an extension course in doing business in Australia, expecting maybe two people to show up. Well, about 45 showed up. For the most part they were quite serious."

Almost nowhere in this teeming complex of people, cars, grass and concrete, the Outer City, does there seem to be an awareness that his, now, is the city, doughnut-shaped though it be, where people live and work and play.

Thus the political and business leaders still view their settlements as Norman Rockwell villages where one goes to escape the torments of urbanization even while skyscrapers are going up all around.

The residents, whether rich or poor, often live in compartments or compounds. Most are rather well off and seldom, if ever, see or come to understand the decay and social trauma in the central city.

Unlike their ancestors, who had some first-hand knowledge of "the other side of the tracks," the people of the Outer City tend to exaggerate unseen threats—just as the people on the back roads of Mississippi fear the streets of New York and the people on the streets of New York distrust the back roads of Mississippi.

Overall, there is a Balkanization of government and authority, a feeling of fragmentation and centerlessness and a sense that no one is in charge of this growing, pulsating thing.

Against this backdrop, it is not surprising that the people of the Outer City feel threatened in a number of ways—by poor blacks from the inner city, by crime and drugs, by pollution, by high density and zoning change, and by declining values.

POLITICAL NEGATIVISM

Out of this has come a fervid, participatory brand of politics that is fundamentally negative. Proposed zoning changes, a decline in garbage pick-up, suggestions of new apartments or Federal projects that might import blacks—all bring citizens by the thousands out of the overburdened city halls and courthouses.

An observer of the American scene expects to find a degree of this. It is apparent in both national and local debate, in zoning battles, court bases and the mere appearance of the urban scene. But interviews with scores of community leaders showed the protectiveness and insularity to be surprisingly pervasive and widespread. Here are some of the signs:

In Garfield Heights, Ohio, the residents refer to their scrubbed city of 41,000, nestled against decaying Cleveland, as a last place of refuge for second- and third-generation Europeans, an enclave to be protected at all costs.

Along the Beltway around Baltimore are vast settlements of what one leader there called "the nouveau white collar," refugees from the central city who he says feel so insecure that they have injected a "paranoid mentality" into the body politic of Baltimore County.

In East Cleveland, a close-in suburb where blacks have spilled over from the central city until they make up a majority, the cry of both Negroes and whites is, "We don't want that mess from Cleveland coming out here," according to the black city manager, Gladstone L. Chandler Jr.

In Orange County, Calif., the beautiful city of Newport Beach is rich and removed from central city decay. Yet the people there feel no less embattled than those in Garfield Heights—by pollution, freeways, airports and the suburban sprawl from Los Angeles.

Garden Grove, Calif., a municipality of more than 100,000, is a segment of the sprawl around Los Angeles. "We call it the phantom city," said an Orange County planning official. "You can't tell when you enter it, and you can't tell when you're leaving it."

In DeKalb County, Ga., a white-collar, upper-middle-class satellite of Atlanta, the residents are constantly up in arms about such things as taxes and new apartments. "They raise hell 24 hours a day out there," said Howard Atherton, a state legislator from nearby Marietta. "It's enough to drive a normal person insane."

All of this has not been without divisive effect. Highly emotional politics has split some liberals who ordinarily would be working together.

Carl B. Stokes, the Mayor of Cleveland, and Irvin W. Konigsberg, the Mayor of University Heights, a predominantly Jewish suburb with a median income of $14,000, are both liberal Democrats, but they have been fighting one another bitterly, each reflecting the views of his constituency.

Because Cleveland is left with the poor, most of the blacks and the old, and a declining tax base, Mr. Stokes has insisted that the only logical position he can take is that of advocacy for the poor and a refusal to submit Cleveland affairs to the mercies of the white majority outside the city. But this is little understood by the liberals of University Heights.

"Cleveland still wants full control," said Mr. Konigsberg. "Well, the day of the suburbs being appendages of the city is over. The city is not going to dominate any more. The power is shifting to the suburbs."

The suburbs are the city now, but they are fighting each other as each whirls in its own orbit. Newport Beach, Calif., seems at

war with almost everyone. A new development of 6,500 homes in the $250,000 class has scarcely caused a ripple.

"Newport Beach people don't want to identify with anything else," said Philip Bettencourt, 28-year-old Acting Manager, who, in white bell-bottom slacks and green blazer, looked as if he had just stepped off a yacht. "They came here because they don't like any other places. They like Newport Beach the way it is and they don't want it changed."

So the residents are fiercely fighting the proposed Pacific Freeway, which would cut through the city, a planned extension of the Orange County Airport and the encroachment of other cities.

When the neighboring city of Costa Mesa, which has some poverty and social problems, grew close, Newport Beach annexed a strip, one foot wide and several miles long, around a large section of unincorporated land to keep Costa Mesa from annexing it.

Consolidation, when it is proposed, is usually a defensive move. East Point, Ga., is willing to give up its identity and government and merge with five rival cities to stop the southward encroachment of blacks from Atlanta.

Mayor R. E. Brown is asking the Georgia legislature to form the city of South Fulton, which would have a population of 120,000 and might eventually rival Atlanta. Under state law a city can locate public housing 10 miles outside its boundaries, and Mr. Brown says Atlanta has a deliberate policy of herding public housing projects in the direction of East Point and other blue-collar communities.

"If we incorporate all our own land into our own city," said Mr. Brown, "we would be immune from this public housing requirement."

The defensiveness seems to be more than a desire to avoid minorities, lowered property values and social problems. Perhaps a substantial portion of it stems from a real threat to the single-family home, which brought many to the suburbs in the first place.

THE APARTMENT ISSUE

Soaring construction costs and the high cost of land many miles from the central city are pricing the single-family home out of the reach of many who a decade ago would have considered nothing else. Developers across the country say the banks will readily extend loans for apartments but are increasingly reluctant to lend for single homes.

But the desire of families to have a private home, yard and swimming pool, if possible, runs deep, even as many people are turning to apartment living out of a desire to get away from mowing the lawn and repairing the faucets.

"The big issue in DeKalb County," said Representative Elliott Levitas, "is not whether blacks will come in. It is whether apartments will come in."

And apartments are coming in, in increasing numbers.

The people of the Outer City are disturbed, too, that they are running out of places to move to. Many have moved from a farm or another county to the central city, then to a close-in suburb, then to a farther-out suburb, and they are tired of moving.

In the small city hall of Garfield Heights, Ohio, there was a smell of lemon wax as Mayor Raymond A. Stachweicz, a short, stout man meticulously dressed in sport coat and wide tie, looked out on the manicured lawns and neat shops and said:

"We are a community of landlovers. We are mostly Polish and Italians, all mixed. Sixty-five per cent of our people moved out from Cleveland and they consider this the last place for them. They are determined to stay here and keep their houses as they are now."

BALKANIZATION IS FELT HERE

The Balkanization or fragmentation of government of the outer cities is perfectly illustrated by New York's "spread city."

In the four counties closest to the city—Nassau, Suffolk, Rockland and Westchester—there are 548 governmental units. They include municipal, town and village governments and a variety of "special districts," such as school, hospital, cemetery, sewerage, park and library districts.

Each is administratively and fiscally independent, and 545 of them have taxing power.

In the United States, according to the Committee for Economic Development, there are 81,248 units of government. Although the figures were for 1968, the C.E.D. said it believed there had been no drastic change.

The national total includes 18,048 municipalities, 17,105 townships, 3,049 counties, 21,782 school districts and 21,264 other special districts, most of them tax-levying.

The single most fragmented suburb is reported to be Blue Island, Ill., outside Chicago, which has 13 governmental units from township to mosquito control units. Ten levy taxes.

Another emerging fact of life in what one planner calls "the sub without the urb" is the suburbanite's alienation from the central city. A Regional Plan Association study of attendance at three New York City museums indicated, a spokesman said, that residents of the city's suburbs—despite a generally higher socio-economic level—do not use these museums to anything like the extent that innercity residents do.

For every 1,000 Manhattan residents, 13.18 museum trips were made; for Nassau, the figure was 1.44 per 1,000; for Westchester, 1.74.

THE OUTER CITY: GROWTH CRYING OUT FOR GUIDANCE

(This is the last of five articles by correspondents of The New York Times on the growth, complexities and attitudes of suburban America.)

(By Linda Greenhouse)

SANTA ANA, CALIF.—Growth, the snowballing, leap-frogging growth that for so long held out to the suburbs the promise of an endlessly prosperous future, has suddenly developed into a shadow across that future.

Everywhere in the new outer cities, politicians, planners and residents of subdivisions that were strawberry patches or orange groves less than a generation ago are taking increasingly worried looks at the growth rates they once welcomed and pointed to with pride.

Here is Orange County, the population doubled in the last 10 years, from 700,000 to more than 1.4 million. But public opinion has turned so decisively against keeping up that pace that the new chairman of the County Board of Supervisors can make a statement nearly unthinkable a few years ago.

"The Chamber of Commerce tells us that growth is wonderful," Robert Battin says. "I see it as a cancer."

In the last decade, the number of people living in the nation's suburbs climbed from 55 million to 76 million.

The most recent census figures, still uncompiled, will show that the suburbs contain more apartments, more office parks, more high-rise construction than ever before. A 29-story office tower in Towson, Md., a 103-warehouse industrial park outside Decatur, Ga., a planned city for 430,000 in Orange County tell only a fraction of the story.

Thirty years ago, only 2 out of every 10 Americans lived in the suburbs. Now the suburbs claim 4 of every 10. Only recently have these people come to realize that the city they now live in—the new Outer City—is becoming the city they thought they had left behind, with many of the same problems and responsibilities.

They know they cannot turn Santa Ana back into an orange grove, and for the most part they would not want to. People are seeking not to reverse the tide, but to hold it—or at least to channel and direct it, to soften the impact.

But for all the numbers and potential power, the outer cities remain largely masses of little islands, unable to work together to harness the forces shaping the future.

So development continues to accelerate beyond the grasp of a Santa Ana, which fears that apartment construction may soon bring in 50,000 new people, more than it can provide services for. Despite Mr. Battin's fighting words, the outer city is not yet in control of its future.

ECOLOGY MOVEMENT

The turn against growth was gaining momentum even before the emergence of ecology as an issue in the last year or two. Suburban residents, like those in New Jersey's Bergen County, as well as California's Orange County, had already begun to worry about the traffic jams, the rising taxes to pay for more schools and public services, the spillover of racial problems, the first signs of what one suburban planner calls "the spreading great central crud."

Now the ecology movement has given these worries a new focus and momentum and, even among conservatives, a new respectability.

"Many politically conservative people want the natural assets of the county preserved for their own use, and don't want other people to come in and glop it up," says Forest Dickason, director of the Orange County Department of Planning.

HOUSTON VIEW

Even in Houston, which its boosters delight in calling a boomtown, one of the city's wealthiest men can muse: "Houston is still not prepared to say no to growth, despite the traffic and pollution. But I personally would like to see the streets rendered passable and the air cleared before I'd invite anyone else to come here."

And in Baltimore County, Dan Colasino, administrative assistant to the county executive, mentioned a proposal to build 25,000 units of low-income housing for blacks and commented: "We don't even have enough for whites. This county is growing very fast—too damn fast."

The rising public wariness toward growth has brought subtle shifts in the balance of power between the private market and the public planners, long the flabby stepchildren of local government.

When 1,700 people crowd into a junior high school auditorium in White Plains, N.Y., on a Saturday morning to hear the Regional Plan Association's presentation of "The Future of Westchester County," there is no doubt that suburban residents care about what planners have to tell them.

When the public outcry on behalf of the Baltimore County Planning Department, which last fall removed large sections of the county's vacant land from potential commercial development, is so great the County Council has to withdraw the changes it tried to make on behalf of the developers, there is no doubt that the planners have acquired new muscle.

But visits and interviews around the country produced clear evidence that, despite the planners' new leverage, the private market remains by far the most powerful engine of growth, shaping the future of the new outer city as it once gave form to the old.

The new suburban landscape itself—with its growing concentration of high-rise office

buildings, sprawling industrial parks, luxury housing in planned unit developments—offers dramatic evidence.

To support "high-density" development is still bad politics in most suburban areas, arousing such negative feelings that most planners are reluctant to squander their credibility by advocating more apartments.

But the private sector is not only building apartments at an astonishing rate; it is both creating and satisfying a rapidly growing public demand for them.

MANY WELCOME APARTMENTS

While many families still live in apartments because they cannot afford to buy houses, an increasing number of suburban middle-class families welcome the imaginative design, convenience and recreation facilities that the new developments offer.

"A child who has grown up in a typical suburb has had his fill of cutting all that grass," said Clark Harrison, chairman of the board of commissioners of DeKalb County in suburban Atlanta.

Mr. Harrison offers DeKalb as an illustration of the paradox reflected around the country—that suburban residents denounce apartments and seem to rush into apartments at the same time.

"It's the strangest thing," he said. "People around here complain when they can see a high-rise building through the trees." Yet apartment construction in DeKalb is now outpacing single family homes by 2 to 1, and the ratio is certain to increase.

Just as residents of the outer cities are turning to these new forms of social organization, they are looking to new governmental structures to ease the impact of the growth.

Everywhere people talk as if the forms themselves matter. In Cuyahoga County, for example, civic leaders complain that countywide cooperation on planning issues is impossible with Cleveland and 59 other towns and cities to contend with.

But liberals in Baltimore County, 600 square miles without a single incorporated city, make the opposite complaint. They insist that the lack of community governments makes it harder for individual views to be heard.

Meanwhile, many city leaders say that if only they had metropolitan government—to offset the flight of their tax base and middle class to the suburbs—they would have the resources to solve their problems.

NO PANACEA THERE

But Houston's experience indicates that structure alone can never be the panacea people seek.

Houston, in effect, does have metropolitan government. A strong Texas law allows it to annex the areas which in other states would become suburban rings.

But instead of using its resources to attack its poverty problems or improve its housing and schools, it chooses to tax itself at the lowest rate of the 25 largest cities.

Its school district, for example, spends $511 a pupil annually, $300 below the national average and less than half of New York's expenditure.

EMPHASIS ON QUALITY

The new public concern about unlimited development has challenged both local governments and the private market. Government's attempts to channel growth have been largely ineffective. For its part, the private market has responded to the challenge with new attention to quality in planning and design. It does not matter whether that change is born of conviction or is merely a concession to the mood of a public no longer willing to pay for unimaginative urban sprawl. The final product is the same, and it is often stunning.

Builders who admit that they might once have been content to put up rows of identical little houses say now that they are willing to spend the extra money that quality design requires.

"Good architecture pays off fast—and it doesn't necessarily cost that much more," said Gerald D. Hines, whose $50 million Galleria has become a new urban center six miles southwest of downtown Houston. "People now will pay that little extra for quality."

NEW PROBLEMS CREATED

Nevertheless, the very scale and quality of the new growth, itself a response to problems of the past, is creating a problem that may eventually make the victories over poor design and unmanaged growth look pyrrhic indeed.

Here in Santa Ana, the seat of Orange County, that challenge is already dramatically apparent. While its population is only a tenth of the county's 1.4 million, Santa Ana already has two-thirds of the black population, a third of the welfare caseload and at least a third of the poor Mexican-American barrios.

Even its better areas, like those in much of the older portions of the county, are vulnerable to change. Eighty-five per cent of the housing in Orange County has been built since 1950. "Like the one-horse shay, it will all wear out at once," says Alfred Bell, principal planner for the County Planning Department. "Within the decade, our rehabilitation needs will be massive."

And now change stares Santa Ana hard in the face. The city lies adjacent to the 80,000-acre Irvine Ranch, said to be the single most valuable parcel of undeveloped urban land in the world, which already is being developed into a handsome, planned city for 430,000.

The city fears that the Irvine development will be a magnet, drawing people and resources away from Santa Ana.

Unless the Irvine developers can be persuaded to include substantial amounts of low-income housing in their plans, says Carl Thornton, the Santa Ana city manager, "our city will look like downtown Kansas City, downtown Detroit."

And so the cycle begins anew. It appears to be a new natural law that even areas that grew up as satellites to inner cities must, as they themselves grow, create their own poor cores, their own repositories for the infirm, the incapable, the unwanted.

Whether through lack of resources or lack of will, if local government remains powerless to guide the form or pace of growth—to make sure there is room for the poor as well as the rich, for people as well as cars—what is the future for the new outer cities?

Will the private market, motivated by the new public desire for quality, be free to create still newer forms, more daring and imaginative than anything we have yet seen—as different from the present as the glass towers of New York's Lexington Avenue are from the four-story, red-brick tenements that preceded them a generation ago?

Or, operating without consistent guidelines for balancing public and private needs, are the developers of the new cities bound to repeat the mistakes of the old?

Or will local communities themselves, with or without coherent government, somehow be able to compel virtue from the private sector through zoning or new government forms?

Edgardo Contini, a noted Los Angeles urbanist, is convinced that to rely on local governments to save the new cities from the fate of the old is to insure failure.

"Solutions have to come from a level higher than the problem," he said. "Don't ask for virtue retail. Don't ask local communities to martyr themselves. You are asking them to be noble, and people are not like that. The leadership has to come from the top, from the Federal Government."

The pace of growth this time around is quicker. The scale is bigger, and the stakes, in the Outer City, are vastly higher.

As Prof. Richard Baisden, dean of the extension division of the University of California at Irvine, said during dinner at the resort enclave of Corona del Mar:

"I came here in flight from smog and congestion and I've found relief from both, temporarily. But after this, I don't know where people will go.

"I don't know where we can go from here."

REMARKS OF SECRETARY OF THE ARMY STANLEY R. RESOR

Mr. THURMOND. Mr. President, On May 22, 1971, Secretary of the Army Stanley R. Resor met with the press following the announcement he would return to civilian life after 6 years as Army Secretary.

This press conference was important because it was the first time Secretary Resor had spoken about the all-volunteer Armed Forces and Vietnam without the political constraints of his job.

During his remarks he stated it was "wholly unrealistic to think that you can get there in 1 year" when asked about the all-volunteer Armed Force. In fact, the Secretary showed doubt as to whether an all-volunteer force could ever be attained short of massive pay hikes and greatly reduced manpower levels.

These remarks and others fully support the 2-year draft extension approved by the Senate Armed Services Committee.

Mr. President, because of the importance of this press conference on the pending amendment and other amendments to H.R. 6531, I ask unanimous consent that Mr. Resor's press conference be printed in the RECORD.

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

NEWS CONFERENCE BY SECRETARY OF THE ARMY STANLEY R. RESOR, MAY 22, 1971

Secretary RESOR. Good morning. I'm sorry to bring you gentlemen in on a Saturday.

Q. Mr. Secretary, looking back on your long tenure as Secretary of the Army, would you approve or recommend the policy that started out, as I think Mr. McNamara put it, "graduated military force for limited political goals" in Vietnam? Do you think it's been successful?

A. I think the wisdom of our entry into Vietnam really can't be assessed conclusively until we see how the situation eventually develops. I think it is clear now, in hindsight, that the costs of Vietnam, in the sense of divisive effect domestically, were not anticipated or at least greatly underestimated, and I think we greatly underestimated the difficulty of what we were trying to do. It was a new kind of military operation, but I think we have learned as we've gone; and I think that the use of military power in Vietnam—by that I mean not only United States but all allied, particularly South Vietnamese—has been much more effective in the last few years. And I think we've come to a much more mature and deeper recognition of the fact that it's not just military power but that you have to have a strategy that deals with—across—the whole spectrum of economic problems and political problems. Particularly I think of the need to build up the capability of the South Vietnamese to govern themselves, particularly on the local level, in the provinces, the districts, the villages, and I think that's where great strides have been made. I'm particularly impressed with the operation that Colonel Nguyen Be runs down at Vung Tau,

the National Cadre Training Center, which is a wholly Vietnamese operation. That's one of the impressive things about it. It's low cost and Vietnamese. We're often criticized by saying that we're trying to impose on the Vietnamese Western culture and expensive Western armaments and systems. The National Cadre Training Center is just the opposite of all that. We now see the importance of things like land reform; and as I indicated to you the other day, that program is probably the most revolutionary agrarian reform of this century in a free-world country, and it's ahead of schedule. It's something that President Thieu himself is behind and taken the leadership in, which I think is interesting because their government is so criticized as being too authoritarian and militaristic.

Q. Mr. Secretary, you say that the wisdom of our entering into Vietnam cannot be assessed, but it's effect on the U.S. Army certainly could be assessed now. The U.S. Army did bear the brunt of the load in Vietnam. How would you now assess what Vietnam has done to the Army?

A. Well, interestingly enough, let's take the affirmative side first. I think Vietnam has been another example of the experience of the U.S. Army, post-World War II, or beginning in World War II, which makes the Army in this period so different from the Army of pre-World War II. It's an Army that's exposed and has responsibility of dealing with a wide range of international problems. It's no longer a parochial institution or an institution whose sights and responsibilities are confined to the United States, and I think therefore it's an institution which has developed and which has greater capabilities by virtue of its experience in South Vietnam. Just the things I referred to—for instance, the whole CORDS program. Conceptually, that was to have been a 50 per cent military, 50 per cent civilian program; but it has turned out to be predominantly military because the military had the capability and also the military could be assigned there, and you could staff it with adequate people from the military. This is a program in essentially nation-building which is being successful, and I think this is a capability—to deal with this kind of underdeveloped country—which our Army has developed as a result of Vietnam, which it didn't have before Vietnam.

Vietnam has been very difficult from the sort of conventional morale point of view. It's been the longest war we've ever been in. It's been the war with the least popular—in these recent last years—with the least popular support. At the same time, we've had to deal with the problems that come out of our society as a whole—drugs, race problems, and the whole attitude of young people toward old institutions. And yet in spite of that, the United States Army is fighting effectively in Vietnam today. I think it's a tremendous tribute to the Army as an institution and the people that furnished the leadership in the Army and to the young American soldier that he carries on and is effective against these tremendous odds. And I think we'll see that continue so long as our presence is necessary there.

Q. Mr. Secretary, would it be possible for us to make a total withdrawal of troops from Vietnam? When would it be possible for us to make a total withdrawal of troops?

A. I think Mr. Laird has made the policy clear that there are essentially three phases—there's the turning over of ground combat, and at the same time turning over the logistics support, and then the second phase is more of the turning over of the logistics support, and then the third phase is the so-called "residual force," which will be—the President has indicated—will be maintained there so long as either we have not settled the prisoner of war situation or/and until the South Vietnamese have a capability to stand on their own. So I don't think you can say definitely today, as I indicated the other day, I think you can't predict exactly when all forces at this time will be withdrawn, but they will be significantly—progressively and significantly—reduced until you get to this residual force, which I think the President has indicated will be there until those two conditions are satisfied.

Q. Do you think the all-volunteer force is a practical goal, emphasizing practical, in the absence of a larger pay increase than has been proposed?

A. The first important point is that it is clearly not do-able in less than two years; and I doubt that you can get to a zero draft even in two years. But it is clearly not do-able in less than two years, so that the two-year extension of the draft is absolutely essential if you believe seriously in our national security and don't wish to see our Army, for example, run at least 100,000 men short of the smallest—and I'm measuring it now against the Army which at that time will be as small as any Army we have had since Korea. And as I have indicated in thoughts before, I think this is a time when conventional forces are increasing in importance, as we enter an age of nuclear parity, when the scope and effectiveness of our nuclear deterrence becomes narrowed. Is it feasible? It is in the sense that if you wanted to apply unlimited resources and take unlimited time or reduce the force structure drastically, you could get to a zero draft. I think one doesn't know at this point exactly how far you can get in two years, because it depends on what resources you have and how effectively you employ them. I personally don't think that it is wise to try to reach a zero draft by across-the-board pay increases. I think that that, in essence, will be pricing the conventional force—raising the cost of doing business—and pricing it out of the market, that to reduce reliance on the draft wisely you've got to focus your additional compensation where it is the most cost effective—focus it on those areas which are hardest to recruit. It just don't to me make any sense at all to raise the pay of all military personnel to the level it takes to attract combat infantrymen. That's a very expensive way to proceed. That's why the Administration's proposal for new enlistment bonuses for combat arms is acceptable, because that's the most effective way to proceed.

Q. Sir, how long do you think it will be before we could reach that goal of an all-volunteer force? I mean beyond the two-year period.

A. I don't think you can tell at this point, because I think what you have to do is first examine the effect of this pay increase—the fifty-per cent pay increase that is before the Congress today—and more particularly the effect of the focused pay incentives, the new enlistment bonus for combat arms. From that you can get data or build a data base from which you can make a prediction. I don't think today we have enough data to know what compensation increases—particularly focused ones—will do. I think we do have enough data to know that you can't get there by across-the-board increases in a two-year period.

Q. Do you specifically anticipate that the Army can get there, or the Defense Department can get there, by the July '73 goal; or do you feel now that it is somewhat unrealistic?

A. I think one would have the best chance of getting there if you put a major amount of your additional compensation in focused pay incentives. I think if the major increases are across-the-board pay increases, then I think it is most unlikely that you could get there in a two-year period. I think some of you are, I am sure, familiar with the Gates Commission report. We now know that there were certain misestimates made there, and I think they tend to confuse the situation. For example, they overestimated the number of true volunteers. The reason they did is they didn't have the benefit of the lottery numbers. We have now studied the lottery numbers, and we know that the Army in 1970 got 65,000 true volunteers instead of the 97,000 that the Gates Commission estimated. Similarly, in the new accession requirement they underestimated the Fiscal '72 new accesion requirement by 100,000. And finally they didn't address the difference in the elasticity between recruiting generally for new accessions and recruiting for combat arms. We in the Army, in Fiscal '72, to get a zero draft, would have to increase total accessions by four times—three and one-half to four times. We would have to go from 65,000 in 1970 to about 220,000 in Fiscal '72. In combat arms, for infantrymen we would have to increase our accessions by roughly 25 times, because today only four per cent of our infantrymen are true volunteers. Again, we know that based on the lottery numbers. So it's wholly unrealistic to think that you can get there in one year. To increase overall accessions four times and combat arms accessions 25 times surely will take you more than one year. Finally, the Gates Commission estimated that for each 10 per cent pay increase you get a twelve and one-half per cent increase in new accessions, and that that relationship holds for any number of 10 per cent pay increases. They in their own back-up studies pointed out that this was an uncertain assumption and that a variation in reality from this assumption would have a significant effect on cost. And if you were to put the correct number of volunteers and the correct number of new accessions into the Gates methodology and still use their fixed elasticity assumption, the cost, recomputed, of a zero draft would be about seven and one-half billion dollars annually. I think Congress will want to seriously consider the allocation of those resources versus other claimants. So again I say that it is important that we not do it by across-the-board pay increases, but do it by focused pay incentives, put those into effect as soon as possible and collect a data base based upon those, and then you can make a more intelligent estimate of how long it takes and what it costs.

Q. Is this seven and one-half billion figure used in relation to the two and one-half billion which the Gates Commission projected as the probable cost?

A. I think, Fred, their figure—I'd like to check this—was three and one-half billion if you added in some of the related retirement benefits and so forth.

Q. What then is the seven and one-half billion?

A. The seven and one-half I think is comparable to their three and one-half, but I can check that for you quickly after the meeting here. Fred's question is really whether it's comparable to three and one-half or two and one-half, and just from the top of my head I can't answer that one.

Q. This projection of 65,000 true volunteers was for what fiscal year? 1971?

A. Calendar Year 1970. There is a range. Some people say 60 to 70. I have used 65,000. I think that's the best figure. Just for the Army.

Q. You said you extracted this information from lottery numbers. You mean you calculated the number of volunteers who had lottery numbers above 200 or that . . . .?

A. Exactly. You take the top third who weren't subject to draft pressure at all, see how many people volunteered in that third, and multiply by three. It's as simple as that; and I think it's quite a good way to estimate the true volunteers. We did the same thing for the Reserve Components, and there it shows that the Reserve Components today are 80 per cent draft motivated.

Q. Mr. Secretary, have you already fulfilled your review responsibility in the Calley case, or will you pass it on to your successor?

A. No, I haven't. The Secretary of the Army comes into the picture only after the current review by General Connor, the 3rd Army Commander, is completed and then the two intervening court reviews are completed—the Court of Military Review and the Court of Military Appeals. The first review is mandatory, the second one depends as one of the parties' appealing to the civilian court, the Court of Military Appeals. And only after those three intermediate reviews are completed does the option arise of going to the Secretary of the Army with respect to sentencing.

Q. So you probably won't get to do it then before you leave in June?

A. Oh, no, that's quite clear.

Q. Mr. Secretary, the defense lawyers at Fort Meade yesterday charged that your decisions with regard to Generals Koster and Young were prejudicial in the case of Colonel Henderson. Can you comment on that, sir?

A. No, I don't think I should—I've consistently taken the position that I shouldn't comment on the My Lai case at all for good legal reasons, and I think it's safer to adhere to that.

Q. Then you presume that it was not prejudicial or that it did not indicate command influence?

A. That's right.

Q. To go back to your first answer—you said the wisdom of our entry into Vietnam could not now be assessed. Could I ask you, in the light of your long service and the turmoil here at home and the long drawn out nature of the war, if you now have any doubts about our entry into Vietnam?

A. Yes, I think I would, but as I say, I'm not myself—I haven't reached a personal final conclusion. I think if it turns out we achieve our objective—and I think there is a good chance that we still can—namely, that they stand on their own feet with a viable and stable government that can defend itself, and then if domestically we recover from our discouragement and current divisive situation, then I think on balance it may turn to have been the wise thing to do. I think we're going through today a critical period where we are as a nation discouraged by our experience in Vietnam, discouraged by the other problems of our society as a whole—drugs, for example, and the polarization among the races. If this were to result in a return to an isolationist policy or a neo-isolationist policy, if this were to result in significant unilateral reductions of force in Europe, which in turn caused the Germans to accommodate with the Soviets and undermine the possibility which looks so promising today with the potential entry of Europe in the Common Market—the potential of developing stronger cohesiveness among the Western European countries and a greater power to contribute to their own defense. If that were all undermined by a revulsion with respect to our experience in Vietnam, then I think surely it would have been an unwise thing to have done.

I hope and think that we're mature enough not to let that come about and to distinguish between Asia and Western Europe. I think myself the Nixon policy, it is clear, means in Asia a greater reliance on allied manpower, but I think it also is clear that it means Western Europe is still the center of focus of our international policy and that stability in Western Europe is absolutely essential to the kind of free world that we know, and that we will make the sacrifices that are necessary to maintain the force levels, to maintain stability, and to buy the time. These force levels in my view buy time for Western Europe to develop these political institutions which you see growing right before your eyes, the Common Market being the most important one. Then as those institutions develop, the tremendous resources of Western Europe—which are greater than the resources of all the Warsaw Pact put together, greater in population, greater in Gross National Product—those great resources then can be effectively used in their own defense. And then our U.S. burden will be lessened, but it won't be lessened if we don't stay the course and have the patience. If we unilaterally move now to withdraw, we'll undermine this hope; and there's a real danger that the Germans will turn east as they have so often in their history.

Q. Do I understand you to say that the German Ost Politik is inconsistent with a Strong Common Market?

A. No, I don't. In fact, the Ost Politik is, as Helmudt Schmidt has made so clear, dependent on a strong NATO. The building of bridges in the proper way from a strong Germany to Russia is made possible only by a strong NATO. That's what I understand Ost Politik is. But if we unilaterally withdraw, then we force the Germans into accommodation with the Soviets, sort of a Finlandization of Germany; and that's something entirely different from what they now contemplate by Ost Politik.

Q. Mr. Resor, again back to the figures. You said that you need the draft extension two years if you are not going to run 100,000 men short of the minimum number the Army will have on board. What is that number from which you would be 100,000 short?

A. It's certainly no more than 900,000 and even at an Army as low as 900,000 you would still be at least 100,000 short. I think actually it's a figure lower than that. I think it's a figure around 870,000, and you would be 100,000 short of that figure.

Q. That's the end of FY 72 figure?

A. 73. Now, this is not a—we haven't set the 73 budget yet, and so this is just looking at the impact of a no-two-year extension, trying to get a range of what the impact would be. Now, of course, you would have a very serious—more serious—impact on the Reserve Components. They would go down a couple of hundred thousand below their currently mandated manpower level.

Q. Mr. Secretary, would you say that overall in future our country might be better off if our Army did not get involved in another Asian land war?

A. Yes. Well, I don't think, again, I think it's terribly unwise to generalize for long periods in the future, but I think certainly one would say that we would weigh much more carefully the use of ground troops in Asia because, I think, we see more clearly today the costs of it. We see more clearly the difficulties of limited war; but I think one of the things that was done right in the Vietnam War, and was done right in the Korean War was that it was a limited use of power for a limited objective, which of course turned out successfully in Korea. Korea is, I think, something we can be very proud of, the result of our effort there, because today Korea's Gross National Product expands at 10 per cent a year. It has a strong ground force capable of defending themselves against the North Koreans alone, and in South Vietnam we learned from the Korean War and we continued the policy of a limited application of military power. I think the days of all-out war are gone, and I think it's clear that our policymakers have accepted that conclusion, of course, because of the problems of nuclear weapons.

Q. Has Vietnam shown, Mr. Secretary, that our Army possibly cannot win a conclusive victory against jungle guerrillas?

A. No. I think victory is an ambiguous term which causes, I think, a lot of confusion if applied to the Vietnam scene. I think you have to keep firmly in mind what our objectives are. Our objectives are that the Government of South Vietnam shall be viable and be able to stand on its own feet, and I think we have the potential to achieve that objective. I don't think, as I indicated the other day, that it's by any means assured; but I think that we have a good chance of achieving that. We will have done it, if we do, by this total strategy of the military, the economic, and the political together; and that it what I think we've learned from the Vietnam War—a better understanding of how to deal with guerrilla attacks and insurgency.

Q. But does it seem practical to eradicate a guerrilla force?

A. What we've learned is that you have to first furnish relative security for most of the population. That's what's going on in the Delta today under General Trung, who is as fine a military leader as there is, as we have in our Army. He has set up fire bases throughout all the enemy based areas, and he's going to provide relative security in the Delta. That doesn't mean you're not going to have some terrorism, and that will continue, and continue for a long time; but if you have relative security, then you control the population, and the guerrilla movement no longer can replace its losses. And gradually over time it will be able to be handled by the police power of the state more and the military less.

Q. Aren't you saying, sir, that it's impossible for one side to fight a limited war? We say we're fighting a limited war but they're not, they're fighting all out.

A. I'm talking limited in the sense of we're not using our total military power, namely for example, our nuclear power. We've never bombed cities, and I think quite wisely so. Thank you very much.

After coordination with Mr. Kester, Dep ASA(M&RA), LTC Smith contacted Fred Hoffman, AP Pentagon Correspondent at 1210 hours, 22 May 71 and provided the following information regarding his question on costs for a volunteer force:

"The Gates Commission underestimated the number of accessions required—underestimated by approximately 35,000 the number of true volunteers (partly because they did not have the benefit of the experience gained from the lottery system); and did not differentiate for combat skilled and non-combat skilled personnel.

"Our accessions plus the number of true volunteers, computed by the Gates Commission formula, indicate that the cost for FY 73 will be in the neighborhood of 7.5 billion dollars—although this too is still a very imprecise figure—instead of the 2.7 billion dollars estimated by the Gates Commission."

REUSS PROPOSAL TO LET DOLLAR FLOAT HAS GREAT MERIT

Mr. PROXMIRE. Mr. President, there is no Member of Congress who surpasses Congressman HENRY REUSS of Wisconsin in his knowledge of international financial and economic affairs. Time and again he has proposed innovative and constructive ideas which the highly conservative international banking community has originally opposed, but which in the end they have adopted—usually without giving Congressman REUSS the great credit he deserves.

Now, once again, he has made an innovative and constructive proposal. And once again the Treasury and the international financial community has poohpoohed the idea. But Congressman REUSS is right and they are wrong. I predict that in the not too distant future they will accept his proposal.

Congressman REUSS has introduced a resolution to let the dollar float in the international currency markets. At the present time its price is pegged. Unlike other commodities—and money is a commodity—its price is fixed arbitrarily.

But a floating dollar would introduce

into the present-day international money mechanism the automatic adjustments reflecting the genuine economic conditions in the world. If U.S. prices are too high, if the economy is sated with inflation, then a floating dollar would adjust those prices internationally to their real market price. That would help stimulate our exports, when prices are too high, bring in dollars from abroad, and help to make economic adjustments long overdue.

Congressman REUSS is right. It is amazing to me that his obviously correct proposal is opposed by the Treasury. For the only substitute for it is a controlled market and a controlled price which otherwise highly conservative bankers shun.

What they appear to want is competition for others, but controlled prices for themselves.

I commend the Reuss position to the Congress and the country. I ask unanimous consent that a short article from the Wall Street Journal reporting it and the opposition to 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:

REPRESENTATIVE REUSS WOULD LET DOLLAR "FLOAT" DOWN; RESOLUTION SEEN ATTRACTING LITTLE INTEREST

WASHINGTON.—A resolution calling for the Nixon administration to let the dollar "float" down in international currency markets was introduced by Rep. Henry Reuss, but drew an instant Treasury rebuttal.

The proposal by the Wisconsin Democrat, who heads the international exchange unit of the Congressional Joint Economic Committee, is similar to the views of a number of European financial authorities who contend the dollar is overvalued and should be allowed to drift moderately lower.

However, there has been little thought about such matters in Congress generally, analysts say, and they figure the resolution will attract little interest. A Treasury spokesman said emphatically that Mr. Reuss's proposal "is certainly not the position of the U.S. government" noting that Secretary John B. Connally made clear last week in a speech in Munich that "we aren't going to devalue" the dollar.

At present, the dollar is held to a fixed value by the Treasury's practice of paying out gold at the official price of $35 an ounce to foreign central banks wishing to turn in excess dollars. "Only by closing the gold window," Mr. Reuss argued, can the dollar "find a new and sounder relationship" with the Japanese yen and other undervalued currencies, thus avoiding "deterioration of our trading position and a return to trade autarchy."

The dollar is no longer so far out of line against a number of other currencies, Mr. Reuss noted, with Germany, Holland and Canada currently allowing their currencies to float up in exchange markets, and with Austria and Switzerland recently having set higher fixed parities for their currencies.

But Japan, he said, can still "flood our markets" with its goods and, thus, goad American business and labor into seeking import curbs that "could be the end of free trade." Talk of the dollar going down in value, Mr. Reuss suggested, "may very well" prompt the Japanese central bank to follow the German example and let the yen float up and the dollar down in Japan's exchange markets. "This would be a good thing for the U.S., for the world monetary system, and in the end for Japan, too," he said.

The U.S., he added, ought to compensate foreign central banks for any loss in the value of the dollar reserves as of June 1, provided they avoid gold and other dealings that could frustrate the "unilateral" action he recommends.

TRIBUTE TO AUDIE MURPHY

Mr. TOWER. Mr. President, on Friday, May 28, a tragic airplane accident took the life of one of America's most distinguished soldiers. Audie Murphy was only 20 years old when his heroism stunned America and gave each of us a sense of pride that he was ours. During World War II, a war of unprecedented bravery, Lieutenant Murphy became our most decorated serviceman. In and of themselves these decorations had little meaning—a piece of metal, a scrap of cloth. He gave most of them away to children. It is the fact that each of these medals represents some heroic act, a risk of life and safety, that gives meaning to the fact that Audie Murphy was our most decorated hero. He was our bravest hero. Of 235 men in his original company, only he and a supply sergeant survived the struggle from Italy to southern France.

It is Audie Murphy's selfless courage that serves as an inspiration to all Americans, young and old. The altruistic willingness to lay down one's own life for his comrades is man's most noble trait. Lieutenant Murphy exhibited that trait from Casablanca to France.

I take particular pride in the fact that Audie Murphy was from my home State. He was born near Kingston in Hunt County, Tex. He contributed enormously to the Texas heritage of courage which has found its way from the Alamo to Khe Sanh. We shall not forget him.

ANOTHER SILENT MAJORITY

Mr. McGOVERN. Mr. President, a New Hampshire doctor has written to the editor of the New York Times concerning the inequities of the draft. Of particular concern are his remarks which indicate that certain minority groups are contributing their sons to the Armed Forces in far greater measure than would be required by their share of the Nation's population.

I ask unanimous consent that the letter from Dr. George Margolis be printed in the RECORD.

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

ANOTHER SILENT MAJORITY

To the Editor:

As Congress considers extension of the military draft it is imperative that it review its extraordinarily vulnerable position.

Over one million Americans have had a close family member either killed or seriously wounded in Vietnam. But it must be recognized that the risks are not shared equally across the population. The bereaved families overrepresent the great American underclass, consisting of less privileged whites and all but the very upper crust of nonwhites. Two statistics drive home this point.

First, let us look at Congress itself. A Congressional Quarterly survey (February 13, 1970) found that only 3.6 per cent of the Congressmen had sons or grandsons who saw combat in Vietnam. Of 234 draft-eligible sons, half were deferred and only 26 ever served in Vietnam. One was wounded—only one.

For comparison, let us look at figures from a single minority group. Forty-five per cent of Mexican-Americans eligible for the draft are drafted, while only 19 per cent of Anglos eligible for the draft are drafted. As a result, the former ethnic group, which constitutes only 5 per cent of the American population makes up 20 per cent of the casualties in Vietnam.

E. James Lieberman, from whom comes much of the argument presented here ("War and the Family," Modern Medicine, April 19, 1971) calls this attrition "genasthenia" (race weakening) to bring home the concept of systematic, albeit unwitting, attenuation of ethnic group strength. As he states, "This group who are hurting the most—and grieving the most—cannot be heard above the regimental drums, the blaring television, the Congressional oratory" and are living in poverty and deprivation—the tragic version of a silent majority.

To me, such examples constitute a cogent argument against the present military draft system.

GEORGE MARGOLIS, M.D.
HANOVER, N.H., *May* 17, 1971.

THE SOLAR ENERGY ALTERNATIVE

Mr. HATFIELD. Mr. President, we all recognize the fact that this country is facing a grave energy crisis. A rising population with increasing power needs must have energy supplied in a manner which will not leave us with a seriously damaged environment.

Among the alternatives which must be considered to meet long-range power needs is solar energy. Certainly, more resources must be directed toward research and development of this nonpolluting form of energy.

The International Solar Energy Society recently held a conference at the NASA-Goddard Space Flight center near Washington. I ask unanimous consent that the keynote address of Dr. Manfred Altman, of the University of Pennsylvania, be printed in the RECORD.

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

ADDRESS BY DR. MANFRED ALTMAN

A keynote speaker is to be a fighter. He is to set the tone for a meeting not unlike the football coach who inspires his team to go out and conquer.

Unfortunately there is also another kind of keynote speaker—namely the one who comes not to praise Caesar, but to bury him!

Some of my remarks may suggest the latter, but please believe me when I tell you that I really mean to be the former—just be a little patient with me.

Not very long ago one of my friends told me the following story.

His little daughter had just received many beautiful Xmas toys—

Must share with little visitor.

Beat him up.

Why?

Refused to share her toys.

In some ways this little story reminds me of solar energy proponents and the public at large. They refuse to take us seriously and will not play with our toys—Why?

I am first of all reminded of a conversation I had with a gentleman who is pretty high up the ladder in an Electric Utility which shall remain nameless. We talked about the aerospace industry and its poten-

tial for utilizing its skills for terrestrial energy problem solving.

It turned out that he wasn't at all enthused about this prospect. His arguments were simple and direct.

1. Aerospace workers and college professors were only interested in pursuing their research hobby horses.

2. Now that space activities have been cut back—suddenly we descend on the government and the utilities like locusts.

3. We are selfserving alarmists—more concerned with latching on to research dollars than in solving real problems.

4. Breeder reactors have been promised—and fusion reactors will take us far into the millenium.

5. Solar energy—who needs cookers or these ridiculous-looking heating panels?

6. Why don't you people just leave us alone? We are quite capable of doing our job—we have done a good job in the past and we'll continue to do so—much better without your help!

Ladies and gentlemen—I am convinced that these remarks reflect the thinking of most people—including our legislators and many branches of industry.

Solar energy utilization is being born with many strikes against it.

It is futile to argue from a position of weakness—and all infants are weak—including solar energy utilization.

The burden of proof is up to us—and only concrete achievements will refute these allegations.

This, then, is the crux of the matter.

To achieve—we need support—to get support we must have achieved—the classical "Bootstrapping" proposition.

The remainder of my talk will concern itself with the do's and don'ts of skillful bootstrapping.

It appears to me that we are in a position to make some very telling points.

1. The U.S.—with 7% of the world's population burns roughly 46% of the world's yearly energy supply.

Should the world decide that this isn't fair, then we may look forward to a rather spirited competition for burnable resources—be they uranium or petroleum crudes. This possibility becomes a strong probability if one examines the rapid increase in per capita energy consumption in the U.S. and other countries and recognizes the strong relationship between standard of living and energy consumption.

Clearly, then, there is a great need for this country—and also other countries to develop energy sources for which they will not have to compete.

What are the alternatives?

They appear to be—

(a) Coal—because the resources appear to be huge.

(b) Fusion.

(c) Solar energy.

I believe that a good argument can be made that solar energy utilization is preferable to the other two—and deserves careful development as an alternative to the other two. As a matter of fact I will advance the argument that solar energy utilization is preferable—even if coal or fusion can be successfully developed in an environmental and ecologically consistent form.

If coal is used, then sulphur be removed and/or a gasification process will be needed.

Aside from the difficulty of mining, sulphur removal and needed processing—its burnings would still result in two unwanted products:

(a) An increase in CO_2 leading to the Greenhouse effect.

(b) An increase in the net waste heat production of the planet which results in an increase of the earth's surface temperature.

The same argument applies to fusion power.

This expected increase in the earth's surface temperature is a simple consequence of the fact that our waste heat generation is rapidly becoming a significant fraction of the radiant energy we receive from the sun.

Scientists believe that a 3° rise in temperature can trigger a substantial change in the earth's climate. A paper to be presented later will illustrate how close to this occurance we are.

It should be noted that to maintain the earth's surface temperature as it is, we can do one of two things:

(a) Reflect sunlight with giant mirrors, or

(b) Utilize the impinging solar radiation for energy utilization.

This argument, coupled with the total absence of air or water pollution and the absence of radioactive water are a clear plus for solar energy.

The question which arises, then, is simply this.

"Does solar energy show potential as a strong candidate as an energy source?"

I believe that the papers to be presented here will answer this question with a very strong YES!

Solar energy can be used to produce phytoplankton, algae, water hyacinths at substantial rates. The production of these plants removes CO_2 from the air.

There is good reason to believe that these plants can be digested by bacteria to produce H_2 or CH_4. These gases can be used as fuel for electric power, heating and propulsion. Fuel cells or turbines can be used. In such a cycle the waste heat is compensated for by the endothermic photosynthetic reaction, and the CO_2 which is produced is used again.

Is this really in the cards? Well, it's one of the things that needs to be verified, but certainly warrants serious investigation.

What about solar cells? Clearly a major breakthrough is needed here. Caution is indicated, but technical breakthroughs in the solid state industry have occurred in the past—and may very likely happen again!

What about solar powered steam generators? Advances in selective coatings could produce tremendous advances in collector design—and clearly such work needs to be pushed.

In summary, then, what we need to tell the country is this:

We are facing an uncertain future as far as energy resources and energy converters are concerned.

One thing which we have learned a long time ago in the aerospace industry is that one cannot make choices among alternatives unless they are all at roughly the same stage of development.

Let us make sure that solar energy is brought up to the level of the other contenders—lest we make poor choices later on.

Solar energy is not just a dream—if we will it—it can play a major, beneficial role in our lifetime.

We do ask for an opportunity to prove that we are right!

AIR POLLUTION AND NOISE

Mr. CRANSTON. Mr. President, following the introduction of S. 1566, an aircraft noise retrofit bill, the following editorial appeared in the April 26, 1971, Long Beach, Calif., Independent:

THE BIG NOISE IN THE SKY

Airlines have done a great deal to reduce air and noise pollution in recent years.

Pacific Southwest Airlines, for example, will have all its aircraft equipped with smokeless engines by late summer, and PSA has pioneered in developing takeoff procedures that enable planes to ascend rapidly with reduced power.

But even an industry leader like PSA cannot, under present fare schedules and with present technology, achieve the maximum possible reduction of noise. It is almost certainly possible to reduce a jet's noise level by two-thirds to three-fourths—the reduction that will be required for new jets put into service after this year.

Research will be needed to develop the necessary engine modifications, however, and funds will be needed to enable the airlines to pay for the engine conversions.

Funds to pay for the research and the engine modifications would be provided under legislation proposed by Sen. Alan Cranston. Cranston says industry leaders and the Stanford Research Institute have told him the research would take two years and cost $35 million. The engine modifications would cost $1 billion—at an average of $500,000 a plane.

The Cranston plan provides for repayment of the research funds as the companies that receive them get contracts from airlines to do the engine modifications. The airlines would repay their cost from a 1½ per cent fare boost Cranston's bill would authorize.

Cranston foresees an added benefit from his proposal. He says it would result in the employment of 35,000 persons to develop and install the engine improvements. These workers would generate another 105,000 jobs outside the aerospace industry, Cranston estimates.

The Senator's cost and time estimates should be the subject of close congressional scrutiny. If they are near the mark, the legislation would clearly be a rare opportunity to benefit the several million Americans who live in jet flight paths near airports while aiding the depressed aerospace industry.

MAY DAY DEMONSTRATORS

Mr. THURMOND. Mr. President, an editorial titled "Demonstrators Abused Rights" appeared in the May 11, 1971, issue of the Aiken Standard newspaper at Aiken, S.C.

This editorial indicates that an excellent analysis of the May Day demonstrations in Washington was made by Editor Samuel A. Cothran.

As I travel about South Carolina and in other States, it seems clear that the American people recognizes that the May Day demonstrators were no "average citizens" but rather spoiled children with no manners.

This same group has threatened to return to Washington this month and continue their demonstrations concerning the war in Vietnam. The plan to return this month is based on the hope that thousands of college students will join them during this period.

It is my view that the overwhelming majority of college students have no desire to mass in Washington and associate with the leaders or the followers of the May Day demonstration. As I reported in my newsletter, these leaders have clear connections with the Communist Party USA and other groups dedicated to the overthrow of our Government.

Since the 1968 riots in Washington, thousands of young people and adults have deferred trips to this city because of crime and demonstrations. Now that crime is declining here, it is hoped that our summer will not become one demonstration after another and further discourage law abiding citizens who wish to visit their Nation's Capital.

In my view, the May Day demonstrations accomplished nothing. Many of the demonstrators were arrested on drug, property destruction, and assault charges

rather than obstructing traffic. Their return here will not serve the interests they purport to foster nor will it serve the best interests of the people of this city and those who wish to visit it.

Mr. President, 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:

DEMONSTRATORS ABUSED RIGHTS

Pictures from Washington put in perspective the arguments of war protestors that in their vain efforts to shut down the government they were only exercising their constitutional rights. In one photo police are bodily lifting a federal employe over the heads of demonstrators who, massed on steps at the Justice Dept., block the way to her office. In another, a line of motorists bound for work is delayed by demonstrators sitting or lying in traffic lanes.

That those opposing U.S. participation in the Indochina war have the right to protest is undeniable. The Constitution provides the right to peaceably assemble to seek redress and the right to speak freely.

The constitutional guarantee does not carry the right to infringe on the rights of others. That is exactly what the antiwar demonstrators in the capital this week did. Indeed, it became rather obvious that some, realizing their impotence to actually stall government functions, had turned to harassing and inconveniencing fellow citizens as a means of gaining attention. To them it was immaterial whether many of those they affronted may in fact share their views on the war.

Those who live and work in and about Washington—or any other place, for that matter—have the right to go from home to job without interference. They have the right to unrestricted use of public sidewalks and streets. They have the right to move freely in any public place, without having their ways blocked or endangered by the incautious acts of people bent on disruption. That thousands of demonstrators did not hesitate to trammel those rights has been a major factor in the souring of the capital demonstrations.

In short, the war protesters elected to ignore the basic concept that one man's freedom ends where another's begins.

As was noted by Aiken's Louis Cassels, United Press International senior editor, it appears to be a poor way to make a point.

SENATOR MUSKIE SPEAKS ON SOUTHERN LEADERSHIP

Mr. GAMBRELL. Mr. President, on April 30, the junior Senator from Maine (Mr. MUSKIE) came to Atlanta to speak to the LQC Lamar Society of Emory University on the potentials of Southern leadership in this time of national urban crisis. Recognition by national leaders of the contribution which southerners can make toward solving national problems signals an end to some of the divisions which have stood in the way of finding solutions. I commend his speech to the attention of all Senators and ask unanimous consent that it be printed in the RECORD.

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

CITIES OF HOPE—A CHANCE FOR THE NEW SOUTH

(By Senator EDMUND S. MUSKIE)

Thank you, Brandy, for that kind and generous introduction. As a country boy from Maine I can tell that you haven't lost everything you picked up on the farm.

When Brandy first asked me to join you for this symposium, I couldn't say, "No." After all, it was to be a pleasant gathering of friendly people like Brandy who wanted to talk about cities. He didn't tell me it was a meeting against Northern cities, which puts me in the position of being the sinner on exhibit at a revival meeting.

It may be, though, that I can help bridge the gap between northern cities and southern civilization. After all, I have spent the last twelve years in Washington, a city president Kennedy said was noted for its southern efficiency and nothern charm.

There was a time when I saw some irony in requests that I speak as an authority on cities. I grew up in a small town in a rural state, and I turned down a chance to practice law in New York City. I ran for Mayor of Waterville, Maine, once, and was defeated. Waterville's gain turned out to be the Senate's loss, and the Senate gave me a chance to learn about cities—among other things.

There are some advantages in coming on the problems of the city from a rural perspective. You know what a sense of community can mean, and you can understand the attraction and the horror of first encounters with a large city.

There is excitement in the life and movement of the city. There is also fear and loneliness.

A city generates a sense of power, while many of its residents feel powerless. The city holds great promise, but too many of those who rush to it feel cheated.

Thomas Jefferson feared the city, and hoped his country could avoid its horrors. We know that cities cannot be avoided, but we have not yet learned how to make them places of hope.

What is it that we want from our cities?

I suspect each of us wants from a city what we all want from whatever community we call our own. We want a place to share with others who care about that place, because they have roots there, because they feel that they belong, and because they believe they will have a chance to grow there. We want to live in a community where we can help shape its future, where we can control our own destinies.

Those feelings are a part of our national traditions. Some of us have experienced those traditions. Some have read about them. Too many have been excluded from them.

I am one of those fortunate ones who experienced the life and politics of trust. If my father forgot to lock his tailor shop, he did not wake in panic, dress and go down to make sure everything was alright. He went back to sleep, quite sure nothing would be disturbed. The ordinary commerce of life: walking down the main street, getting a quart of milk at the grocery, attending the PTA, passing the time of day after church, all the everyday rituals were a series of accidental but pleasant encounters.

In such a world, where the natural environment and the environment man created were comfortable and unthreatening, our sense of family and community grew. We were participants in our community. Even government was not distant and unapproachable.

Everyone knew his town selectman and state legislator, and many even knew the Congressman. There were familiar faces in the town hall, people we knew, who lived nearby or across the town. And anyone who has attended a New England town meeting knows that "participatory politics" is not a new invention.

I guess it was an attempt to recapture such pleasant memories of an earlier day that led those who could afford the journey on the great crabgrass stampede to the suburbs.

It hasn't worked, and that is as plain to the suburbanites as it is to the armies of strangers left behind in the dying shells of the central city. In an attempt to plant new roots, many suburbanites have found their lives to be rootless, without a sense of belonging anywhere. The poor who have come to the cities find that they have arrived nowhere.

The city is nowhere when it lacks job opportunities, when financial resources are drained to the point where schools cannot be funded, where health programs are practically non-existent, where housing is overcrowded, filthy and unsafe, where crime and drugs rule the scene, and where living is a hazard, not a pleasure.

For many southern communities, this is the nightmare of the future. For too many northern cities, this is the reality of the present.

Your symposium is a timely one, but the time is late.

The South still has a lower density of population than the North, but the pace of in-migration is quickening.

The South still has a fair mix of residential patterns, racial and economic, but the pattern is changing. In the last ten years, for example, southern suburbs became ninety percent or more white as did northern suburbs.

The South still has open space around its cities, but from the air the unmistakable signs of suburban sprawl are scarring the landscape.

And southern mayors and county executives are part of the parade of local officials trying to get the President and the Congress to respond to the desperate financial plight of our cities.

With the history of urban blight in the North, the signs of blight in the South, and the trials and tribulations of the South, is there any hope for the future of southern cities? I think there is.

If we are looking for signs of hope that our Nation can deal with its enormous social problems, we will find some of those signs in the South. That may sound like a sardonic statement to many of you who have been through the agonies of the past fifteen or twenty years. But the history of the South during the past decade offers proof that it is possible to achieve fundamental social change in this country. Customs and practices which seemed fixed in concrete has been overturned.

The changes in the South have proved that personal courage, among whites as well as blacks, can make a difference. Out of a troubled and tortured past, you are creating a brighter future for yourselves, and you have a chance to show the way for the North.

You still have a chance to prevent a new economic stratification.

You still have a chance to structure your communities in a way which will make equal access and equal opportunity and advantage for all.

This is not to say the South can or must solve her urban problems by herself. The Nation has an obligation to help relieve the fiscal burdens of the cities. We have an obligation to correct those national policies which encourage the destruction of inner-city resources. We have an obligation to help cities and metropolitan areas improve the efficiency of their public services. We have an obligation to increase Federal assistance for education, health services, public safety, public transportation, environmental improvement, and the stimulation of healthy economic growth.

I do believe we need to go beyond the traditional, categorical grants-in-aid, to provide general budget support for social services in the cities. Such support, designed to help cities meet the operating costs of fire and police protection, sanitation, health and—where appropriate—education, would lift an enormous burden from local taxpayers.

The Federal government can provide that kind of assistance only if we put more of our resources to work for the building of our society, and less of our resources are invested in weapons of destruction. Our commitment to the well-being of our citizens will be measured by the steps we take to end the war in Vietnam—not someday, but now. That commitment will be measured by the moves we make to end the upward spiral of the arms race—not someday, but now.

I have been in Washington long enough, however, to know that neither I nor anyone else in the Nation's Capital has all the answers to our urban problems. We can supply money, we can identify national priorities, and we can provide support for certain approaches to the problems of the cities. But we cannot, and should not, pretend to have the solution.

Urban renewal was supposed to answer the problem of city slums. Urban renewal has torn down slum buildings, but it has not restored the life of the city.

Our housing programs were supposed to end shortages in middle income and lower income housing. We have built housing, but too many of the middle income houses have been in the suburbs, contributing to the flight from the city, and too many low income housing units have been in new ghettoes of isolation.

Our highway programs were supposed to end traffic congestion. They have increased the flow of traffic, accelerating the flight to the suburbs and destroying houses and communities in the city.

Our farm programs were supposed to keep the farmer on an equal footing with his counterpart in the city. But instead of improving and enriching rural life, we have forced people off the land and into the cities totally unprepared for new jobs and new lives.

Now, in our effort to overcome the crisis in urban finance, in our attempt to control pollution and improve the environment of the cities, and in our search for better ways of governing metropolitan areas, we are trying new ideas for metropolitan government.

These suggestions—for annexation, for regional pollution control agencies, for metropolitan-wide land use controls for regional school systems, and for more comprehensive law enforcement jurisdictions—all these suggestions make sense. After all, one small jurisdiction cannot hope to control pollution in a metropolitan area. Pressures to zone businesses in and low income families out to broaden property tax bases cannot be resisted very well by one small jurisdiction. Restricted school districts cannot meet all the demands for high quality, equal opportunity education. And limited law enforcement jurisdictions cannot begin to handle highly mobile criminal activities.

Arguments for efficiency can drive us inexorably toward dependence on larger units of government, just as arguments for a massive attack on slums drove us to dependence on urban renewal. That approach alone will not lead us to the sense of community we so desperately need.

We are confronted with a paradox, a seeming conflict between the needs of efficiency and community, and none of us has the answer to it.

But I have an underlying faith in the intelligence and good sense of the American people that they can resolve that paradox, if given the opportunity and the right kind of leadership.

Almost two hundred years ago, a group of American citizens met in Philadelphia to resolve a similar paradox. The weak and quarrelsome confederation of American States was confronted with international threats, domestic disruption, economic chaos and governmental inefficiency. Big States and small States were suspicious of each other. Regional pride ran high, and mutual confidence was low. They wanted a more perfect instrument of government, but not at the expense of local control.

The result of their labors was the Constitution of the United States, a remarkable instrument of government which has survived the test of time, has survived the test of time as a framework for endless adjustments in the body politic.

But the Constitution provides a national framework, and a statement of common objectives. It provides no blueprint for the governance of metropolitan areas, whose growth and complexity the Founding Fathers could not foresee. If we are going to make it possible to govern these areas, we must do it ourselves.

There are those who have suggested another constitutional convention—one they call an "urban convention". I think the time is indeed ripe to pursue new ideas and new relationships between State and local governments, and between people and their State and local governments. No single solution will meet the varying conditions in all parts of our country. But new ideas can stimulate a variety of solutions, adapted to local needs and consistent with our objective of a humane, responsive and responsible society.

Your symposium marks one of the most hopeful signs in the struggle of thoughtful Americans toward the creation of cities—and communities—of hope. I suggest that you carry your discussions beyond this point; that you explore the possibilities of "urban conventions", within your region and within your States.

These urban conventions could bring together Governors, legislators, mayors, county executives, and other leaders from public and private life, all dedicated to the goal of cities of hope in the new South.

The agenda at such conventions would be full, but your work would be given direction and purpose by your goal—the goal of planning the basic changes in government needed to create humane, livable cities of tomorrow.

You could tackle the problem of creating and implementing a State urbanization policy, in which zoning authority, land use and building regulations, and other fundamental determinants of the quality of urban life would be shaped to serve public needs.

You could go to work on building a high-quality State-local tax revenue, efficient in its capacity to raise revenue, efficient in its administration, and fair in its impact on the tax-paying citizen.

You could deal with the question of disparities in public services between neighborhoods of different economic and social character, and you could consider the development of enforceable minimum standards designed to achieve fairness in the provision of services in education, sanitation, and other areas of fundamental human need.

In your urban conventions, you could go to work on that paradox I mentioned a moment ago—the paradox of efficiency and community. Perhaps this would be the most important task of all. If we are to make our cities places of hope, we must have more than efficiency, important as that is. We must insure that in our cities, as in smaller communities, individual citizens have a measure of control over their lives. They must have a real voice in the shaping of their neighborhoods, the patterns of transportation, the educational opportunities for their children, and the exercise of law enforcement authority. They must have a direct relationship with their elected representatives, and those representatives must have an effective voice in the governing of the city.

And so, as we consider expanded, simplified metropolitanwide government, we must also consider new ideas for neighborhood government, to overcome the alienation between big city government and its citizens. It has been suggested that state legislatures authorize city and county councils to establish neighborhood sub-units of government, each with an elected council, and with power to undertake self-help projects and to influence city actions having special impact on the neighborhood. Each neighborhood district could also elect its own representatives to the overall governing body of the metropolitan area, and each could serve as the focus of community and social contact. These ideas, their promises and their problems, are all part of the agenda for your urban conventions.

You have before you, then, an opportunity to make the South a laboratory for the future, rather than a reminder of a troubled past. Your urban conventions can be the preparation, and the inspiration, for national urban convention, which could mobilize our energies to build the new America of the third century of our history.

In making this suggestion tonight, I speak for the millions who live and work in the cities of this land, who have witnessed the death of civility and the loss of a sense of belonging. They are the millions of Americans who suffer from loneliness in the midst of crowds, while their retreats of privacy are destroyed.

I speak for them when I appeal to the people of the South—and through you to your city councilmen, and mayors, county executives, legislators and governors—I appeal to you to make this region, in this decade, a great laboratory for the creation of the humane city. You have the tools and the talent, and I believe you have the imagination and the will. I know you have the leaders, from my contacts with your mayors and many of the members of this society.

But make no mistake, it will not be easy.

It will not be the meek who inherit the southern land before it is bulldozed and buried under miles of concrete.

It will not be the timid who control the instruments of government which shape the future of the South.

It will not be one class or one group which determines how the South shall grow.

What are the choices? And who shall the South be for? Will you abandon your cities to development by the random, insensitive blades of the bulldozers, fueled and piloted by short-term promises. Bulldozers and highways do not vote. They feel no pain and have no sense of community: neither do they need privacy.

Privacy, hope, love and trust, dignity, kindness: an eye for beauty, an ear for laughter, sympathy for the sorrowing—these are human traits, not the desires of economic man or political man, but man, period. Cities must be built and governed by those who put those traits first, for every man and woman, not those who put economic gain and political power first.

I believe the people of the South can find the way. That is why I came to be with you and to listen to you this week. I believe you will make the urban environment yield to the necessities of man, not to his machines. And if the great urban laboratory of the South succeeds, as I think it can, then you will have discovered something you can present as an example and a gift to the Nation.

FARM LABOR AND UNIONIZATION

Mr. BENNETT. Mr. President, as a long-time advocate of the right-to-work principle, I was very pleased to see the recent results from the Opinion Research Corp. poll on right-to-work for farm labor. The results of this survey have been presented to the Senate, but I would again like to draw the attention of my colleagues to the signifi-

cance of this survey and record my own views.

This Nation, particularly some of our Western States, has been made increasingly aware of the problems in the area of farm labor. There have been strikes, boycotts, and counter-boycotts by groups attempting to organize the farmworkers. This state of chaos will increase unless the Congress includes some type of farm labor legislation among its considerations this year. It is vital that when we provide legislation to deal with farm labor that we work carefully to safeguard the rights of all farmworkers, not just those who want to unionize. The right of choice must be preserved, and it will be accomplished more easily if we take steps to prepare the course for right-to-work legislation now.

The ORC survey revealed that by a margin of 5 to 1, the American people oppose compulsory unionism for farmworkers. Sixty-eight percent of those sampled said they believed that individual workers should have the right to decide whether or not to join a union. Only 14 percent favored compulsory unionization. Significantly, farmers and farmworkers themselves opposed forced union membership by a margin of more than 9 to 1.

As the demand for farm labor legislation continues to grow, and it will, we must be prepared to help the farm laborer retain his freedom of choice.

I would like to see this session produce farm legislation that meets the needs of all who are engaged in this vital segment of our Nation's economy without making sacrifices for the benefit of special interest groups.

WHY IS INTERIOR DEPARTMENT SPOKESMAN FOR OIL INDUSTRY?

Mr. PROXMIRE. Mr. President, I have often questioned why the Interior Department always seems to be the official spokesman for the oil industry when oil problems are discussed.

Part of the reason becomes readily apparent when one considers who is making policy in the Interior Department and what happens to them when they leave Government service.

The most recent example is Wilson Laird, Director of the Office of Oil and Gas in the Department of the Interior. The Oil Daily just released the story that he is going to the American Petroleum Institute to fill a new post just established for him by the API. The API is the spokesman for the major oil companies. Is not that convenient?

I am sure the reason this new post in the API was created for Mr. Laird is because of his understanding of the oil industry and its problems. I am sure his understanding is being amply rewarded.

Is it any wonder that the Interior Department has become the hand maiden of the oil industry?

Does not anyone have the courage to stand up to the blandishments of the oil industry and say, "No, I will not be bought." We saw what happened to President Nixon's Cabinet Task Force on Oil Import Control's Report. Because it displeased the oil industry, it was buried.

How long is the public going to endure? How long will the public be forced to pay the oil industry billions of dollars in subsidies because the industry pays former understanding policymakers a few hundred thousand dollars a year?

I ask unanimous consent that the Oil Daily article be printed in the RECORD.

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

[From the Oil Daily, June 3, 1971]

OOG's LAIRD TAKING KEY POST AT API

WASHINGTON.—The appointment of Dr. Wilson Laird, now director of the office of oil and gas in the Interior Department, to be director of exploration for the American Petroleum Institute, was announced Wednesday by API president Frank Ikard.

Laird, who has been in the OOG post since August 1969, will take over his API job on July 1.

The post Wilson will occupy at the institute is a new one established by the API board. The board also established a committee on exploration, to be headed by Wilton E. Scott, board chairman of Tenneco Oil Co.

Ikard said the committee was formed "to expand the flow of information to all interested individuals and groups concerning the necessity for maintaining an aggressive exploratory effort to insure a safe level of U.S. energy self-sufficiency while at the same time making clearer the nature of petroleum exploration, the risks and rewards involved, and the safeguards employed against damage to the environment."

Laird, former state geologist for North Dakota and director of conservation for the state until his federal appointment, has a broad background in conservation and oil production.

He was active in Interstate Oil Compact Commission affairs, as governor's representative and committee leader and member.

Laird is convinced that state conservation and production controls must be maintained and he is opposed to the federal government taking over these functions. He is also a strong supporter of oil import controls and believes heavy reliance on overseas sources would be dangerous for the economic and military security of the United States.

Laird believes that much must be done to educate the public about the problems associated with exploration—particularly the long lead times involved from the start of exploration to commercial production.

He believes there is still plenty of oil and gas to be found in the United States and no shortage of geologic provinces, onshore and offshore. But it will be costly to find and produce them and take time, he has warned.

Laird is also familiar with problems associated with Arctic development. He served on the so-called "North Commission" which was set up by the federal government to study problems associated with Alaskan oil.

Members of the exploration committee are T. D. Barrow, president, Humble Oil & Refining Co, L. F. Davis, executive vice president, Atlantic Richfield Co,; J. E. Finley, executive vice president, Continental Oil Co, G. H. Galloway, executive vice president, Amoco Production Co, Tulsa; J. E. Gosline, vice chairman, Standard Oil Co of California; M. J. Hill, vice president, Gulf Oil Corp; R. A. Howe, vice president, Mobil Oil Corp; Joe Luckett, vice president, Union Oil Co of California; R. H. Nanz, vice president, Shell Oil Co; C. J. Olmstead, vice president, Texaco Inc; W. A. Roberts, senior vice president, Phillips Petroleum Co; and R. E. Sampson, coordinator, natural resources, Cities Service Co.

Provision has been made for ex officio committee membership by the presidents of the American Association of Petroleum Geologists, the Society of Exploration Geophysicists, the National Oil Scouts Association, and the National Association of Petroleum Landmen.

A SENATE VOTE FOR PEACE

Mr. THURMOND. Mr. President, a recent editorial titled "A Senate Vote for Peace" appeared in the May 21, 1971, issue of the Columbia Record newspaper at Columbia, S.C.

It is gratifying to me that the editors of this outstanding newspaper endorsed the position of those of us in the Senate who opposed the amendment calling for a cut in U.S. North Atlantic Treaty Organization troops of one-half by the end of this year.

It should also be pointed out that the editors of the Columbia Record favor, as I do, some reduction of U.S. forces in Europe but with a "quid pro quo" from the Soviet Union and its Warsaw Pact allies.

There is a likelihood that a small unilateral reduction could be made in U.S. forces without doing harm to NATO or that some of our allies could assume a larger share of the defense burden. However, it must be recognized that U.S. fighting men presently in Europe make up only 12 percent of the ground manpower of NATO forces.

Until the Soviets are prepared to make similar force reductions, this is a small price to pay for maintaining the balance of power at the central point between East and West.

Mr. President, 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:

[From The Columbia Record, May 21, 1971]

A SENATE VOTE FOR PEACE

Defeat of the Mansfield proposal to reduce American troop strength in Europe, at this time, was a fortuitous, timely and wise affirmation of continuous U.S. policy in maintaining peace in Europe. Justified were President Nixon, former President Johnson, former Vice President (now Senator) Humphrey, former diplomat George Ball and the free nations of Europe.

Relaxation of tensions and a just and lasting peaceful order in Europe, accompanied by appropriate security guarantees, always has been the purpose of NATO. Specifically, since December of 1967 the NATO nations have sought mutual and balanced force reductions with the Soviet Union and the Warsaw Pact nations.

Since that time, the allied countries have been deeply involved in (according to NATO's Secretary General, Manlio Borsio of Italy) "very active consultation among themselves and in bilateral explorations and talks with the Warsaw Pact and non-committed countries about possible multilateral East-West explorations or negotiations, leading toward an eventual conference on European security."

Had the U.S. Senate unwisely and unilaterally reduced American forces, the four years of intensive political bargaining would have gone down the drain—and peace would not have been served.

It must not be forgotten that NATO is an independent alliance of independent nations whereas the Warsaw Pact is controlled, politically and militarily, by the Soviet Union. When the Moscow tail wags, the whole Warsaw Pact dog moves.

NATO's member countries are aware that they're not pulling their full share, that there is a widespread sense of apathy in free Europe, sometimes amounting to open hostility on the subject of defense expenditures. They are, thus, increasingly amenable to American force reductions—but they want these to be accompanied by Russian and Warsaw Pact reductions which would be both militarily and politically compatible with the vital security interests of both sides. Regard for differences arising from geographical considerations must be a consideration.

NATO's military options are three: (1) a full conventional capability, (2) an intermediate capability to withstand small attacks, or (3) a low capability that would be nothing more than a "trip wire."

While it is true that Dwight Eisenhower said in 1964 that one U.S. division could serve the essentially symbolic purposes of U.S. commitment to NATO, the late President, would have voted in the Senate—unquestionably—against the Mansfield proposal, because of the altered U.S. attitude toward war and overseas commitments.

It is also true that The Times of London properly summarizes: "At present, the 250 million people of Europe rely on 200 million Americans to defend them from 200 million Russians, although the Russians have 700 million angry Chinese at their backs."

U.S. forces in Europe will be reduced, but with a "quid pro quo" from the Russians which will give Europe greater political and military stability—and an enhanced chance for peace.

AMPHETAMINES

Mr. EAGLETON. Mr. President, last week the Justice Department instituted procedures for moving amphetamine and methamphetamine drugs into Schedule II of the Controlled Substances Act. This change is long overdue, and I am pleased that the Justice Department has seen fit to act. I remind my colleagues that the Senate approved this change last October, over the objection of the administration; unfortunately, it was defeated in conference.

This week, a group of physicians and pharmacists in Huntington, Long Island, took it upon themselves to curb an important aspect of the amphetamine abuse problem, over-prescription, without awaiting further governmental action. They have agreed to prescribe amphetamines only for the treatment of hyperkinesis and narcolepsy, two relatively rare illnesses. These drugs, with their high potential for abuse, will no longer be prescribed for diet control or the blues, by this group of doctors.

Hopefully, their example will be followed in other communities and their concern about overprescription will be reflected in strict quotas under Schedule II.

I ask unanimous consent that the article appearing in the June 2 edition of the New York Times on this agreement be printed in the RECORD.

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

[From the New York Times, June 2, 1971]

EMBARGO ON AMPHETAMINE SET UP VOLUNTARILY ON L.I.—CURB CALLED FIRST IN U.S.

(By David A. Andelman)

HUNTINGTON, L.I., June 1.—More than half of the licensed physicians and pharmacists in the Town of Huntington have agreed voluntarily to stop prescribing and dispensing amphetamines except in two "medically required instances."

In what was described as the first such agreement in the country, 153 of the town's 240 licensed physicians and 27 of the 42 registered pharmacists agreed to stop prescribing and dispensing amphetamines except in the case of narcolepsy and hyperkinesis, two diseases for which the drug is the recognized treatment.

Narcolepsy is a disease in which the patient is incapable of staying awake and hyperkinesis is an extensive over-activity in small children. In both cases, amphetamines are the "indicated drug of choice," or preferable treatment.

"To such other actions as drug prevention and drug cure must be added drug withdrawal," Dr. Milton Gordon, chairman of the Suffolk County Medical Society narcotics task force that assisted the Huntington Narcotics Guidance Council in implementing the program, said at a news conference today.

Dr. Gordon said that there had been widespread abuse of amphetamines, particularly in the treatment of obesity and depression, sometimes known as "housewife blues."

"There are far better alternative methods of treatment of both conditions," he said, "and amphetamines have no place in this treatment."

REASON FOR PROGRAM

He said that it was felt by residents of the area and the physicians who participated in the program that it was "necessary to crack the drug sequence for all members of the community—that euphoria is possible in America today without the use of drugs."

Dr. Melville Rosen, past president of the Suffolk County Medical Society, told the news conference that the 153 physicians who agreed to the embargo represent "nearly 90 percent of those physicians in the township who might regularly prescribe amphetamines."

Those who did not return the pledge statements, he said, generally through oversight, consisted largely of specialists such as anesthesiologists and dermatologists who would not normally prescribe the drugs.

Nine refused to sign the pledge, saying that they wished to "retain the freedom to judge each patient individually and presc ibe the drug indicated," as one dissenting physician wrote.

An official of the American Medical Association said that the only other case on record of a similar embargo was a resolution passed last December by the Utah State Medical Association recommending that "physicians be asked to refrain from prescribing amphetamines or similar drugs for the treatment of obesity."

A.M.A. ACTION POSSIBLE

An A.M.A. spokesman said that his group had taken no official stand on the merits of a voluntary embargo but that the issue might be raised at the annual meeting of the House of Delegates of the A.M.A. later this month.

"On the one hand, people here say that any drug, even if it has a limited value, should be available to licensed physicians," the spokesman said in a telephone interview from Chicago. "On the other hand, physicians should continue to re-evaluate and re-examine their need for such drugs."

A spokesman for the Federal Food and Drug Administration said in Washington that his agency had "no comment" on the Huntington plan, since it did not wish to become involved in the question of what drugs physicians could or could not prescribe.

SEEK STATEWIDE EMBARGO

"The effect of this embargo will be favorable for the physician as well as the patient," said Dr. Rosen. "Too often, we, the physician, have taken the easy way out in cases of obesity or depression. We have said, 'Here is a pill,' when we should have sat down with the patient and gotten to the root of the problem."

Officials of the sponsoring Drug Council said they hoped to extend the pledge to all physicians in Suffolk County and to contact all 300 other drug councils in the state to gain a statewide embargo.

"By example we hope also eventually to make this a nationwide movement," said Arthur Goldstein, chairman of the Narcotics Council. "This is a nationwide problem, although we certainly must start locally."

He said the number of users of amphetaminees in Huntington or in the county was not known since prescriptions are often circulated to many individuals other than the one to whom they were issued. He added, however, that 40 amphetamine pills for each man, woman and child in the country were produced by legitimate drug companies each year.

Last Wednesday the Justice Department took the first steps toward placing a production quota on amphetamines by drug companies.

"But these quotas will be set on the basis of how much is actually prescribed by legitimate physicians," Mr. Goldstein said. "Voluntary programs will cut down the base they use in determining production and will further limit the supply available.

"If we want to convince our children not to use drugs," he said, "then we must be prepared to set an example and show that we adults are not dependent on them for our everyday existence."

A FATHER'S REWARD

Mr. GRIFFIN. Mr. President, the editor of the Valley Journal, published weekly in Midland, Mich., has written an editorial that says a good deal about the importance of the family and of living in a free land such as ours.

I ask unanimous consent that Dr. Paul P. Chien's editorial of May 18, 1971, be printed in the RECORD.

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

[From the (Midland, Mich.) Valley Journal, May 18, 1971]

A FATHER'S REWARD

(By Paul P. Chien)

Last Saturday, our son, Bernard graduated from Central Michigan University which coincided with our twenty-third anniversary. It seems that everything is on schedule and I received a note from him with a gift. The note read, "Dear Dad, this is a token gift to express my deep affection and appreciation for your having carried me through the last 22 difficult years." It is a kind of sentimental and affectionate feeling which deeply moves me. In this turbulent world of restlessness, is nice to learn that we still have certain old traditions and sentimental attachments between father and son.

While my wife and I sat in the Central Michigan University Stadium and watched the 1,400 graduates we noticed how the parents and grandparents, the wives and husbands, the girlfriends and boyfriends all stood up with a sense of pride and satisfaction. It is a good feeling to live in a free country where the younger generation is able to choose their own professions, to excel in whatever they choose and most of all, we all have a hope for a better world to live in, a hope in seeing a bond between children and parents and a hope that the opportunity of an individual will enable them to preserve their rights to express their love and affection without fear of a "secret police."

I'm grateful to have the opportunity in raising our children in this free land and I appreciate having a good wife who mothered

our children and I'm most grateful in having good children who do recognize that some way, some how we did our best to carry them through their difficult years to reach maturity.

HIGH UNEMPLOYMENT AMONG OUR VETERANS IS WRONG

Mr. McINTYRE. Mr. President, I recently presented to the Senate a program for veterans which I believe could provide real assistance to those who have served their country in uniform. We owe them much.

As part of my program for veterans I propose assistance to those veterans who are having difficulty finding employment. Particularly I pressed for enactment of S. 1741 which I have joined in cosponsoring. This legislation will provide additional unemployment assistance for Vietnam veterans comparable to the assistance we provided our veterans after World War II.

The facts about the unemployment of veterans continues to be distressing. The June issue of the American Legion magazine contains an excellent article which once again points clearly to this problem. The Legion has done much in this area. Its jobs-for-veterans program has been particularly helpful.

Mr. President, I ask unanimous consent to have important sections of this article placed in the RECORD at this point so that Senators will have these further facts at hand as they consider the need for moving ahead expeditiously in meeting the needs of our unemployed veterans. The time to act is here and now.

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

VIETNAM VET UNEMPLOYMENT RATE CLIMBING

Over 10% of Viet-vets in the 20–29 age group need work; rate up 4% in a year; future troop withdrawals from Vietnam will boost that rate;

They're moderately well-dressed now, some even stylish, as they stand quietly in the long lines. A joke or nervous remark occasionally rises above the monotonous buzz in the room. Now and then a typewriter clacks sporadically or a phone rings.

They're young, some of them with the currently fashionable long sideburns, mustaches, beards and long hair. They are straight crewcut types, athletic-looking, well-set up, tough. Most of them, bearded or not, have had to take care of themselves in foreign lands under the most trying of conditions in battle or in support areas.

They're somebody's sons, brothers, cousins, sweethearts, husbands, nephews and uncles. Some are young fathers.

They're today's Vietnam veterans and the sad fact is that too many of them can't take care of themselves in their own land because they're trained for warlike tasks not useful in civilian life or because a depressed economy can't provide them with work.

But, trained or untrained, they have one thing in common. They all need jobs. And the possibility of a job opportunity has brought them where they will stand in line at a Legion Job Fair or Veterans Benefit session.

Standing in line seems to be the age-old bane of existence for servicemen and veterans.

To some who can remember, the situation conjures faint visions of the ragged jobless lines of the '30s that stretched way off into tiny figures alongside a drab factory wall or off the edge of a newspaper photograph.

For whatever reason, the men on today's job-seeking lines are more well-dressed than their older counterparts of yesteryear. Perhaps the problem is not yet so acute or vast. Perhaps mustering out pay and service savings sustains them. Or Dad and Mom.

At any rate, statistics from the Department of Labor are mere indicators of the size of the problem, much like the tip of an iceberg sitting in the ocean.

As of March 1971 they show that some 372,000 were known unemployed* out of a total labor work force (ready, willing and able to work) of 3,459,000 veterans in the 20–29 age group. That's 10.8% unemployed, up 4% from the same period last year.

If the age group is narrowed down to 20–24, the percentage of unemployed rises sharply for these men have the least amount of experience, education and training. Figures for this group show 244,000 known unemployed out of a total of 1,668,000 for an unemployment rate of 14.6%.

For the total labor work force of *non-veteran* young men in the 20–29 age group, some 656,000 are known unemployed out of a total of 7,444,000 which amounts to an 8.4% unemployment rate. In the 20–24 age group 449,000 are known unemployed out of a work force of 4,158,000 for a rate of 10.8%.

If these figures are compared with the admittedly high national unemployment rate of 6% for the entire working population then one can readily see that the 20–29 age group is in particularly bad shape with the 20–24 group suffering even more and the Vietnam vets in both age groupings suffering the most of all.

* The phrase "known unemployed" is used here to denote those veterans who have applied for unemployment benefits. There are no accurate figures to indicate how many vets do not sign up for benefits for one reason or another and thus do not get counted in jobless totals.

MAY DAY DEMONSTRATIONS

Mr. DOLE. Mr. President, there has been a lot of second guessing in recent days over the handling by Washington police of the riots here last month, riots planned in Hanoi, if we can believe Jerry Rubin, and designed to close down the Government of the United States.

During the successful efforts by Washington police to quell the riots and to keep the Government functioning, some persons not involved in the riots were arrested.

And because of this—and nobody condones the indiscriminate arrest of innocent persons—a small group of people has accused the administration of police state tactics, brutality, hitlerism, suspending the Constitution and similar ridiculous charges.

It would appear almost as if they, too, along with the rioters, would rather have seen the Government shut down.

It is time, I believe, to present another view.

First of all, a number of the charges and a number of the questions asked Tuesday night of the President came from persons who were not here and who did not view the situation.

Second, the charges obviously have come from those whose cars were not blocked, whose tires were not slashed, whose ignition wires were not yanked out and whose persons were not threatened.

But beyond this, let us look at the innocents who were arrested.

Most of them could have avoided being arrested by the simple expedient of avoiding being where the action was. Not many persons are accidentally caught in riots. Most are there because of the excitement of the occasion. Many refuse to move on at the request of police. Some, though not rioters, want to give a cop a hard time. I think the question is not how many "innocents" were arrested, but how many could have avoided being arrested if they had really tried?

Frankly, these people—a lot of them—were asking for trouble. In addition, I am convinced that part of the demonstrators' plot was to involve innocents so they would be able to make the charges of police state tactics that they have made. Unfortunately, they succeeded in duping not only persons on the street but also some in high office.

Mr. President, a final thought on this matter. In Washington we are all directly involved in the action. Persons who want to be involved in one phase of it or another come here because they want to be involved. In some cases they want to cause trouble or they merely want to be seen on television or read their name in the paper.

But out there in the countryside are 200 million other Americans who do not want to be involved in riots, or in creating trouble or in bringing our Government to a halt or in downgrading our system. In fact, for the most part they resent it.

And I think, Mr. President, they are not nearly so worried about the innocents as they are about the guilty and about the kind of permissiveness and, indeed, the kind of "egging on" from some of our so-called leaders that brings these situations about.

We know that most Americans believe in law and order and justice and regard them as inseparable. They are not buying this business that the police are brutal, that J. Edgar Hoover is suddenly bad and that the rioters and protestors are the wave of the future.

In fact, they are tired of the whole bit; they hold the rioters in contempt. They are turning off from the idea of street politics and mob rule. They are turning off from the Rubins, and the Haydens, and the Rennie Davises and their ilk.

I have traveled in many States in recent weeks, and I have seen their antipathy toward these people and their antics become stronger and plainer daily.

I would urge that my colleagues take a good look at what the people are saying. The action may be here. But the reaction is out there. And it does not bode well for those who seek to downgrade, weaken, or destroy our Nation.

Let me emphasize that in assessing the action taken by the police, one must carefully consider the alternatives. No one, of course, suggests that innocent persons be arrested or detained, and it troubles me that some of those who were innocently involved were, in effect, victims—but of the police, or of those who sought to do violence and disrupt our Government?

Some of the alternatives could well have been the closing of the Government; destruction of public and private property; disruption of the safety func-

tions of Government, such as police and fire protection; infringing on the rights of every law-abiding citizen or person in Washington, D.C., who attempted to carry out normal daily business.

The public and the public interest must be protected—and it was.

SENATOR BAYH TESTIFIES ON CHILD DEVELOPMENT LEGISLATION

Mr. MONDALE. Mr. President, at yesterday's joint hearings of the Subcommittee on Children and Youth and the Subcommittee on Employment, Manpower and Poverty, which I was privileged to chair, the distinguished junior Senator from Indiana presented an extremely compelling and persuasive testimony on behalf of child development programs.

Senator BAYH, who introduced earlier this year, S. 530, the Universal Child Care and Child Development Act of 1971, and who is also one of the principal cosponsors of S. 1512, the child development legislation I introduced with Senator JAVITS and 30 other Senators, is truly one of the leading spokesmen in the Senate for the interest of children and their families.

We were honored to have him testify on this legislation and I ask unanimous consent that a copy of his statement be printed at this point in my remarks.

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

TESTIMONY BY SENATOR BIRCH BAYH BEFORE THE SUBCOMMITTEES ON CHILDREN AND YOUTH AND EMPLOYMENT, MANPOWER AND POVERTY

I am pleased to be here today to testify on so vitally an important matter as the care and development of our nation's children. As a cosponsor of the bill before you, S. 1512, I have been pleased to note the continuing interest in child care of the kind we have come to think of as the real "minimum"—child care which must be comprehensive. I am also encouraged to note the frequent references in the Senate and in the House of Representatives to the next step for child care—making comprehensive services available to all who need or require them, making child care "universal."

Most American parents seem to realize that someday their children will pass judgment on the care, love and education they have been given. Why is it that America has not yet realized that the future will pass judgment on the care and love and education we give all our children? I do know that the work of these subcommittees and the work we do here today are helping to move us to a recognition of this need.

One of the things that strikes me is the common concern and agreement in most of the conversation and legislation about child care. The issues now are very different than they were two years ago, when S. 2060 was introduced by Sen. Mondale and others. At that time, there was still great disagreement about the need for the "ten essentials," all of which are included in S. 1512 and in great part included in S. 530, the Universal Child Care and Child Development Act of 1971 introduced by me on February 2 of this year. I was pleased to be joined in sponsorship of S. 530 by you, Mr. Chairman, and our distinguished colleague, Senator Hart. A companion bill, H.R. 5369, was introduced in the House by Congressman Helstoski on February 17th.

I would like to briefly comment on each of these ten essentials, not only from my vantage point as a cosponsor of S. 1512 but also from the point of view of S. 530. We should also be aware of the hearings taking place on H.R. 6748, introduced by my colleague, Mr. Brademas of Indiana, and others. The bill recently introduced by Representatives Abzug and Chisholm, H.R. 8402, also merits our serious attention. The Abzug-Chisholm bill represents a further step towards both comprehensive and universally-available child care than either S. 1512 or S. 530. Perhaps this is because Representative Abzug had the opportunity to hold hearings on child care needs in her District, and felt the sense of urgency, particularly on the part of women, for child care now. Perhaps the bill is as helpful as it is because it alone has the uniquely qualified contribution of Representative Chisholm, herself a former day care teacher, director and consultant. Representative Chisholm may well be the only member of either body to have had this preparation for dealing with child care.

First, let me comment briefly on the ten essentials, beginning with comprehensiveness. These bills provide for services that go beyond the mere caretaker approach, and provide that child care provided by this bill will be of the sort we think of when we think of Headstart. Those are services designed to meet the needs of children and families, that include educational, nutritional, social and health services. Those are services of high quality, and that meet the kind of requirements, such as the Federal Interagency Day Care Requirements, that make sure we do not unintentionally harm the children we wish to help.

Second, S. 1512 as well as S. 530, call for local flexibility, a feature shared by the bill you and I, Mr. Chairman, cosponsored earlier this year, and other proposals as well. Where local conditions and local people decide, the programs must work better. A 24-hour center makes sense in New York City, but probably doesn't make sense in rural Indiana.

Third, it is necessary to set priorities for the economically disadvantaged. While I do not believe that it is right or necessary to force mothers to take jobs in order to be eligible for child care, I think that enough of the funds should be reserved so that as many people as possible can use child care services to move toward being self-supporting. At the same time, all of us are aware of the budget constraints being felt—even by the "middle class"—as our economy continues to reel under the impact of this recession. Sheer necessity has forced many single parents and two-parent, low-income families to turn to day care for their preschool and school age children. In the bill, therefore, a significant portion of the funds are reserved for this sort of potentially disadvantaged family unit.

Fourth, the bills recognize that there are other children who, in fairness and from other kinds of needs, should have child care services, and that they should have an opportunity to be with children of other backgrounds. Where possible, these parents will pay fees on a sliding scale for services. In the process, we should avoid the establishment of a two-class child care system. If more parents had access to child care now, on a partially-subsidized basis, we'd have more high-quality, well-staffed child care services that were not limited to the affluent minority that can afford their full cost. If advantaged children require good services, how much more are they required for the disadvantaged? One way to encourage a high level, uniform quality of service is to make sure that there are no early childhood equivalents of the two-class social services that are all too common today.

Fifth, S. 1512 addresses itself to the particular needs of minority, Indian, migrant, and bilingual children, and not just because these children are more often in poverty and more likely to require child care services. This focus is in response to the growing frustration with current, inadequately financed programs for these groups.

Sixth, local governments will participate in this program. In this regard, some of the language suggested by the Abzug-Chisholm bill may be instructive. They correctly point out that we have not taken sufficient notice of the need for child care services in small towns and in rural areas, and that merely by making it possible for States to operate programs, we are not sure the programs will be provided in the way local people desire. Small towns and farming areas are as capable of managing their own affairs—perhaps more so—as people who live in larger towns. Not only is there an unwillingness to recognize the needs and skills of those who live outside the large urban areas, there's a lack of familiarity with the already overloaded schedules of the States. Few State governments have the extra time to take on the management of another Federally-designed and funded program. States want to be involved, but that doesn't mean that they have to operate programs.

The seventh essential, involving parents, families and communities, is probably the most difficult issue to resolve. Since S. 1512 has been introduced as an amendment to the Economic Opportunity Act, the approach for involving local people follows the "community action" pattern. In other child care legislation, slightly different approaches have been suggested. The Abzug-Chisholm approach is to utilize a two-thirds parent participation formula on the child development councils it would establish. The approach I recommend in S. 530 features a "child service district" concept that, as I predicted when introducing the bill, has turned out to be its most controversial element. Whatever road we take to real, full involvement at the local level by the children, the parents, and the community in decisions that affect them, it will be complex. I predict that this feature, this "essential," will continue to be a problem as we consider child care legislation. The fact that community control is the most controversial feature doesn't suggest we should in the least back away from community control—indeed, it may confirm that this is the very heart of a truly successful program.

The eighth essential, protecting current Headstart programs, involves more than protecting the funding. I believe that the reason we support Headstart so vigorously is that the program has features that make it a quality program, and that is why it is essential that in this and any other Federal legislation we be doubly aware of what can happen to these programs. By protecting Headstart in the way outlined in S. 1512, we are assured that our intentions will not be misinterpreted. We know that these are expensive programs, because they are quality programs. We also know that it is the shortage of funds, not the lack of public support, that has kept these programs so small. We are unwilling to trade an expansion in the numbers of opportunities for children, or "slots," for the quality of opportunities We know that protecting Headstart involves protecting a full funding base for Headstart. We know that if the Administration talks of funding 1972 Headstart or other "quality, comprehensive programs," at the same per-child costs as it expended in 1967, they are threatening Headstart as surely as if they vetoed the entire program. It is the people who work with Headstart children that are essential; it is the number of adults, especially para-professionals, that are available that make Headstart unique. It is that 5 to 1 ratio for three and four year olds, and that 7 to 1 ratio for four to six year olds that has made Headstart different, and it is that ratio of adults

to children as much as funds that we are determined to protect. It is for this reason that S. 1512 speaks about "Federal Standards." We want to expand the numbers of children who are protected by Headstart-type standards. We don't want there to be any misunderstanding about good facilities, and for that reason we've included a provision for a new, uniform code for facilities in S. 1512. We've put it after standards because it is less important; Headstart wouldn't be the same if it featured ratios common in non-Headstart programs (15–1 child-adult ratios and higher are the rule). Overworked staff and neglected children don't fare very well, even in gleaming new child care warehouses.

Ninth, S. 1512 and the other bills agree on the need for training and technical assistance. Here, we mean a variety of help for all of those who need assistance in child care programs. That includes public officials, various professionals, para-professionals and non-professionals who must gradually develop what Mrs. Elizabeth Gilkeson of Bank Street College describes as "a new educational institution which begins at birth." That is what S. 1512 and the other child care legislation really is about: moving the nation toward a new, evolved educational institution that serves people better and begins earlier.

Tenth, S. 1512 calls for adequate funds. The precise amount of funds is not as important as the principle of sufficient funds to deliver quality programs. We must remember that the testimony of last year on S. 4101, the Federal Child Care Corporation of Sen. Long, put the cost for full-day child care services for preschoolers at more than $2,200 per year. School age child care costs less; quality programs for very young children cost more. We are insisting that these dollar guidelines be observed, bearing in mind that programs will cost more than this in the largest cities and less in the lower-cost areas. The average will hold up, because comprehensive services are not cheap.

I believe that we should continue to keep our options open as more and more people are heard on child care. S. 1512 can profit from the suggestions of Representative Abzug, for instance, as she listed the major points of difference between her bill and that of Representative Brademas.

The Abzug-Chisholm bill provides:

1. Seed money grants to help community groups develop a program;

2. A career ladder structure for para-professionals;

3. Two-thirds parent representation on child development councils;

4. Sponsorship of programs by non-profit groups only;

5. 100% mortgage on estimated replacement cost of facilities;

6. An amendment prohibiting sex discrimination in the administration of the program.

I agree, and I sincerely hope that my colleagues in the Senate agree, with the intention of these six points, I trust, as work continues on developing child care legislation, that these points will be kept in mind with regard to S. 1512.

I would like to add one other voice, and one other final suggestion, before closing. The White House Youth Conference task force on poverty in its report on pre-school education, supports S. 1512. It calls for an increase in Headstart, commenting at the time on the fact that it only reaches 15% of poor pre-schoolers. The White House Conference report calls for an expanded day care program, which is comprehensive in nature and community controlled. Finally, and I think we ought to consider adding this suggestion to our deliberations on S. 1512 and other child care bills, it suggests that public kindergartens be financed by the Federal government and made a part of the public school system.

This recommendation deserves particular consideration in these times of financial crisis in the States and localities. The U.S. Census Bureau estimates that there will be roughly 3½ million 5-year-olds ready for school next fall. If, as part of our considerations, we could move those children into the schools and provide them with comprehensive services, we would have gone the first step toward comprehensive, universally-available child care.

The White House Conference suggestion would also have financial implications for the States and localities. While I have many questions about what is usually described as revenue sharing and bloc grants, I have no objection to making kindergarten available to every American child. If estimating costs very conservatively, we save the States and localities $500 per child, providing for Federal support of kindergartens could be the equivalent of $1.75 billion in fiscal relief.

If we made those kindergarten programs comprehensive, full-day programs, the savings to the States and localities could easily reach $3 billion.

I think we need to support good ideas, wherever we find them. I think we ought to incorporate the best from child care legislation introduced in the House of Representatives; I think we ought to encourage this Administration to support and spend the funds necessary to do something, and to do something now to make life better during those "first five years of life"—and beyond.

PROFESSIONAL GEOLOGISTS OFFER AID IN ENERGY CRISIS

Mr. HANSEN. Mr. President, it was most timely that a group representing the American Association of Petroleum Geologists was in Washington this week emphasizing the need for a better understanding by Congress and the executive branch of the Nation's energy problems.

Representing the 15,000-member organization were William H. Curry, president for 1970–71, Casper, Wyo.; Dr. Sherman A. Wengerd, president-elect for 1971–72, professor of geology, University of New Mexico, Albuquerque, N. Mex.; James E. Wilson, president-elect 1972–73, vice president, Shell Oil Co., Denver, Colo.; and James O. Lewis, Jr., president of the AAPG professional division, Houston, Tex.

Concerned with what they termed the "looming specter of dropping from an energy 'have' to a 'have less' nation," the group conferred with key Government officials in the White House and the Department of the Interior as well as Senate and House Members and committee staff people who are conducting or planning energy studies.

Curry said that without exception, from White House energy advisers to legislative leaders and staff members, they were greeted with great interest in having the professional explorationists' story heard.

Bill Curry told me:

We found extreme interest at being better informed on the skills and economic risks involved in the search for new reserves required by the U.S. to head off a dangerous shortage. It seemed to be almost beyond the comprehension of the people we conferred with in Washington that the U.S. could soon experience a real energy crisis.

Their visit to Washington was especially timely in view of the President's message to Congress today on U.S. energy problems. The President's message emphasizes the necessity of more energy from domestic sources and especially from oil, gas, and coal which presently supply almost all of the Nation's massive energy demands.

Mr. President, this is the same message that Bill Curry and his colleagues brought to Washington. During his term as president of the American Association of Petroleum Geologists, Bill Curry has made numerous speeches around the country in which he repeatedly pointed out the fact that the United States need not allow itself to become dependent on others for its energy.

Curry said no thinking professional geologist can absolutely promise complete and eternal self-sufficiency from new domestic reserves of oil and gas, but the fact remains that the incentives do not today exist the United States to give explorationists a real opportunity to fully develop conventional oil and gas production. He pointed to the 5 to 7 years required on the average from a decision to explore to the discovery and on-stream production.

Curry added that most petroleum geologists do believe that much more oil and gas remains to be discovered in the United States.

Mr. President, I have assembled excerpts from Bill Curry's speeches during the past year which, I believe, will offer all Senators the opportunity of more fully comprehending the energy problems of the Nation. These excerpts will, I believe, supplement the President's message to Congress on the energy problem and I ask unanimous consent that they be printed in the RECORD.

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

EXCERPTS FROM AAPG PRESIDENT WILLIAM H. CURRY SPEECHES DURING 1970–71 TERM OF OFFICE

ON GEOLOGISTS

The American Association of Petroleum Geologists is the largest geological society in the world, comprised of 15,000 members in the United States and abroad. We are explorationists, primarily, dedicated to the advancement of geology, "especially as it relates to petroleum and natural gas" and to promoting "the technology of exploring for, *finding*, and producing these materials from the earth." Our long-range objective is "to be of maximum service to our members in their scientific interests and professional lives, and to enhance their status before the public."

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We geologists would like to be of service to our country because we know whereof we speak in exploratory matters. We know the long lag time of three to five years from initiation of exploration to commercial production; the ten years of research that will be necessary to put oil shale and coal on stream; the long odds on discovery; that one just does not get new oil and gas by turning on a spigot; that we are credible people and speak for the good of the nation, and we believe that we can help.

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PROFESSIONAL EDUCATION

We worry about the future with its great demands for oil and gas and a declining trend of professional interest in the field whose responsibility it is to explore for and

discover deposits of hydrocarbons. How are we to meet this crunch—should not Washington and the public be aware of this widening gap of capabilities and demand? Should we not point out that exploration and production are two entirely different events and that it takes time to educate professionals?

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The effects of the industry's so-called "poor image" brought about in part by misrepresentations in the press, half-truths, political prejudice, as well as certain company policies and practices, are being felt by our profession. Employment is down and geology majors in our universities and colleges are being discouraged from entering petroleum geology as a profession.

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In order to combat these various and sundry threats, restrictions and limitations to our business, we must have an enlightened profession. Steps are being taken by AAPG, along with other professional groups, to equip their members (and, it is hoped, their management) for greater exploration efforts and capabilities. Continuing education and distinguished lecture series are providing up-to-date thinking and techniques.

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PUBLIC AFFAIRS

Political influence in Washington is having a direct bearing on our work and our future. We too are suffering from the poor image of the industry created by inaccurate and incomplete reporting.

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Although we geologists believe a potential supply of oil and gas exists, and in our minds, we can find it, the distrust of our industry in the minds of many in Washington and the public at large deter us. Threats of nationalization, price control, and restrictive leasing practices all in addition to tight money, curtail our drilling. Conservationists in some cases have become extremists. Ridiculous statements about melting polar ice caps to flood our cities as a result of arctic oil spills, and offshore ecological imbalances due to drilling do nothing but alarm the public. Such suspicion renders honest dialogue impossible and darkens the industry's sincere efforts to correct errors.

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Too often, I fear, many in our profession have taken a public-be-damned attitude, because they have kept themselves insulated from public concern. On a recent questionnaire, "image-building" was number 5 on a list of seven matters deemed of importance to our membership. Now, some of our "chickens are coming home to roost" in the apathy, disinterest, and even the disbelief we encounter in our problems and opinions.

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Much of our public relations is overshooting the target—which is the great mass of the American public who cares less about our tax problems, returns on investment, and even national security, and generally does not think about oil or gas at all beyond the warmth of his apartment or the gasoline for his car.

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There is a growing feeling among explorationists that we should have a part of the action in speaking, and making our special facet of the oil and gas industry known to Washington and the public at large. The industry is not complete without us and our future is at stake, both as a profession and as concerned Americans for the survival of our nation. We wish to have our talents fully employed to help establish the tremendous supplies of oil and gas that are to be needed in the years ahead—without which the nation cannot survive. And of what benefit will environmental paradise be then—without survival!

We geologists know whereof we speak in oil and gas affairs, because we are on the front line of the business—without success in exploration, there is no product to transport, refine, or market.

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PETROLEUM POTENTIAL

Estimates of possible future producible oil are between 107 billion and 199 billion barrels, depending on differing estimates of recovery rates, along with more than 911 trillion cubic feet of gas. How much of this potential can be realized will depend on extraneous factors promulgated in the minds of the politicians and regulators.

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I have been in business long enough to know that the people who get into *real* trouble are those negativists who say that oil and gas *cannot* be found. A great deal of production has been discovered in areas and under conditions of little faith, by the majority. For instance, there were some geologists who were going to "drink all the oil in East Texas" at one time. A part of the definition of a discoverer is one who explores for and finds oil or gas, where others had not thought it to be. This same danger of being a doubter extends to others than cautious geologists and applies in Washington, as well, today.

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Totals of new undiscovered oil and gas for the nation range from potential recoveries averaging 107 billion barrels to 199 billion barrels, depending upon rates of recovery from those of the present day to 60%, respectively. The potential probably exceeds the median estimate of 911 trillion cubic feet for natural gas. The point is made that geologically speaking, professionals who have made a successful living at finding oil and gas believe there is much more to be discovered, but that future success depends upon adequate price, unrestrictive legislation, and unfettering regulations.

This, of course, means more drilling because more geologically guided drilling finds more oil and gas. This relationship is hard to deny.

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NEED FOR DRILLING

In view of the great future demand, as concerned Americans, we are alarmed that an all-out national exporatory effort is not going forward today.

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The Americn Association of Petroleum Geologists makes a compilation of exploratory drilling statistics each year to record the total such wells, accumulated footage, and success ratios. For the year 1969, more discoveries were made as a result of more exploratory drilling. Nationally, exploratory drilling was up 9.3 percent, while the success ratio improved from 14.6 percent in 1968 to 17.5 percent in 1969. Overall, total drilling was off .3 percent.

The thesis that more drilling results in more oil and gas is difficult to deny.

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Until America realizes the seriousness of the consequences of anything short of an all-out national exploratory effort, we cannot fully progress to new discoveries of oil and gas and the great benefits which accrue to America from a healthy and self-sustaining oil and gas exploration and development program.

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FINDING OIL

Given a healthy economic setting for venture capital, which includes an adequate price for our product, permissive legislation and regulation to encourage more wildcat drilling both onshore and offshore, more oil will be found.

The success of realizing future production will largely be dependent upon the political climate, which today controls the incentives, or lack of them, to make exploration feasible within our free enterprise system.

The professionals are ready, willing and able to do the job ahead, but currently are being deterred by forces outside their control. The programs that we might be working, in Alaska, on the continental shelves, on public lands of the west, in synthetic fuel research and development, are stymied to one degree or another by political prejudice and restrictive regulations. To overcome these barriers, we need the full weight of public opinion on our side.

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POLITICAL CLIMATE

To those who are distrustful, suspicious and unconvinced of our efforts, may I say that the minds of the professionals are ready, willing and able to do the job ahead, if the free enterprise tenets of competition, fair market practice and unrestrictive legislation are permitted to prevail.

Knowing full well the time lag between exploration and proved production, we geologists are concerned that there is not a full scale exploration program in progress today.

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While geologists are being urged by colleagues and supervisors to be imaginative and to probe deeper waters or unconventional provinces, political prejudices threaten and impede the progress of exploration for oil and natural gas.

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The full weight of responsibility for the nation's future supplies of natural gas, gasoline, and fuel oil rests largely in the minds of non-professionals and non-industry influences.

The weakness of our position in this dialogue is that we are attempting to answer irrationality, emotion, accusation and political prejudice with reason and logic. It is an uneven dialogue. The facts are that the industry's troubled position and the public's insecurity have been brought about largely by politics.

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ECOLOGY

Environment, ecology, and pollution are the bywords of today. Our future geologist must recognize his responsibilities in a total relationship to his earth, mineral resources, and society in general. But "environment" is old hat to us who read the great consequences of it and its change throughout the geologic records.

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Clear thinking is needed to present the issues to the public in order to get the kind of exploratory action the nation needs. We geologists believe we can be of service. Many in today's society are reacting as though "environment" and "pollution" are brand-new words. Who knows them better than the geologist who has read environmental conditions into the rocks throughout the geologic column?

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Geology is the only discipline that deals directly with the rocks of the earth, the oceans, and other waters, and the air with its climate. We know intimately of the wearing of one element upon the other and its consequences. We appreciate the good earth and its glory because most of us were attracted to geology in the first place by a love for the outdoors and a desire to keep it that way. By understanding earth's elements, we believe that resource development can go forward with a preservation of the environment through careful planning and a cost accounting that will provide sufficient funds. In today's world, aesthetics are as much a

cost item as any other factor of production. The public must realize this.

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Our future geologists may well have to have a basic concern for the damaging effect on ecology and environment and be prepared to recognize and protect the rights of others. Public opinion will, in fact, force him to do so. He should move initially and voluntarily to protect the rights of others.

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Risks of one sort or another cannot altogether be avoided, so industry must take its calculated chances and the American public also will have to understand that future supplies of light, fuel and power cannot be guaranteed without risk of cost increases, environmental changes, and pollution dangers, as well as dry holes.

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It will cost more to invoke the measures that may be necessary to minimize pollution and environmental damage. The public must recognize and accept this fact of life when clamoring for safeguards. Thus, an adequate price for oil and gas must be maintained because we operate within the free enterprise system and, without a profit, there simply will be no results. As witness the current slump in drilling.

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An awareness of the environment and our responsibility to it are being established by an ad hoc Environmental Geology Committee. Geologists are keenly aware of environment because it and the consequences of change are expressed throughout the geologic column in fossilization, facies changes, rock types. Moreover, we are the first of our industry to go on the land and the first to produce in a drill stem test—if we are lucky. In order to go on to other exploration sites, we must properly take care of our first efforts to maintain the environment as we found it. Most of us were attracted to geology in the first place by our love for the outdoors and a desire to keep it that way. Geologists are in a total relationship with the earth, its mineral resources, and its people.

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The words "environment" and "pollution" are being treated by the public and press today as though they are brand-new ideas. But who knows environment better or more fundamentally than a geologist who reads expressions of ancient environment in the rocks throughout the geologic column? Every change of sand, shale, limestone and other facies are the result of a certain environment and change, and is read directly in the rock sequence and fossil records.

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GAS SHORTAGE

There is a gas shortage right now, and new supplies in appreciable volume are several years away at best.

But the biggest shortage of all is talent. What the bureaucrats in Washington don't know is that gas is not found with a pencil doodling field maps or statistics. Gas is not found by a little black box, or an orbiting satellite, or by any of the new electronic and other devices which we all use to very good advantage.

Oil and gas are found in the minds of men. That has always been true and it still is, in spite of all the advances in scientific instruments and the new interpretive methods which prepare data for those minds and help the minds to say: "Drill here".

Oil and gas are found in the minds of men, but what men? Politicians? Statisticians? Regulatory officials? Not on your life. It is found in the minds of men trained and experienced in earth sciences, in exploratory techniques, in knowledge of the habitat of petroleum.

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With the predicted shortages of gas reserves as a result of FPC pricing policies countered by such statements as its being an "energy myth," how can we get through to the public? Why should we not speak out forcefully and tell the public "that we told you so"?

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The low-price advocates preferred to listen to geological testimony that there was plenty of gas left in the ground to equal estimated needs up to the year 2000 or beyond. That is probably true. There is a great deal more gas still undiscovered. And yet we now have a shortage.

How come? Are geologists mixed up and self-contradictory? Not at all. The people who are mixed up are those who chose, to satisfy their own preconceived notions and prejudices, to consider the geological testimony contradictory and to select for belief only part of that testimony.

What was ignored—and what geologists should have made more clear to everyone in Washington and to the general public—was that, yes, there is a lot of gas undiscovered, but it will take time, talent, and treasure to discover it.

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Geologists are now being called on to perform a miracle and end the gas shortage, whereas if geological advice had seen sought and listened to years ago, there would be no gas shortage.

All during the past decade, the statistics on reserves, production, and consumption of natural gas plainly demonstrated that danger loomed ahead. The reserves-production ratio declined steadily from 20 to 18, to 15. Geologists knew that this spelled danger. They knew that very soon the deliverability of most gas fields would be less than the peak-day demand of the pipelines drawing on them. That would mean that on some winter days, many customers would have their gas service curtailed.

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DOMESTIC INDUSTRY

The oil and gas industry for some time has been beating the drums for our domestic industry in order to emphasize the need for safe and secure supplies of oil or gas for our own needs as well as to insure production, in case of war or other great demand. We have all seen the folly of too much dependence on foreign oil, yet our eastern critics wave this off with comments on the availability of Canadian and Venezuelan supplies. However, we cannot commandeer Canadian production and Venezuela, while imposing sharp new taxes, implies overwater transportation.

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In spite of the wishful thinking of "cheap foreign oil" and the threats of uncontrolled imports and offshore production, extraneous factors are inexorably forcing us to look inward. Nationalization of properties abroad, excessive foreign taxes, tanker shortages, all should make Washington and the public realize that we must not forsake onshore America in future exploration and development planning.

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We know of the desire of major companies to find the giant oil and gas fields, and indeed, perhaps the best hunting grounds are overseas and in certain parts of the continental shelves. But, by being over water, they are militarily vulnerable, as well as politically unstable, so all of America's future should not be placed in these extended areas.

We must not foresake onshore America, because in crisis and in dependability, it will be at home we shall have to turn for future supplies of oil and gas. This includes getting on with oil shale and coal research and development.

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CONTINENTAL SHELVES

The continental shelves are the greatest potential for new big oil and gas deposits. The onshore geological conditions often continue for many miles seaward and again, new sediments, structures and reefs appear offshore. Difficult as this exploration and development is, the Federal Government insists upon making it more expensive and restrictive. The request for raw data and the purchase of independent seismic records for presale evaluations add to the overall costs. The government cannot establish "value" by these methods because that comes only with drilling. What is really being talked about is price of leases in the market place.

The arbitrary cut-off of sovereignty at the 200 meter depth line proposed by the President, is an arbitrary and unrealistic boundary. Sovereignty and exploration should go to the outer edge of the shelf—to the toe of the slope. It will be more logical to extend exploration into deeper water on definite seismic features than to chance the uncertainties of stratigraphic trap exploration in shallower water. Though that may come later.

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SHALE AND COAL

The nitty-gritty of future supplies may well depend on fuel production from oil shale and coal, as well as deeper drilling and the potential of new provinces. The long lead time of research and pilot plant operations must be figured into the future. One doesn't just wish these things into production—they must be legislated into positive action now for future use.

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PUBLIC LANDS

The Public Land Law Review Report carries restrictive threats to the explorationist and the industry. In the Public Land States of the West, the recommended change from simultaneous filings to competitive bidding for leases on public land would be disastrous to the small operator and independent. It would raise the floor of leasing costs and invalidate original and individual exploration plays. The suggestion of substituting in lieu of tax payments to the Western States instead of the present income from royalty on production would hurt Wyoming and New Mexico. Today, Public Land States receive 37½ percent of the one-eighth royalty on federal land, which for Wyoming now amounts to about 20 million dollars per year. The new system would return only one-sixth of this amount or about 3.5 million dollars—you can guess who will be called upon in the future to make up the deficit.

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MONOPOLY CHARGES

Explorationists also need freedom of organization. The Federal Trade Commission has instigated an investigation into monopolistic tendencies in the energy fields. Implications are that companies wish to control all energy fuel sources for the benefit of higher prices and control of the market. Here, again, we professional geologists must be concerned, because our exploratory disciplines cross the lines between searching for oil, gas, uranium and coal. Certain common denominators apply across the board to all sedimentary mineral exploration. For instance, the petroleum geologist and the uranium explorationist both speak the common language of core drilling, facies changes, sand permeabilities, stratigraphic traps, ground water circulation and tectonic history. It is obvious and natural for us to move back and forth in our professional lives from one sedimentary mineral to another. So, with water, coal and other non-energy minerals, for that matter.

Another point of logic and commonality is that often exploration for several energy minerals may be on the same land. Core drilling for coal may turn up structure for oil or gas. And, so with uranium. Therefore, it seems logical for a single company to move its technical personnel from one field of exploration to another, rather than fractionate into separate organizations.

The Federal Government and the public must recognize the essential role of future geologists in needed discoveries of oil and gas for future demand. This recognition must be in the form of workable leasing and development policies in both onshore and offshore areas of potential. This recognition should extend to all energy mineral fields—oil, gas, oil shale, uranium and coal, and recognize the compatibility of exploration techniques and concepts to the several minerals. Current probes by the Justice Department and Federal Trade Commission with cries of "monopoly" are unwarranted. They would create inefficiency and greater cost of products.

TRIALS OF SOVIET JEWS DEPLORED

Mr. BENTSEN. Mr. President, we hear much these days about growing repression in the United States about policy, methods, and about conspiracy trials. Certainly, all who respect our basic tenets of freedom deplore any abuses of our democratic principles. And just as surely, abuse in one nation does not justify abuses in another.

However, I want to point out the sharp and frightening contrast in the styles and the form of government of the United States and Soviet Russia by pointing to the so-called trial of Soviet Jews by the Soviet Government. Trials underway now are a continuation of the trials which recently concluded in Leningrad and the sentencing of nine Soviet Jews to Siberian prison camps.

What were the crimes of these Jewish citizens? Merely that they wanted to live as Jews, to leave the country, or to speak and read Hebrew.

Mr. President, this trial is now being followed by other trials. And what are the crimes of those on trial? A desire and effort to emigrate from Russia to Israel, a right to emigrate that we in this country take for granted.

Let some of those who are so ready to decry justice in the United States look at what is happening to Soviet Jewry today. The repression of Jews in Russia is an international crime. The mock trials, the absence of justice and the inhumane attitude of the ruling Soviet officials toward Jews in that nation draws a sharp contrast to justice as we know it in this country.

The U.S. Government is not doing all it can in protesting these trumped-up trials. It is not using its good influence with the Soviets, nor with other nations of the world, to stop the brutal repression of Jews in the Soviet Union.

These acts must be condemned. Only through mobilization of world opinion may these shameful acts by the Soviet Government against Jews be stopped. Free men must speak out.

REVENUE SHARING—FEDERAL TAKEOVER OF THE WELFARE SYSTEM

Mr. PELL. Mr. President, there has been much discussion about the pros and cons of revenue sharing.

There seems to be some consensus that revenue sharing might not be the best method of assisting the States with their financial problems.

Another method of assisting the States which could have considerable appeal involves the Federal assumption of the cost of the welfare program.

Our distinguished Governor of Rhode Island, Frank Licht, recently brought to my attention a resolution approved by the New England Conference of State Public Welfare Officials asking for gradual assumption of welfare costs by the Federal Government. This expression of opinion by New England welfare officials, I believe, should be considered in the Senate.

Governor Licht, also, in a very cogent letter to Governor Shapp recently outlined in more detail the need for Federal takeover of our States' welfare programs. I would ask unanimous consent that this letter together with the accompanying statement and the resolution of the New England Conference of State Public Welfare Officials be printed in the RECORD.

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS,
Providence, R.I., March 18, 1971.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR CLAI: I am enclosing for your examination a copy of a letter which I have sent to my fellow Governors relative to the question of Federal assumption of State welfare costs.

I am also enclosing a copy of a chart demonstrating the possible savings that Rhode Island could expect under a proposal of this nature.

Kind regards.

Sincerely,

FRANK LICHT,
Governor.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS,
Providence, R.I., March 17, 1971.

Hon. MILTON J. SHAPP,
Governor of Pennsylvania,
State Capitol, Harrisburg, Pa.

DEAR GOVERNOR SHAPP: I write you concerning the resolution adopted on March 1, 1971, by the National Council of State Public Welfare Administrators.

While the resolution related directly to the social security increase so recently enacted by the Congress, I believe the principle of a phased federal assumption of welfare costs embodied in the resolution is one that merits continued Congressional concern, irrespective of the decision regarding an increase in social security benefits. I also believe that this is a matter which should be considered not only immediately but also separately from H.R. 1, which is the Administration's Family Assistance Plan.

Specifically, this resolution provides for a five-year program of gradual assumption of State welfare costs by the Federal Government. As such, this is consistent with the policy position taken at the past two National Governors' Conferences in which I have participated, and which advocates in part "substitution, on a phased basis, of a federally financed system of welfare payments for the current federal-state program for the aged, blind, disabled and dependent children, and including also the general assistance programs now financed by the States themselves."

If the Congress were to act on the basis of this proposal, it would bring considerable fiscal relief not only to Rhode Island but to every state in the union. Briefly, it would in calendar year 1971 hold the states responsible for no more than 80% of their calendar 1970 expenditure for public assistance and medical assistance. Further, in progressive stages, it would result in a total federalization of the cash assistance and medical assistance programs by the end of a five-year period.

For Rhode Island it would mean the following: Excluding administrative costs, Rhode Island spent some $72 million in cash assistance and medical assistance in calendar year 1970. We project an expenditure this year of some $96 million. Based on the proposed 80% ceiling this would result in a $20 million reduction in the State's share of expenditures for the federal/state categories of assistance. This includes Old Age Assistance, Aid to the Blind, Aid to the Disabled, Aid to Families with Dependent Children, and our Medical Assistance program inclusive of administrative costs. As a fellow Governor, I know you can appreciate the magnitude of such a development with respect to your own state's situation, as well as the importance of moving toward total federalization.

Finally, in order that no misunderstanding might occur, let me reiterate that I do not consider this a substitute for revenue sharing. Our Conference is already on record in favor of federal assumption of welfare costs and revenue sharing, and I would hope that we could continue to work for enactment of both concepts. In my view it is not a question of one or the other, but of pressing for implementation of both. It is in that spirit that I urge your support for legislation that would accomplish this objective.

Kind regards.

Sincerely,

FRANK LICHT,
Governor.

POSSIBLE R.I. SAVINGS UNDER 80-PERCENT HOLD HARMLESS CLAUSE

Category	Calendar 1970	January 1971 to June 1971	July 1971 to December 1971 [1]
AABD	6,852,513	3,966,015	4,218,600
AFDC–R	28,054,078	17,532,083	18,172,579
AFDC–U	1,009,454	877,748	805,500
EA	524,379	449,519	450,000
MA	36,208,187	24,940,595	24,587,129
Total	72,648,611	47,765,960	48,233,808
State share	35,089,279	23,070,959	23,991,496
New limit 80 percent		14,035,712	14,035,712
Possible savings		9,035,247	9,955,784
P.A. Administration	1,699,230	850,864	1,605,720
State share	36,788,509	23,921,823	25,597,216
New limit 80 percent		14,715,404	14,715,404
Possible savings		9,206,419	10,881,812

[1] 50 percent of 1972.

Note: Total State expenditures: 1971, $29,430,807; 1972, $22,073,105; 1973, $14,715,404; 1974, $7,357,702; 1975, none.

RESOLUTION

The New England Conference of State Public Welfare Officials unanimously adopted the following resolution at a meeting on March 12, 1971:

Whereas, the immediate fiscal situation throughout the New England States is most critical, and Federal help is most urgently needed; and

Whereas, the Congress is now considering legislation to reform the present welfare program; and

Whereas, such welfare reform will require many months of careful thought and consideration; now therefore be it

Resolved that legislation be introduced retroactive to January 1, 1971 which would in-

clude a hold-harmless formula (based on calendar year 1970) which would establish a ceiling of 80% of state expenditures for all cash payment programs for all categories and Medicaid and administrative costs related thereto starting January 1, 1971, the federal government also to assume an incrementally increasing share *each year* (20%) of such costs over a five-year period until the federal government assumes full responsibility for all such costs.

Such legislation would provide immediate fiscal relief.

AVAILABILITY OF FUNDS TO HOME BUYERS

Mr. BENNETT. Mr. President, I would like to commend the Federal National Mortgage Association for the important part it plays in stabilizing the mortgage market and making mortgage funds available in times of crisis.

Just today, for example, I received a letter from Oliver M. Jones, the executive vice president of the Mortgage Bankers Association of America, in which he brought to my attention a proposed auction by the Federal National Mortgage Association which will give much needed relief in making more funds available to home buyers. This may sound strange coming at a time when home building is at a level higher than it has been for years, but in just the past few weeks, all long-term interest rates have moved sharply upward as the anticipation of recovery in the economy has greatly increased the demand for funds. With corporate bonds selling at 8.25 percent, we cannot hope to find savers' funds flowing into mortgages at 7 percent. Thus, another crisis has been generated for housing under our FHA and VA housing programs by an unrealistic ceiling on FHA and VA mortgages that has driven the discount on these mortgages to 8 percent or more. I have long advocated that the administered ceiling of FHA and VA mortgage rates be abolished so that we would not have these periods of famine in the flow of funds into FHA and VA mortgages and the addition of discount points to the interest rate which must be absorbed by either the buyer, the seller, or both. Certainly, the gyrations in the long-term interest rates of recent months point once again to the need to permit the FHA and VA interest rates to move freely with market conditions.

The only thing that has kept home building at current high levels under the FHA–VA programs is the prior commitments made by mortgage bankers months ago. In this sense, the mortgage banker acts as a buffer when interest rates change dramatically. The ability of the mortgage banker to perform this function has now been fully absorbed. Accordingly, I commend FNMA for its proposed special auction to relieve the severe pressure on the mortgage market created by an accumulated backlog of 7 percent mortgages, thus making additional funds available to home buyers.

Mr. President, I ask unanimous consent that the letter to which I have referred be printed in the RECORD.

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

MORTGAGE BANKERS
ASSOCIATION OF AMERICA,
Washington, D.C., June 4, 1971.

Hon. WALLACE F. BENNETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BENNETT: We know that for many years you have been a strong supporter of the Federal National Mortgage Association. The recent action of FNMA in announcing a special auction to help make funds more available for home financing further establishes FNMA as a rational and important auxiliary to the mortgage market.

The recent trend has been for wholly private investors, such as savings and loan associations and mutual savings banks, to purchase very few FHA and VA mortgages. Consequently, mortgage bankers have tied up the bulk of their capital in loans which they have originated but have been unable to sell. With capital unavailable for home mortgages, prospective home buyers and sellers suffer a hardship.

FNMA's special auction will give some much needed relief to this situation. Bids will be accepted on a great volume of mortgages originated and closed at 7 percent. The money paid by FNMA for these mortgages will, in turn, be used to originate new mortgages. It is hoped that FNMA's action in removing the backlog of unsold mortgages by use of the special auction will restore some stability to the mortgage market.

The real culprit is inflation, of course, and an unrealistic ceiling on FHA and VA interest rates which operates not to make mortgage loans available at a lower cost to the borrower, but to make mortgage loans available only with prohibitively high discount points. Investors demand a market yield; therefore, discount points are necessary to bring the FHA rate up to the market rate. If the FHA rate were permitted to float with the market, funds would be readily available for home mortgages. This is especially true in times such as the present when thrift institutions, the chief investors in residential mortgages, have an abundance of funds. We hope the Congress will see the folly of an imposed FHA–VA interest rate and will remove this serious impediment to a ready availability of mortgage funds.

Sincerely,

OLIVER H. JONES,
Executive Vice President.

THE WALKER ART CENTER

Mr. MONDALE. Mr. President, the New York Times recently described the new Walker Art Center in Minneapolis as "one of the finest contemporary museum facilities in the world."

In part, the enthusiasm of distinguished art critics can be attributed to the inspiration shared by Mr. Martin Friedman, the Walker's director, and the architectural firm of Edward Larrabee Barnes. Their dedication and genius have merged in the creation of a new structural form—one especially designed to meet the needs of today's artists and to maximize the total artistic experience offered each viewer.

A great many other individuals and groups deserve a tribute for making the Walker a triumph among art galleries. Each has helped to create a positive climate in Minnesota for continued growth and achievement in the arts.

For instance, the T. B. Walker Foundation should be commended for its contribution of one third the $5.5 million necessary to build the art center. This is one of the finest examples of how foundations can wisely direct private resources toward improving the total quality of life in a community.

I think as important as any single contribution, however, is the tremendous responsiveness of residents of the Twin Cities area toward encouraging the fine arts. Their support has made possible the construction of a cultural complex composed of the Walker Art Center and Institute and the Tyrone Guthrie Theater. Last week the New York Times reported that this complex has already become "one of the nerve centers of artistic activity in this part of the country."

I commend to my colleagues in the Senate an article from the New York Times about the remarkable Walker Art Center.

Mr. President, I ask unanimous consent that the following article be printed in full at this point in the RECORD:

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

[From the New York Times, May 18, 1971]

MINNEAPOLIS MUSEUM OPENS TODAY

(By Hilton Kramer)

MINNEAPOLIS.—After a weekend of parties, previews, inaugural ceremonies and other festivities—including a Sunday afternoon "pop circus" for children—the Walker Art Center will open its new $5.5-million building to the general public tomorrow, I suspect it is going to be one of those buildings that will change a lot of minds about what we can and should expect from the architects who design our new museums. For here, amazingly enough, is a new museum building that gives cheerful priority to the works of art it is meant to house.

The new structure was designed by Edward Larrabee Bannes, the New York architect. It is starkly "minimalist" in its exterior appearance, with virtually unbroken windowless walls forming a powerful and, at first glance, anyway, rather forbidding monolithic sculptural mass. But the austerity of the exterior design functions to provide us with an interior that is a miracle of commodious exhibition and work space.

The seven large rectangular galleries, radiating from a core consisting of stairways and an elevator shaft, are at once delightfully simple, unassertive, elegant and extremely sympathetic to their museum functions. The entire exterior of the buildings, which includes three large rooftop terraces for exhibiting sculpture in the open air, is faced with a farm, earth-colored brick. The interior is painted a uniform pure white, enhancing the sense of felicitous space that is an integral part of the design.

In addition to the ample exhibition space in the galleries and the open-air terraces, the structure also contains a 350-seat auditorium, a lecture-information room for films and other audio-visual materials, a small restaurant, a research library, a book shop and sizable offices and workrooms.

For the opening, the director of the Walker, Martin Friedman, has mounted an exhibition called "Works for New Spaces." This exhibition will certainly do nothing to diminish the reputation Mr. Friedman has earned in recent years as a vigorous champion of everything that is farthest out on the current art scene. A large group of artists, including both the famous and the

obscure, was invited to create works especially for the museum's interior and exterior spaces.

Thus, among other contributions, we have a corridor, 74 feet long, of blue, pink, yellow and green fluorescent light tubes designed by Dan Slavin; a so-called "Observatory" consisting of sheetmetal, heavy blocks of wood and sandbags, arranged on one of the outdoor terraces by Robert Morris, and an untitled landscape arrangement of sand, thin sheets of glass, anad hidden lights, all very delicate and poetic, by Laddie John Dill.

The most spectacular work in the show is an enormous series of 10 macabre black shapes by Lynda Benglis that jut out from the gallery wall—an abstract sculptural environment that looks as if it had been inspired by Alfred Hitchcock in one of his most menacing moods.

Among the other artists represented in the "Works for New Spaces" are Larry Bell, Sam Gilliam, Robert Irwin, Don Judd, Robert Rauchenberg, Richard Serra, and the "Pulsa" group, which staged another of its boring strobe light entertainments in a park across the road from the museum.

For many visitors, however, the chief interest for the moment was in seeing how the Walker's own permanent collection of modern painting and sculpture looked in its new architectural setting. In my opinion, it looked splendid. Mr. Barnes has served his client supremely well, and the Walker staff has responded by installing the collection with an eye to its special strengths.

The collection itself, however, cannot be said to be one of the finest of its kind. It is strongest in works of the last decade, which has been Mr. Friedman's principal interest during the term of his directorship. It is weak—indeed, in many areas nonexistent—in major works from the earlier history of modern art. One can only hope that the opening of the new building will now inspire some energetic collecting of such works. The Walker is now in possession of one of the finest contemporary museum facilities in the world, and it ought to have a collection that is equal to it.

The building occupies the site on which the old Walker Art Center structure was razed two years ago. It adjoins the Tyrone Guthrie Theater, and there are several points of easy access to the museum from the theater building. The two buildings thus form a small cultural complex that has already established itself as one of the nerve centers of artistic activity in this part of the country.

THE PROBLEMS OF RURAL AMERICA

Mr. McGOVERN. Mr. President, the distinguished journalist Eric Sevareid commented on the problems of rural America on the CBS Evening News of May 27. As one of the Nation's outstanding news commentators, Mr. Sevareid's observations were particularly welcome on the topic of agriculture.

The farmer of today feels he is the whipping boy and the forgotten man of today's economy. And Mr. Sevareid is uniquely qualified to comment on a question relating to rural America because of his North Dakota boyhood. Because I feel this commentary is worth the consideration of every Member of this body, I ask unanimous consent that it be printed in the RECORD.

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

EXCERPT, WALTER CRONKITE, MAY 27, 1971

SEVAREID. The prices Americans pay for their food, rising more slowly than most things the last couple of years, are now beginning to rise faster than most things. But in spite of this, the tempers of most American farmers, revealed in the November election to be high, are not likely to simmer downward.

They are still caught in the parity bind. Parity is the statistical relationship between what farm produce earns and what the farmer pays for his supplies and equipment. In an ideal world it would stand at a hundred percent. In the 1968 campaign Mr. Nixon said he would get it above the then existing level of 74. Parity is now down to 69.

But even a sharp rise in parity, if that's possible, won't really touch the underlying conditions of farming and rural life in this country. People, money and political power have simply moved away from the farm counties in a vast demographic landslide, more than 20 million rural people migrating into the cities and suburbs over the last 25 years, and the movement continues at the rate of about a half million a year.

Two basic conceptions have emerged as everyone has pondered what to do about this historic shift. One is that the excruciating big city problems cannot be solved entirely in the big cities; another that farm areas cannot be left entirely to farming. Somehow more rural people have to find it possible to stay there, and somehow more city people have to find it possible to move and work there.

It's with this fundamental level of the problem that some presently proposed legislation is trying to deal. There are many service institutions and small industries that can properly relocate in rural areas if they can get and hold trained manpower. The Administration wants to consolidate various grant programs to rural areas and small cities under its revenue sharing concept; 50 Senators, led by Pearson of Kansas, want tax incentives for relocated industries; 40 Senators, led by McClellan of Arkansas, would encourage allocation of federal contracts and manpower training programs for businesses that move to the countryside.

It is hard to make a case that the United States as a whole is overpopulated, very easy to demonstrate that the distribution of population has gone painfully lopsided.

AN INCREASING CONSENSUS FOR METRIC CONVERSION

Mr. PELL. Mr. President, it seems that each day more and more people are becoming convinced of the merit of a proposition that I have long held; that is, the United States should convert to a metric system of measures.

Recently, the American Association for the Advancement of Science adopted a resolution calling for a national commitment to metric conversion.

I commend the association for their position and ask unanimous consent that their resolution be printed in the RECORD.

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

RESOLUTION 4—REVISED—METRIC SYSTEM

Whereas now as never before scientists, engineers, and industry throughout the world are endeavoring to coordinate their efforts, and

Whereas this coordination should be encouraged by scientific and professional organizations, national governments, and individuals; and the United States has long been noted for its policies of international scientific cooperation, and

Whereas communications are essential to cooperation and coordination in any realm of endeavor, and

Whereas uniform standards and measurement systems are of basic importance to scientific communication, and

Whereas many industries are finding increased metric usage advantageous, and

Whereas the Secretary of Commerce will submit in August 1971 to the Congress of the United States the results of a study by the National Bureau of Standards recommending a future course of action for the United States with respect to metric usage,

Therefore be it resolved: That the AAAS urge its members to familiarize themselves with the modernized metric (S I) system and use it in their published work whenever effective communications are not impaired by doing so, and

That the AAAS urge the Federal Government in its study of alternative national policies toward metrication to recommend a clear national commitment to eventual conversion to predominantly metric usage and plan specific steps for implementing a voluntary national program of conversion during the coming decade.

Originally introduced by Roman Skorski, University of Alabama; revised for the Committee on Council Affairs by the Metric Association.

THE THREE SISTERS WILDERNESS

Mr. PACKWOOD. Mr. President, I am convinced that the youth of America today is the catalyst for preserving what is left of our natural beauty and resources for future generations.

My daily mail is heavily sprinkled with letters and cards from young people whose thinking is still uncontaminated by the glare, noise, dirt, and other material advantages and comforts bestowed by modern technology. They seem to have that extra sense of appreciation that takes note of the singing bird, the crawling caterpillar, the sparkling clean mountain stream, the high and windy fresh breeze, and the peace and calm of an uncluttered meadow. Perhaps they stop long enough to see through the fog of the temporary man-made benefits and comforts to the longer lasting ones already here and graciously given to us by nature. It is not unusual for these young people to stop in the midst of their letters to me, seemingly for loss of words to describe their feelings, and literally draw their thoughts in picturesque language of the young artist. Their vivid and colorful messages are not lost. They provide one with the greatest inspiration to pursue the goal of protection, restoration and preservation of our American heritage.

Mr. President, this week I received letters from junior high school students at Seven Oak School in Lebanon, Oreg., portraying in earnest, simple words their love for the natural beauty of Oregon, and their concern about the reported possibility of pumice mining in the Three Sisters Wilderness.

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

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

LEBANON,
May 18, 1971.

DEAR MR. PACKWOOD: I am a thirteen year-old, eighth grade student at Seven Oak School. I'm writing this letter to let you know my feelings about the Three Sisters Wilderness Areas.

Due to the fact that I will be a future user of these wilderness areas, I wish to express my opinions about the useage of this land.

I just came from California to Oregon. The one thing that impressed me the most was the "wilderness areas", the untouched land that let nature live it's own course.

It has just been called to my attention that these areas are being consided to be open for mining areas. It's being claimed that there won't be any damage to the land. Can this be? How can you take from the ground, make a road, cut down trees and say that there won't be any damage to the land? Also what we take out of the earth may not grow back.

I would like a personal reply about the actions that will be taken for or against my letter.

Thank you,

JOLENE FRYE.

LEBANON, OREG.,
May 19, 1971.

DEAR MR. PACKWOOD: I am an eighth grade student at Lebanon's 7 Oak Jr. High.

I am also a future user of Oregon's recreational facilities.

I am very concerned about our Three Sisters Wilderness Area. I feel that pumice mining should not be able to go into our Wilderness Areas.

Our teacher was talking to the class about this subject. He is all against the pumice mining. He brought up the idea about trucks that make roads through the Areas for pumice mining.

Even if they fill in the roads there will still be signs of man and his garbage. What I mean by this is that the truck drivers will throw their beer cans, gum wrappers, pop cans, lunch sacks, and many other things out the windows. I can name one hundred or more things that they can filth and destroy with their trash!

It won't just destroy the beauty, but their big trucks and machines could drive animals out of their homes and feeding areas.

I have seen slides of the Gearheart Mt. Area. I have seen its Natural Beauty and I know that you don't want these Areas to be invaded.

I'm very concerned because these intruders will go in, ruin the beauty, drive the animals out of their homes and feeding areas, and take the pretty green trees!

Please tell me what you have done and what you are going to try and do about this?

Sincerely,

CONNIE MOCKRY.

LEBANON, OREG.,
May 19, 1971.

DEAR MR. PACKWOOD: I am an eighth grade student of seven Oak school, and am a user of Oregon's Wilderness areas. I am truly concerned about the pumice mining that may take place in the three Sisters Wilderness area.

I think that the laws must quickly be changed so this and many other wilderness areas will not be ruined by industry and its aftereffects.

So would you please send me some information on what you are doing and in the future going to do about this matter.

Thank you,

SHAWN PERRON.

LEBANON, OREG.,
May 18, 1971.

Mr. PACKWOOD: I am an eight grade student at Seven Oak School (Lebanon Ore.) and I am very concerned in the "Three Sisters Wilderness Area," because it might be destroyed by pumice mining.

I know that pumice mining is used for cleaning and polish but is it that needful that we have to destroy one of our few remaining wilderness areas in Oregon just to remove a stain or polish a table? And besides that there are probably better areas to mine pumice anyway.

If they do start to mine think of the wildlife. Birds destroy these eggs and animals will move to other areas where they might starve.

I and future users of this area enjoy it very much.

I would appreciate it very much if you could send me information on what you are doing and what you are going to do.

Thank you,

TOM KINGSLEY.

P.S. I am a boy scout and I go camping up in that area and would like to do it more.

LEBANON, OREG.

DEAR MR. PACKWOOD: I am a student of Seven Oaks School in Lebanon, Oregon. I use your recreational facilities with my family, and to use it in the future when I am married and have a family of my own. I am very concerned the pumice mining that a company from California is going to take from a nice Wilderness area near here.

This area I am talking about is the Three Sisters Wilderness Area. If this company is allowed to mine there, it will destroy the ecology ring of the area. It will mean that the animals would be scared away, and birds nests would be destroyed because the Forest Service will have to build a road through the Wilderness Area. Trees would have to be cut down, graders would make noise, land by the road would be polluted by truck drivers when they throw paper and beer or pop cans out of the windows of the passing trucks.

I would be very pleased if you would reply this letter by just stopping the company from ruining our great Oregon environment.

Kindness and respect,

JEAN ANN JONES.

LEBANON ORE.,
May 18, 1971.

DEAR MR. PACKWOOD: I am an eighth grader, 14 years old, and I am a future user of the recreation facilities. I would like to state my great concern about the pumice mining on the Three Sisters Wilderness area that may come about. I like areas like this because it's a good place where children can learn about nature and there's other generations that should be able to enjoy this area just as much as I can. I would thank you very much if you would see what you can do to help me. Please send me a reply on what are doing to help this problem, and my concern.

Yours truly,

SUSAN BLANSHAN.

LEBANON ORE.,
May 18, 1971.

DEAR MR. PACKWOOD: My name is Danny Provost. I am 13 years old. I am in the eighth grade. And I am concerned about the Three Sisters Wilderness area. My dad and I go up there camping and I don't want it to be turned into a mining camp, I would like it to be left just as it is. Just because they are running out of pumice doesn't mean they should take it out of a wilderness area. I would like it left just it has been; no roads. I would like some action on it right now. Thank you.

Yours truly,

DANNY PROVOST.

LEBANON, ORE.,
May 19, 1971.

DEAR MR. PACKWOOD: I am fourteen years old and am a student at Seven Oak School. I am a future user of Oregon recreational facilities. I am concerned about the pumice mining that may take place in the Three Sisters Wilderness Area.

I feel that saving this area is more important than the mining company making money.

The pumice in the Three Sisters area may run out pretty soon and they will just move into some other wilderness area. I like to go hiking and camping in wilderness areas that are untouched by mankind. Would you please send me a written reply about how you feel about this, what you can and are doing, or if I can do anything to help.

Yours Truly,

SCOTT BRADY.

LEBANON, ORE.,
May 19, 1971.

DEAR MR. PACKWOOD: I'm a thirteen year old student at Seven Oak Junior High. I'm a future user of recreational facilities and I'm concerned about the Pumic mining of the Three Sisters.

If the industry takes it over no one can see the real beauty of a non-polluted forest.

I am very happy to see that you are taking steps to prevent what the industry wants to do.

I would appreciate it if you can send me a reply on how you plan to do this and what you think about it.

Sincerely,

CINDY MIDDLETON.

LEBANON, OREG.,
May 19, 1971.

DEAR SENATOR PACKWOOD: I am fourteen years old and go to Seven Oak school.

I am a future user of recreational areas, and very concerned about the Three Sisters Wilderness area. I think you have the ability to help Oregon keep this wilderness area from becoming used in the wrong ways.

Please help us stop California from digging pumice mines in one of the very few wilderness areas that we have. Thank you.

Yours truly,

SUSAN BAKER.

LEBANON, OREG.,
May 18, 1971.

DEAR MR. PACKWOOD: I am fourteen years old and in the eighth grade at Seven Oaks school.

I am concerned about what is going to happen to the Three Sisters Wilderness area. I am sure when I get older I will use many of the wilderness areas, and wouldn't want any of them to be wrecked up or even touched by man. I am sure that if that California mining company gets hold of it they will wreck it by the time they get out of the pumice beds there will be a big wide mud road and everyone will know that man has been there and left his mark. I would please like a written reply on what you are doing right now and what you are going to be doing about mining the pumice from the Three Sisters Wilderness area.

Thank you,

CINDY WYN.

LEBANON, OREG., *May 18, 1971.*

DEAR MR. PACKWOOD: I am a student of Seven Oak school and a future user of Oregon's recreational facilities. I am concerned mainly about the idea of the pumice mining in the Three Sisters Wilderness Area. I am also concerned about the other wilderness areas that man, himself is ruining by litter and other kinds of pollution.

If the laws are not changed this land will go. And we will never be able to bring back the ecological beauty that it has now.

I would like for you to send me some information on what you are and will be doing about this.

Thank you

MIKE ZOOK.

LEBANON, OREG., *May 19, 1971.*

DEAR MR. PACKWOOD: I'm 14 years old and go to Seven Oak School, I'm a user and going to be a future user of recreation facilities.

I'm deathly concerned about the pumice mining that just could, if not stopped go on at the Three Sisters Wilderness Area. This would ruin nature's beauty for all of Oregon.

How are you going to fight this? Is this going to be stopped? Thank you for your time.

Thank you,

LUCY GREINER.

LEBANON, OREG., *May 19, 1971.*

DEAR MR. PACKWOOD: I am an eighth grade student at Seven Oak Jr. High.

I am a future user of Oregon's recreational facilities.

If we let them mine at the Three Sisters, if they keep using our wilderness for industries and mining we will have no wildlife or lakes.

So please tell me what you have done and what you are going to do.

Thank you.

Sincerely,

PAM WAGNER.

LEBANON, OREG.,
May 18, 1971.

DEAR MR. PACKWOOD: I am Ricky Whitehead, a 13 year old and I am a student of Seven Oaks school. I am also a future user of Oregon's recreational facilities. I am very concerned about the possibility of the Three Sisters Wilderness Area becoming a mining area for pumice. I think that if we allow them to mine pumice in the Three Sisters Wilderness Area and do not pass a law to prevent such happening that it will be only a very short time before our ecology will be destroyed. If we don't stop them now they will continue to other Wilderness Areas until we have none left. I would like to have a written reply on what you are doing and on what you plan on doing as soon as possible.

Sincerely yours,

RICKY WHITEHEAD.

LEBANON, OREG.,
May 19, 1971.

DEAR MR. PACKWOOD: I am thirteen years old and I go to Seven Oak School. I am also a future user of Oregons recreational facilities and I am concerned with what is happening to them. One example is the Three Sisters Wilderness Area. If they mine in the area for pumice there with have to be roads for transportation of the pumice out of the area, roads mean cars and trucks, that means people that throw trash out of windows, and then the balance with be broken. I would like a written reply on what you are going to do about this. It would be a shame if we had no Wilderness Areas to show our children. It would be a shame too if there were no parks or play areas that were not polluted. I know that you are doing everything in your power to stop what people are doing to our country. Thank you for your cooperation.

Sincerely,

SANDY BRICKER.

LEBANON, OREG.,
May 19, 1971.

DEAR MR. PACKWOOD: I am an 8th grader at 7 Oak school and a future user of Oregon's recreation facilities. And I'm concerned about the Pumice Mining that may take place at the Three Sisters Wilderness Area. I would like a written reply on the steps you are taking to prevent the mining.

Thank you,

BARB YAHNKE.

LEBANON, OREG.,
May 18, 1971.

DEAR SENATOR PACKWOOD: I am thirteen years old and an eighth grade student at Seven Oak School.

I am writing this letter because of my great concern for the Three Sisters Wilderness Area.

I think this Wilderness Area should be left alone. If they mine all the Pumice out of this area the ecology will be upset and it will no more be untouched by man.

If industry takes it over it will upset the animals there and then the area will get full of litter from the men working there.

I am a future user of this area and I wouldn't like it to be ruined for other future users.

Please send me a written reply on how and what is being done about this and what you think about it.

Sincerely,

BRENDA JACKSON.

LEBANON, OREG.,
May 19, 1971.

DEAR MR. PACKWOOD: I am 15 and go to Seven Oak School. I am concerned about the wilderness areas. I am a future user of them. If they destroy those areas there won't be any place for the Sight Seers to go. I heard from a class discussion about the Three Sisters Wilderness Areas might have pumice mined. That can't happen. I can't see wrecking such natural areas.

I would like to help if possible so please send me information that is needed to save these areas.

With my support,

KEN CREUSE.

LEBANON, ORE.
May 18, 1971.

DEAR MR. PACKWOOD: My name is Ginger Robinson. I'm fourteen and attend Seven Oak Junior High. I am very concerned about the Pumace mining in three Sisters Wilderness Area. I think the Wilderness Areas should be untouched. Its the only place a person can get away from the treasure and worries of life. Where a person can breathe fresh air and run freely. I would like a written reply on what you are doing and what I can do to help keep them from being bothered.

Thank you.

GINGER ROBINSON.

LEBANON, ORE.
May 19, 1971.

DEAR MR. PACKWOOD: I am 14 years old and I am attending Seven Oak School. I will soon be a future user of The Oregon Wilderness Areas. I am writing this letter because I am greatly concerned about the Three Sisters Wilderness Area.

In my opinion they should leave the wilderness areas alone or they will upset the ecology of them. They could find some other areas to mine Pumice.

Please send me a written reply on how you plan to help and what are your feelings about it?

Sincerely,

RON JOHNSON.

LEBANON, OREG.

DEAR MR. PACKWOOD: I am Randy Wells, age 14 yrs old, and in my last year of Jr. High.

I am a future user of Oregon's Wilderness areas.

I am very concerned about the Pumice Mining in Oregon's Wilderness areas, especially Three Sisters Wilderness area.

I have heard that some big California company has a claim on part of it, all they care about is making a dollar not about this area they would be ruining. So I think that we should do something about it before something happens so I think that you should get your tail behind you and do something.

I would like a written reply on the actions you are taking and my concerns.

Your friend,

RANDY WELLS.

LEBANON, OREG., *May 18, 1971.*

DEAR MR. PACKWOOD: As an eight grader 13 year old, and as a future user of the Three Sisters Wilderness Area I would like to express my concern of the Pumice Mining that is considered to be done.

If Pumice Mining takes place it would make the wilderness area unnatural. The roads for instant would destroy the touch of wilderness that the area has. The machinery and the mines would do this also. And we wouldn't want this nice place for recreation to be destroyed.

Please send written action on this situation.

Thank you for your trouble.

Sincerely yours,

STEVE PORTER.

LEBANON, OREG.,
May 15, 1971.

DEAR MR. PACKWOOD: I am terribly concerned with the pumice mining in the wilderness area. I am a 13 year old 8th grader and I am not going to like them making roads there because I like to hike there. I hope you do something about it.

Yours truly,

LAMONT FROEMKE.

Mr. PACKWOOD. Mr. President, I have introduced two bills on this subject of mining in wildernesses. One, S. 1783, pertains to mining in wilderness areas anywhere in the Nation; and S. 1784 relates specifically to mining within the Three Sisters Wilderness in Oregon. Both of these proposals have been referred to the Senate Interior and Insular Affairs Committee for consideration.

TREATMENT OF SOVIET JEWRY VIOLATES SOVIET AND INTERNATIONAL LAW

Mr. BAYH. Mr. President, there is growing evidence that the recent increased emigration of Soviet Jews to Israel may be slowing down. In the first 4 months of this year about 2,500 Jews received permission to leave the Soviet Union. Now, according to recent press accounts, Soviet authorities report that there are only several hundred more applications pending. In view of what we know about the harsh treatment of Jews in the Soviet Union, that hardly seems credible. In fact, a recent Soviet emigre, Mr. Leonid Rigerman, has told me that at least 500,000 Soviet Jews would leave if the government permitted and even more would be interested in emigrating if government policy was more certain and there was no fear of retribution.

It is disturbing to note, Mr. President, that the sudden increase in emigration came at about the same time as the recent series of trials in Leningrad and Riga. These trials attracted a great deal of publicity and as a result of the world outcry the death sentences imposed on two of those tried at Leningrad was commuted and additionally scheduled trials were postponed from January until May. It seems obvious, therefore, that the temporary liberalization of emigration policy was designed in the hope of diverting world public opinion from the trials. In that sense the new emigration policy failed. World public opinion continued to condemn the trials for their obvious anti-Jewish overtones and for the shroud of secrecy that surrounded them. Equally disturbing is the fact that the trials seem to be a warning to those Soviet Jews who have expressed an in-

terest in emigrating to Israel that the government will not tolerate such sentiments.

Mr. President, the Soviet policy of denying Jews the right to emigrate to Israel is in direct violation of international law and of a number of international agreements to which the Soviet Union is a signatory. In addition, the Soviet government itself has committed numerous violations of Soviet law in the everyday treatment of Soviet Jewry and in the conduct of the recent trials.

I. VIOLATIONS OF INTERNATIONAL LAW

A. THE RIGHT TO EMIGRATE

The Soviet Union is a party to numerous international agreements and conventions that recognize the basic right of all persons to leave their country.

First. The Universal Declaration of Human Rights. Article 13(2) of this declaration states that "Everyone has the right to leave any country, including his own, and to return to his country." The United Nations General Assembly adopted the Universal Declaration of Human Rights on December 10, 1948, by a vote of 48 to 0, with eight abstentions, including the Soviet Union. However, in December 1960, the General Assembly unanimously adopted a Declaration of Colonialism which specifies that "all States shall observe faithfully and strictly the provisions of the Universal Declaration on Human Rights," and this was unanimously reaffirmed in 1961 and 1962. Article 29 of the Universal Declaration of Human Rights allows some limitation on the liberties declared therein only "for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order, and the general welfare in a democratic society." That provision specifically precludes any limitation on personal liberty which is based upon the foreign policy of a country. The reason which the Soviet Union has given in recent months for its refusal to allow more than a small number of Jews to leave for Israel—that is, that the infusion of ablebodied immigrants from the Soviet Union could conceivably help Israel's military position with respect to the Arab states—is clearly an invalid basis for limiting personal liberties under the Universal Declaration of Human Rights.

Second. The International Convention on Elimination of All Forms of Racial Discrimination. This convention, which was adopted unanimously by the United Nations General Assembly on December 21, 1965, and ratified by the Presidium of the Supreme Soviet on January 22, 1969, provides in article 5(d)(2) that contracting parties to the convention guarantee the right of everyone—to leave the country, including his own, and to return to his country.

Third. The International Covenant on Civil and Political Rights. This agreement, adopted unanimously by the General Assembly on December 16, 1966, and signed by the Soviet Union on March 18, 1968, provides in Article 12 that everyone shall be free to leave any country, including his own.

Fourth. In 1963, the United Nations Subcommission on the Prevention of Discrimination and Protection of Minorities produced a study entitled "The Study of Discrimination in Respect of the Right of Everyone to Leave Any Country, Including his Own, and to Return to His Country." The Subcommission prepared a set of "Draft Principles on Freedom and Non-Discrimination in respect of the Right of Everyone to Leave any Country, Including his Own, and to Return to his Country," and this document is now on the agenda of the United Nations Commission on Human Rights. The U.S.S.R. submitted to the Subcommission detailed information concerning its law and practice governing the right to leave. The Soviet document, which is incorporated in Conference Room Paper No. 85—February 7, 1963—specifies that the U.S.S.R. may refuse an emigration permit only under three circumstances: First, if a person has been charged with an offense and judgment is still pending; second, if a person has been convicted and is serving a court-imposed sentence; and third, if a person has yet to discharge his obligation of service in the Soviet army or navy. The Soviet Government went on to state that "citizens may not be prevented, by membership in a particular racial, linguistic, political, religious or other group, from entering or leaving the U.S.S.R.," nor does the government exercise "discrimination of any kind—as regards the procedure and formalities connected with entry into departure from the U.S.S.R.—." Finally, the U.S.S.R. told the United States that with respect to appeals "through administrative channels" for exit visas, "no discriminatory restrictions are permitted," and any person who curtails that right—of appeal—is liable to a penalty."

Fifth. In addition to the formal contractual obligations concerning the right to leave, the U.S.S.R. has made a number of informal statements, such as an exchange of letters between Foreign Minister Andrei Gromyko and Vice President Richard Nixon in the fall of 1959, affirming the principle of reunification of families, and a 1966 Press Conference of Premier Alexei Kosygin in which he stated that "As regards the reunion of families, if any families wish to come together or wish to leave the Soviet Union, for them the road is open and no problem exists here."

In contrast to its formal obligations and informal statements of policy on this issue, the actual policy of the U.S.S.R. has been to deny exit permits to the vast majority of the tens of thousands of Soviet Jews who request them and to subject many of the petitioners to a variety of harassments, ranging from dismissal from employment to imprisonment and physical abuse. Exit permits are routinely denied without any substantive reasons given, frequently on the basis of alleged failure to comply with technicalities unknown to the applicant. One of the most difficult problems faced by exit permit applicants is the requirement of a "character reference" from the applicant's employer, who has frequently dismissed the applicant from employment upon learning of the application and who may well refuse to supply the required reference. When substantive reasons for refusing a permit are given, they are almost always invalid under the terms of article 29 of the Universal Declaration of Human Rights.

Because of the enormous risk involved in applying for an exit permit, it is extremely difficult to determine the precise number of Soviet Jews who wish to emigrate. It is reasonable to assume, however, that the present number of applicants represents only a small percentage of those who would apply for permits if the fear of reprisal were not present.

Many examples exist of the type of harassment to which applicants for exit permits are subjected. Boris Kochubievsky was put on trial in May 1969 and sentenced to 3 years in prison for issuing a public statement defending Israel and for requesting permission to emigrate. Recently, Pravda branded Jews who wanted to go to Israel with the Stalinist term, "Anti-Soviet." A person accused of "anti-soviet" activities can be tried under the treason provisions of the Soviet constitution and many fear that the Soviet Government has raised the specter of Stalin's purges of Jews in order to intimidate and discourage potential applicants.

B. THE RIGHT TO EDUCATION

The Soviet Union has ratified the Convention Against Discrimination in Education, adopted in Paris on December 14, 1960, by the General Conference of the United Nations Educational, Scientific, and Cultural Organization. The Convention declares that discrimination in education is a violation of the rights enunciated in the Universal Declaration of Human Rights, under which every person has the right to education. Discrimination is defined to include any "distinction, exclusion, limitation or preference which being based on race, color, sex, language, religion, political or other opinion, national or social origin, economic condition, or birth has the purpose or effect of nullifying or impairing equality of treatment in education and in particular of depriving any person or group of persons of access to education of any type or at any level" and "of inflicting on any persons or group of persons conditions which are incompatible with the dignity of man." Education is defined to include "all types and levels of education, and includes access to education." Article 1—The Convention Signatories undertook "To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education," and "to insure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions."—Article 3.

The Parties to the Convention also agreed that:

> It is essential to respect the liberty of parents and, where applicable, of legal guardians, firstly to choose for their children institutions other than those maintained by the public authorities . . . and secondly, to ensure . . . the religious and moral education of the children in conformity with their own convictions.

They also declared that:

It is essential to recognize the right of members of national minorities to carry on their own educational activities including the maintenance of schools and depending on the educational policy of each State, the use or the teaching of their own language.

Yet Soviet Jews are systematically denied the right to bring up their children in accordance with their beliefs. There are no Jewish or Hebrew textbooks published in the Soviet Union nor are such books allowed to be brought into the country. In fact, many of the accused in the recent trial at Riga were found to have Jewish history books and Hebrew grammars in their possession.

The Soviet authorities have not hesitated forcibly to discourage Jewish education. For example, Lev Sheinkar, Moscow's only Hebrew teacher, was recently imprisoned for 15 days, allegedly for hooliganism. Similarly, one of the nine defendants in the postponed Leningrad trial, Vadim Mogilever, requested the Soviet authorities to provide textbooks in order to teach his son Hebrew. This request was denied and he was then charged with anti-Soviet organization. The fear of this charge discourages many Soviet Jewish parents from attempting to organize schools in which Jewish children can learn about Jewish culture, even though the right to organize such a school is granted both by Soviet law and international law.

C. POSTAL FREEDOMS

The Universal Postal Convention, revised at Vienna on July 10, 1964, and ratified by the Soviet Union to become effective July 1, 1966, provides for freedom of transit which "entails the obligation for each postal administration to forward, always by the fastest means that it uses for its own articles, closed dispatches and open mail letter-post items that are delivered to it by another administration," including airmail items and parcels. Article 1—failure to observe freedom of transit may result in the discontinuance of postal service with the violating country. Article 2—the Convention also provides for speedy processing of inquiries and requests for information—article 35—return receipts—article 37—and for the responsibility of postal administration for the loss of registered mail—article 39. In case of loss, the sender is entitled to an indemnity of 25 to 125 francs per article.

The Soviet Union routinely fails to deliver registered letters and packages sent to Soviet Jews, or to respond to requests for information on the fate of these mailings. Similarly, it has not forwarded registered letters sent abroad by Soviet Jews, and has refused to pay indemnity to the senders, frequently claiming as a pretext that the recipients refused to accept the mail.

D. FREEDOM FROM EMPLOYMENT AND OCCUPATION DISCRIMINATION

The Soviet Union has ratified the Discrimination (Employment and Occupation) Convention of 1958, which forbids "any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation." Article I—this Convention, No. 111 of the International Labour Organization, states that such "discrimination constitutes a violation of rights enunciated by the Universal Declaration of Human Rights, and defines "employment" and "occupation" to "include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment."

In article 2, each signatory member agreed to pursue a national policy designed to promote "equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof." Each member undertook "to repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy" and "to ensure observance of the policy in the activities of vocational guidance, vocational training and placement services" and in its educational programs. Article 3.

It is well known that the Soviet Union continues to deny Jews equal education and employment opportunities. As one of countless examples, Mr. Taubin of Riga received the highest grades on his 1970 entrance examinations but was nevertheless refused admission as a student at the Riga Polytechnical Institute. Jews who assert their Jewish identity in any way are especially subject to discriminatory treatment. Jews who apply for and are refused exist permits are very often fired from their jobs or given reduced salaries. For example, Carl Malkin, a prominent Moscow mathematician applied for an exit visa to Israel, and immediately had his salary reduced in half. Shortly thereafter he was fired from his job with no explanation, leaving his family without any means of support.

II. VIOLATIONS OF SOVIET LAW

A. TREATMENT OF SOVIET JEWS

Soviet treatment of Jews, especially those who attempt to acquire Jewish education or who apply for exit permits, is in direct violation of numerous provisions of internal Soviet law. The Soviet Constitution—article 125—for example, confers upon every Soviet citizen the rights of freedom of speech, freedom of the press, freedom of assembly—including the holding of mass meetings—and freedom of street processions and demonstrations. Article 126 of the Soviet Constitution guarantees the "right to unite in mass organizations—including—cultural, societies." When Jews attempt to utilize these guaranteed freedoms in order to organize Jewish cultural or religious activities or to encourage the Soviet Government to allow them to emigrate, the result is usually severe informal harassment and frequently threat of—or, in some cases, actual—criminal prosecution for vaguely defined offenses such as "anti-Soviet activity" and "anti-Soviet organization."

Two provisions of Soviet law are of particular interest here. Article 124 of the Soviet Constitution provides that:

In order to ensure to citizens freedom of conscience, the church in the USSR is separated from the state, and the school from the church. Freedom of religious worship and freedom of anti-religious propaganda is recognized for all citizens.

Soviet failure to allow freedom of religious worship to Jews includes an informal but strictly imposed ban on the manufacture or importation of Jewish religious articles such as prayer books, prayer shawls, and phylacteries, which are routinely confiscated by the Secret Police from tourists who attempt to bring small quantities of these items into the Soviet Union. The Moscow Public Library, which has one copy of a basic Hebrew grammar refuses, without giving reasons, to allow interested persons to copy the pages of this book, although basic grammar books in other languages are available for copying in the library. It is virtually impossible to obtain permission to build a new synagogue in the Soviet Union, and the total number of synagogues currently in existence is approximately 67, servicing a Jewish population estimated at between 3 and 3½ million. To put this figure in perspective, Chicago, with a Jewish population of about 200,000, has over 120 synagogues.

Finally, although internal Soviet law appears to contain no specific provisions guaranteeing the right to leave the Soviet Union—see generally Ginsburgs, Soviet Citizenship Law—the Presidium of the Supreme Soviet issued an edict on April 12, 1968, guaranteeing that every citizen who applies for an exit permit has the right, if refused such a permit, to be given a statement of reasons for refusal. This right to be given reasons for a denial has simply not been honored.

B. THE TRIALS

Under article 97 of The Code of Criminal Procedure of the USSR "only by reason of the special complexity of the case can the civilian authorities prolong the normal 2-month limit on imprisonment without a trial for an additional month. In similar cases, the military authorities can extend confinement for up to six months. The Procurator General of the USSR can extend that 6-month period for an additional 3 months, for an absolute statutory minimum of 9 months, but "only in exceptional instances." At present, however, the Soviet Government is holding a number of its Jewish citizens for trial in prisons in four cities. Some of these prisoners have not been formally charged with a crime and many of them have been imprisoned without a trial beyond the 9-month statutory limit set by Soviet law.

Apparently, according to recent press accounts, a scheduled trial in the Moldavian capital of Kishinev has been postponed indefinitely. While postponements are welcome, world public opinion must continue to focus its condemnation on the treatment of Soviet Jewry. An end to the victimization and persecution of Soviet Jewry is what we desire—not merely a temporary postponement of these phony trials. Our attention will not be diverted from the continued inhumane treatment accorded Soviet Jewry.

INTEGRATED PEST CONTROL—SUPPORT GROWING FOR THIS ALTERNATIVE TO SOLE RELIANCE ON PESTICIDES

Mr. NELSON. Mr. President, on May 6, 1971, I introduced S. 1794, a bill to authorize the appropriation of $4 million to establish pilot field projects for research on a variety of crops to control agricultural and forest pests by integrated biological-cultural methods.

There is no doubt in the minds of those in the scientific community who have studied integrated controls and those entomologists and farmers who have practiced integrated control that this method is a viable, practical alternative to the Nation's rigid reliance on pesticides.

Nineteen Senators already have cosponsored this legislation. I ask unanimous consent that more cosponsors be added on the next printing of S. 1794. They are Senators EASTLAND, CHURCH, MONTOYA, BURDICK, MCGOVERN, CASE, and MATHIAS.

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

Mr. NELSON. Mr. President, I am pleased to announce that the Plains Agricultural Council, made up of farm association leaders in the plains area of Texas, New Mexico, Kansas, and Oklahoma, recently endorsed the concept of S. 1794 at a meeting in Lubbock, Tex. The council asked in its resolution that grain sorghum be included in the pilot integrated control field program. A strain of the greenbug has attacked grain sorghum in the high plains, and farmers there have seen the cost of chemical control rise dramatically.

Also, Mr. B. F. Smith, executive vice president of the Delta Council in Stoneville, Miss., has said in a letter to me that the council looks with great favor on a pilot integrated pest control program.

On May 13, 1971, I inserted a statement in the RECORD in support of S. 1794. The statement quoted several distinguished scientists who, together, pointed to study results indicating that the single strategy of chemical pest control has been an agricultural, economic, and environmental failure.

One of the scientists quoted in the statement is Dr. Perry L. Adkisson of the Department of Entomology at Texas A. & M. University at College Station. Agricultural producers who know Dr. Adkisson and his colleagues throughout the country attest that he is unusually qualified as an expert in pest control.

I ask unanimous consent that the letter by Mr. Smith and a paper by Dr. Adkisson, "The Objective Use of Insecticides," be printed in the RECORD. The paper by Dr. Adkisson was presented earlier this year at the University of California symposium on agricultural chemicals.

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

Stoneville, Miss., May 19, 1971.

Sen. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I wish to express appreciation for your letter of May 14 and the copy of the remarks that you made when you introduced S. 1794, a bill To Provide a Viable Alternative to the Nation's Rigid Reliance on Pesticides.

You are quite correct in that instead of talking about eradication, which is hardly feasible, we should instead aim at the suppression of insect populations to the point below the economically disruptive threshold. This is true of the experimental boll weevil control program being initiated this year in South Mississippi and parts of Louisiana and Alabama. I believe that I sent you a rather detailed explanation of this program which will utilize all of the technology that has been developed wih regard to biological-cultural-chemical programs including the use of sterile males. As you know, the USDA is supporting this program which is also being financed by the Cotton Producers Institute and the cooperating states. We were instrumental in obtaining an appropriation from the Mississippi Legislature of more than one-half million dollars to construct a weevil rearing facility which will be used for the production of sterile males. We have great hopes for this program; however, we wish to stress the fact that it is still in the experimental stages.

We have read with great interest your plans to provide funds for pilot-field projects and look with great favor on a program of this kind.

You are quite correct in that the indiscriminant use of some pesticides destroy natural predators and cause still more serious problems. I think, however, that farmers have resorted to ever-increasing use of pesticides simply because they did not know of other alternatives rather than because the chemical industries deliberately set out to sell this approach. Many of the chemical industries have worked very closely with state and federal researchers toward the development of effective control measures; however, there have certainly been some over zealous chemical salesmen.

We have a new regional pesticide laboratory located here at Stoneville that was completed last year. The primary mission of this fine, new regional facility is to develop bio-environmental methods of controlling insect pests, as well as weeds and grasses. Unfortunately, funds have not been available to staff this facility; however, information has recently been received indicating that funds for staffing will be made available in fiscal year 1972. We need in-depth research in this field as well as the kind of pilot-field projects provided in your legislation.

I believe you will be interested to know that scientists here at the new regional laboratory plan to attack the problem by a "systems approach" through which scientists representing a wide range of disciplines will work together in their attack on this problem. For too long now, we have been approaching problems of this kind on a piecemeal basis and perhaps we have not been in a position to utilize all of the knowledge that has been available.

I believe you will agree that we will have to rely on the use of some pesticides even with success in biological methods of protecting crops against pests. For instance, research has shown that boll weevils go into a diapause phase before hibernating for the winter. In trying to take advantage of this knowledge, it has been found that an insecticide mixed in with the defoliant that is applied in the fall of the year will kill a high percentage of the weevils that would otherwise live through the winter and be ready for reproduction in the spring. By reducing the population of overwintering weevils, farmers will then be able to do without the application of insecticides until rather late in the season. This provides the opportunity for beneficial insects to grow, multiply and control other insects such as the lygus bug and spider mites mentioned in your article. At some point, however, the use of insecticides is necessary to prevent drastic crop losses. The number of applications and the amounts of materials can perhaps, however, be greatly reduced.

Thank you again for your very thought-provoking letter and for the enclosures.

Yours very truly,

B. F. SMITH,
Executive Vice President.

THE OBJECTIVE USE OF INSECTICIDES

(By Perry L. Adkisson, Department of Entomology, Texas A&M University, College Station, Texas)

"The almond tree shall flourish and the grasshopper shall be a burden." Ecclesiastes 12:4.

Problems of crop protection have been with man since the time he began to practice agriculture and the quotation from Ecclesiastes is just as true today as it was during the times of the Old Testament. The almond tree does flourish and the grasshopper is a burden, and in modern agriculture both are treated with liberal doses of agricultural chemicals. This treatment has been, and will continue to be, necessary if we are to produce the amount and quality of food and fiber needed to feed and clothe an exploding human population.

The human society has not conquered the problems of famine and pestilence but for the first time in the history of man we have promises of an adequate food supply for all people and an environment virtually free of pest-transmitted diseases. This abundance of food has been brought about by the development of new high yielding varieties of crops such as rice, wheat, grain sorghum and corn. However, the yields which have been produced depend to a great extent on methods of pest control which allow these varieties to yield to their full genetic capability and to be stored without losses from insects and rodents. Public health authorities, mainly through the use of insecticides and improved methods of sanitation, have greatly reduced the incidence of malaria, yellow fever, typhus, encephalitis and other arthropod-transmitted diseases. All of these advantages to man have allowed him to enjoy a longer and more productive life.

Insecticidal chemicals have had a major role in the development of this technology and their use has accomplished a tremendous amount of good. It is becoming increasingly obvious, however, that the use of these chemicals has not been without problems and that society now is asking that the benefits of each use be weighed against possible adverse side-effects on environmental quality.

An insecticide, by definition, is a chemical which is poisonous to insects. Because insecticides are poisons, some also may harm other kinds of organisms. It is the latter problem which is causing many environmentalists and ecologists to question the need for certain insecticides.

However, there is another problem of considerable magnitude associated with the use of insecticides which has not yet caused any great concern among the general public. This is the continued development of resistance to insecticides by many species of insect pests of agricultural and medical importance. There are presently more than 200 species of insects that have developed resistance to one or more insecticides. Over the long-term, this problem could more severely affect man by endangering his food supply or health than does the adverse side-effects of certain pesticides on non-target organisms. Certain of these resistant insects are already inflicting great losses to crop yields and some species can not be controlled by presently available methods. The continued development of insecticide-resistant strains of insects threatens to render obsolete much of our present pest control technology. Thus, man is still faced with an ever continuing

battle against insect pests if he is to enjoy good health and have sufficient food.

Because of the problems produced by the past usage of insecticides, it is necessary that future application of these chemicals be made as objectively, scientifically and intelligently as possible.

EVOLUTION OF AGRICULTURAL INSECTICIDES

Before World War II, the chemical control of insects was achieved mainly with metallic compounds, botanical products and petroleum oils. Lead arsenate was a mainstay for fruit production and calcium arsenate was used on cotton. Nicotine sulphate was used for control of aphids, pyrethrum for flies and rotenone for cattle grubs. Petroleum oils were used on citrus and fruit crops and as larvacides for mosquitoes. These insecticides did not produce great ecological disruptions but, neither were they highly effective for controlling insect pests.

These insecticides were largely replaced at the end of World War II when DDT and the other new synthetic chlorinated hydrocarbon insecticides became available. The new insecticides possessed two qualities of great importance to effective insect control: (1) high initial toxicity to insect pests; and (2) sufficient persistence to control newly emerging insects or insects migrating from untreated into treated areas.

The chlorinated hydrocarbon insecticides had a great impact on agriculture. Producers were able to effectively control insects for the first time. Such success stimulated an unprecedented demand by growers for almost complete control of insect pests. It now became profitable for them to use fertilizers, irrigation and other practices. Spectacular increases in yields were obtained and maintained at high profit levels for many years.

The apparent victory gained over insects by the use of the chlorinated hydrocarbon insecticides was not a lasting one. By the early 1950's a few species of insects had already developed a high level of resistance to these insecticides. By 1960, many insect pests of major importance, including the boll weevil, bollworm, tobacco budworm, cabbage looper, houseflies, mosquitoes, and aphids, could no longer be effectively controlled with the chlorinated hydrocarbons.

In Texas, the use of the chlorinated hydrocarbon insecticides (including DDT, endrin, aldrin, dieldrin, heptachlor, toxaphene and BHC) in agricultural production has steadily decreased during the past 10 to 15 years. For example, DDT was listed 120 times in the Texas recommendations for insert control in 1953. The recommended usage of DDT has been continually reduced. This year DDT appears only 4 times in Texas recommendations. All of the latter recommendations involve minor uses of DDT where no alternate insecticides are available. Endrin is no longer recommended for use on any crop. The use of the chlorinated hydrocarbon insecticides has decreased because of: (1) the development of resistance to these chemicals by insect pests; (2) the advent of new, more effective insecticides; and (3) the increased awareness of the potential dangers arising from residues persisting after the application of these compounds.

The phasing out of the chlorinated hydrocarbon insecticides for usage in Texas agriculture has not been without problems. They have been replaced for the most part by the organophosphorus insecticides. Certain of the organophosphorus compounds present real hazards to the applicator and the farm worker. Since most are not persistent, they have to be applied more often and, thus, have increased costs of agricultural production. In addition, they have been very deadly to a broad spectrum of insects, often eliminating beneficial insects. This has led to outbreaks of secondary pests, some of which have proven to be more damaging than the original pests.

IMPACT OF INSECTICIDES ON THE AGRICULTURAL ECOSYSTEM

In the preceding discussion I have briefly mentioned certain aspects of the impact of synthetic insecticides on agricultural production. Spectacular increases in yields have been obtained through the use of these chemicals. However, the maintenance of these high yields have been difficult because of problems which have developed when highly effective insecticides have been used on a crop over a prolonged period.

Cotton in the Lower Rio Grande Valley of Texas was intensively dusted and sprayed with chlorinated hydrocarbon insecticides, mainly for control of the boll weevil, for approximately 15 years. No serious problems in insect control were experienced until the late 1950's at which time the boll weevil became resistant to these insecticides. The problem of boll weevil control was solved by a switch to the organophosphorus insecticides, mainly methyl parathion. DDT was added to control two secondary pests, the bollworm and tobacco budworm. By 1962, the latter two insects could not be controlled with DDT or other chlorinated hydrocarbons or carbamate insecticides. The total pest control situation suddenly reversed. Now the bollworm and tobacco budworm became more important than the boll weevil. The problem of bollworm and budworm resistance to DDT and related compounds was resolved by increasing dosages of methyl parathion by two to four times, from 0.50 lb/acre which had been used for weevil control to 1.0 to 2.0 lbs/acre. An immediate effect of increasing dosage rates of insecticides was to increase cost of production. Yields remained high but profits decreased. This situation prevailed until 1968. Control then was directly mainly toward the bollworm and tobacco budworm, two pests formerly of secondary importance, while the boll weevil had faded to insignificance.

A secondary effect of the increased usage of high dosages of methyl parathion in the Lower Rio Grande Valley of Texas has been a great increase in the number of cases of insecticidal poisoning among applicators and farm workers. Fortunately, there have been no deaths directly attributable to the agricultural application of the organophosphorus insecticides. This has been due in a large part to a concerted effort by the Texas Agricultural Extension Service, the Texas Department of Health, and chemical companies to provide applicators, farmers and workers with educational material concerning the safe use of pesticides. However, the problems of safety and environmental contamination are great. Many non-farm residents are complaining about the heavy use of pesticides in fields adjacent to the small towns of the Valley. Also, insecticidal drift from cotton into citrus orchards has caused major upsets in the biological control of certain arthropod pests of this crop. This has caused citrus to be treated with more pesticides and the end-result is that the amounts of pesticide released into environment has been increased.

The situation made another drastic change in 1968. The tobacco budworm population in the Valley showed the first signs of developing resistance to the organophosphorus insecticides. Many producers treated their fields 15 to 18 times with methyl parathion and, even then, suffered great losses in yields. Others produced relatively high yields but saw their already small margin of profit shrink even more. By 1970, the tobacco budworm had developed such a high level of resistance that severe outbreaks of the pest could not be controlled regardless of the insecticide used (Table 1). Many fields suffered severe losses in yields and the Valley in 1970 produced the lowest yield recorded during the past 25 years.

The cotton industry in certain areas of northeastern Mexico has been almost totally destroyed by the tobacco budworm. Cotton production in the Matamoros-Reynosa area of the Lower Rio Grande Valley declined from 710,715 acres in 1960 to approximately 1,200 acres by 1970 (Table 2). Most of this acreage was moved approximately 200 miles south to a new area near Tampico-Mante. There were approximately 500,000 acres planted to cotton in this area in 1966. This declined to 100,000 acres in 1969. In that year, the cotton crop was almost totally destroyed by the tobacco budworm even though producers treated intensively with methyl parathion. In 1970, the cotton industry had disappeared from the area with less than 1,200 acres being planted and most of this was destroyed without harvest. This occurred mainly because the greatly increased usage of pesticides in attempts to control the tobacco budworm combined with substantial yield losses caused by the pest made it unprofitable to produce cotton in these areas of Mexico.

The loss of cotton in the Tampico-Mante area has had a severe impact on the local economy. Dr. M. J. Lukefahr (personal correspondence) of the Entomology Research Division Laboratory, USDA, Brownsville, Texas, visited the area in late August 1970 and reported that at least 70% of the cleared land in the area was not being cultivated at all, although some was planted to corn in September. Farmers of the area reported it to be almost impossible to borrow money for any type of farming operation. The entire area is experiencing a severe economic depression. Of the more than 30 cotton gins formerly in the area, 10 have been dismantled and moved to the West Coast. The remainder are intact but boarded up. This shows that when a major crop of an area is lost the economic consequences are severe and may affect almost everyone in the region.

The seeds for the destruction of the Mexican cotton industry were planted when the producers decided that their insect pest problems could be best solved by the unilateral use of regularly scheduled applications of broad-spectrum insecticides. Hindsight shows that this method of pest control was bound for failure since the genetic diversity of insects is such that they appear capable of evolving strains resistant to all insecticides. Once the tobacco budworm became resistant to all available insecticides, the system failed in Mexico. Thus, it is evident that a different strategy for the control of the insect pests of cotton must be devised if the industry is to survive.

MINIMIZING THE USE OF INSECTICIDES

Texas, like California, has an enviable record in the development and implementation of non-insecticidal methods of insect control. The release of millions of sterile screwworm flies has nearly eradicated a pest that previously caused great losses to domestic animals and wildlife. Before the initiation of this program in 1962, animals over most of Texas were subject to attack by this fly. In 1962, when the first sterile screwworm flies were released, 50,000 screwworm cases were reported in the State. By 1970, only 92 animals were found infested wtih screwworms. This has been a remarkable accomplishment. This program has rid ranchers of a major insect pest. A second benefit has been the tremendous increase in the number of deer in the State.

The pink bollworm is one of the most destructive cotton pests. In Texas, this in-

sect destroyed more than $28 million of cotton in a 38-county area in 1952. By 1960, the pink bollworm had been brought under control by a combined program of regulated planting and harvesting, stalk destruction and gin-plant sanitation. The pink bollworm in Texas is presently considered a minor pest, and our cotton producers almost never apply insecticides for its control. Unfortunately, control of the pink bollworm in Arizona and California has not proven easy. In these two states, some cotton producers last year spent $70 to $80 per acre for insecticides in an effort to control the pink bollworm.

Biological control of Rhodes grass scale, a serious pest of pasture grasses in Texas, has been accomplished by the release of an insect parasite. Biological control of insects also plays an important role in citrus production.

Synthetic insect pheromones (sex attractants) are being tested for control of the boll weevil and the southern pine beetle. This method of control appears particularly promising against the pine beetle and insecticidal spraying of commercial timberland for control of this pest was largely discontinued during 1970.

However, non-insecticidal controls of insect pests presently are available for only a few species. For the remainder, insecticidal control is required and will be for the foreseeable future. The problems which have resulted from the use of insecticides are great. But there is reason to be optimistic that even the most acute problems may be solved. Sufficient knowledge presently is available which if put to use might immediately reduce insecticidal usage by 50 per cent, or more, on several major crops. Such reduction is dependent upon producers being given the proper technical assistance.

A method of pest management known as integrated control offers the greatest immediate promise for reducing the amount of insecticides needed for crop protection. By bringing all known methods of suppression (including insecticides, beneficial insects, pathogens, insect-resistant crop varieties, and cultural practices) to bear against key target pests, particular promise is offered for those crops which now require the greatest amounts of insecticides.

I wish to provide two recent examples from two major crops which shows that under certain conditions the amounts of insecticide used on these may be drastically reduced. In the Pecos Valley of Texas, 10 to 12 applications of insecticides are applied to cotton each year. However, entomologists working at the Texas Agricultural Experiment Station at Pecos have produced a crop for each of the past three years with almost no insecticide. They have been able to accomplish this mainly because cotton in the area is not infested with a key pest such as the boll weevil. Insect outbreaks in the Pecos crop generally are induced by the unwise use of insecticides which kill beneficial insects; thus, allowing secondary pests, mainly the bollworm, to develop to damaging numbers. The unfortunate aspect of this demonstration has been that the producers of this area have not yet followed the practices which have been shown to work (Table 3).

Approximately 40 percent of the total amount of insecticide applied to crop land in the United States is used on cotton. The results produced at Pecos provides ample reason to believe that supervised control of insects pests by trained specialists could drastically reduce the amount of insecticides used on cotton even without the development of new technology. It is my opinion that insecticide usage on cotton in most areas of the U.S. might be reduced by perhaps 50 percent without reduction of yields.

The second example shows that the amounts of insecticide presently used on grain sorghum for control of the greenbug might be two to five times greater than that actually needed to control the pest (Table 4). It has been estimated that sorghum producers in the Texas High Plains spent $14,000,000 in 1970 for control of the greenbug and related pests. This compares to approximately $100,000 only three years ago before the greenbug became a pest of sorghum. This represents the purchase and application of a great quantity of insecticidal chemicals, much of which has been used unnecessarily.

REORIENTATION OF PEST MANAGEMENT PRACTICES

Integrated insect pest control programs will be difficult to put into practice even after they have been proven by research and demonstration. This is because they are more complex than the simple application of a chemical and may require the conduct of several measures during the year. In addition, certain of these measures, such as uniform planting dates and stalk destruction at specific times, may have to be required of all producers over a large geographical area.

The greatest handicap in putting these programs into practice is the lack of trained pest management specialists to provide technical assistance to the producer. These specialists may have to be provided by government agenices or employed by the various commodity groups themselves. Regardless of the source, these specialists should be educated in the best methods of pest management, licensed in a professional registry then held accountable for their recommendations in the same manner as doctors, dentists and veterinarians.

There will probably always be a need for chemical pesticides if we are to provide for the needs of the human society. Risks of such usages must be evaluated against the benefits obtained. This evaluation must be based on sound scientific data and not hysteria. During this time when there is intense controversy over the use of pesticides and much new legislation is being proposed, all concerned might do well to remember the words of Thomas Jefferson who said, "Error of opinion may be tolerated where reason is left free to combat it."

TABLE I.—COMPARATIVE RESISTANCE TO METHYL PARATHION IN TOBACCO BUDWORMS COLLECTED FROM VARIOUS LOCATIONS

Location and year	LD_{50} (milligrams/gram of larva)	Fold increase in resistance over 1964, college station
College station:		
1964	0.01	
1965	0.03	3×
1966	0.02	2×
1967	0.02	2×
1968	0.04	4×
1969	0.06	6×
1970	0.26	26×
Brownsville [1] 1968	0.09	9×
Weslaco:		
1968	0.05	5×
1969	0.11	11×
1970	0.54	54×
Tampico, Mexico: [1]		
1968	0.31	31×
1969	1.69	169×

[1] Data provided by Dr. D. A. Wolfenbarger, U.S.D.A. Entomology Research Division, Brownsville, Tex. Other data by S. J. Nemec and P. L. Adkisson.

TABLE 2.—REDUCTIONS IN COTTON ACREAGE IN CERTAIN AREAS OF MEXICO FOLLOWING THE DEVELOPMENT OF RESISTANCE BY THE BOLLWORM AND TOBACCO BUDWORM TO CERTAIN INSECTICIDES [1]

Year	Acres	Bales
Matamoros-Reynosa:		
1960	710,715	370,382
1961	613,640	240,609
1962	499,790	362,197
1963	509,058	159,515
1964	191,780	54,066
1965	102,605	50,207
1966	43,515	18,183
1967	24,178	15,957
1970	1,200	?
Tampico-Mante [2]:		
1966	500,000	?
1968	200,000	?
1969	100,000	15,000
1970	1,200	?

[1] Data provided by Dr. M. J. Lukefahr, Head, U.S.D.A. Entomology Research Laboratory, Brownsville, Tex.

[2] Acreage was moved from Matamoros to new land in the Tampico-Mante area during mid-1960's.

TABLE 3.—EFFECTIVENESS OF SUPERVISED INSECT CONTROL PROCEDURES IN REDUCING INSECTICIDAL TREATMENT AND COSTS OF PRODUCING COTTON IN THE PECOS VALLEY OF TEXAS [1]

Location	Average number insecticidal applications			Average total cost of insecticidal applications in dollars per acre			Average pounds of lint cotton per acre		
	1968	1969	1970	1968	1969	1970	1968	1969	1970
Pecos experimental station	[2] 1	0	0	1.30	0	0	752	984	625
Farms adjoining Pecos experimental station	8	10	8	20.00	25	20.00	850	725	650
Pecos Valley:									
Reeves County	10	10	10	30.00	30	30.00	845	750	620
Pecos County	12	12	10	33.00	33	27.50	800	625	630

[1] Data provided by T. L. Pate and C. W. Neeb.

[2] Made for beet armyworm on seedling cotton.

TABLE 4.—EFFECTIVENESS OF REDUCED RATES OF CERTAIN INSECTICIDES FOR CONTROLLING THE GREENBUG ON GRAIN SORGHUM, LUBBOCK, TEX. 1970 [1]

Insecticide	Lbs./acre	Percent control, days		
		3	7	14
Disulfoton	0.10	99	97	97
Do.[2]	.25	100	99	97
Parathion	.10	98	93	76
	.25	100	91	83
Do.[2]	.50	100	97	86

[1] Data provided by D. G. Bottrell and J. R. Cate.

[2] Minimum dosage currently being used commercially.

TOWARD A NEW CHINA POLICY

Mr. McGOVERN. Mr. President, on May 4, the Board of Missions of the United Methodist Church, of which I am honored to be a member, adopted a resolution on relations with the People's Republic of China.

The board has adopted an enlightened and constructive position without disregarding the real problem which exist as China enters into normal relations with

other members of the international community.

The board's resolution is another indication of the growing sentiment among Americans that the time has come to take a more realistic view about the People's Republic of China. The aftermath of the visit of the American table tennis team to China is a further indication that many Americans are ready to reject the myths of the past in favor of the realities of the present and the opportunities of the future.

Mr. President, I ask unanimous consent that the resolution of the Board of Missions of the United Methodist Church together with its background paper on China be printed in the RECORD.

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

CHINA STATEMENT ADOPTED BY THE BOARD OF MISSIONS, UNITED METHODIST CHURCH, MAY 4, 1971

We re-affirm our belief that major measures should be taken so that the People's Republic of China may enter into normal relationships with the full international community and specifically into membership in the United Nations. This would reduce international tension, make some possible constructive dealing with the issues of war and peace in East and Southeast Asia, foster trade, encourage cultural exchanges, and lead to new levels of mutual understanding by the peoples of China and those of other nations.

Therefore, we welcome the recent measures taken by the People's Republic of China and the U.S.A. which promise increased contact and openness between the two governments and peoples. We encourage our Government to indicate its approval of the membership of the People's Republic of China in the UN, and to pursue all available opportunities for developing friendly relations.

We know of no simple or immediate solution to the problems that exist among the Taiwanese people, the Republic of China, and the People's Republic of China. We hope that the existence of these problems will not allow us to preclude new relations with the People's Republic of China. We believe that in due course the people of Taiwan and the people of mainland China should have freedom to develop their own relations with each other and with the international community.

BACKGROUND PAPER ON UNITED STATES POLICY TOWARDS CHINA AND THE RESPONSIBILITY OF THE CHURCH

The American and Chinese peoples have a historical relationship with one another which is profoundly ambiguous, including, on the one hand, strong expressions of concern and compassion, and on the other, deep hostility and misunderstanding. For over a century, individual Americans, as well as the United States government, played an important role in shaping the development and course of China, and one of the major areas of American involvement was represented by the mission work of the Christian churches. Indeed, for many years the major expenditures of the denominations which now comprise the United Methodist Church (as well as of other churches) for foreign mission work went for their work in China. The scope of American missionary activity in China, together with the deep bonds of friendship which often developed out of that effort, created for many American Christians a strong sense of linkage and identification with the destiny of the Chinese people.

And yet, for the last twenty years, Americans have played little if any part in shaping the development and course of China. The success of the Communist revolution on the mainland in 1949, followed by the Korean War, led rapidly to hostile relations between the two countries and to the exclusion of all Americans from China. The traumatic effect of this drastic change on Americans, including those missionaries who had dedicated their lives to serving God in China, has had a lasting effect on relations between the peoples of these countries. For more than a decade after the Communists won power, the attitudes of many American Christians toward China were affected by the attitudes and impressions of American missionaries who were expelled from the mainland, and it is only during the last several years that the church has begun to take a new look at China since the revolution.

Five years ago, the Board of Missions considered the "urgent" problem of relations between the United States and the People's Republic of China. At that time the Board urged the President of the United States to, "establish a Presidential Commission on U.S. Policy in relation to the People's Republic of China," and also called upon leaders, "both in the Methodist Church and in the National Council of Churches of Christ in the U.S.A. to continue to explore all possible means of establishing contact between Christians from the United States and from the People's Republic of China: (Bd. of Missions, 1966). In 1968, the General Conference called for a re-examination of recent U.S. policies toward China, "since their continuation may intensify bitterness and imprison rather than free the people in those lands from hardships, repression and authoritarian control."

In the years since the passage of these statements discussions of a new American policy towards the People's Republic of China have extended to the highest levels of government, and it seems that the time has come for overall re-examination of present U.S. policy. As China has once again emerged as a stable and major power in world affairs, the necessity of a new relationship between America and China has become more evident, although so far very little real change has taken place in the existing relationship. Because of the long historical involvement in China of American churches in general and Methodism in particular, the Board of Missions has a special responsibility to re-examine U.S.-China relations in the light of existing knowledge to help clarify the moral choices facing American Christians as they consider a new China policy. There are three main areas where such a re-examination can help clarify these choices: the changed emotional environment in the United States with respect to China; new understanding of the realities of U.S.-China relations and the particular problems of the status of Taiwan.

THE CHANGED EMOTIONAL AND POLITICAL ENVIRONMENT IN THE U.S.

In the years that followed the seizure of power on the mainland by the Chinese Communists in 1949, American policy towards China was largely shaped by our involvement in the "Cold War." Communism had replaced Fascism as the chief threat to the "Free World," and our strategy of "containing" Soviet Communism in Europe was paralleled by a strategy of containing Chinese Communism in Asia. Western policy-makers viewed Communism as a monolithic, expansionist ideology which sought to extend its tentacles over all the nations of the globe; Christians, in particular, saw in Communism an atheist philosophy committed to the destruction and suppression of religious values and institutions. In this country a "China Lobby," composed of politicians, military leaders and former missionaries, successfully demanded a hard-line approach by the United States towards the People's Republic of China. Supporting the claims of the Republic of China under Chiang Kai Shek (which had fled to Taiwan in 1949) to be the legitimate government of all of China, this lobby sought to characterize the Communist government in the following ways:

1. As a totalitarian regime which suppressed individual freedom and survived in power only through force of arms;

2. As an aggressive power seeking military domination over the rest of Asia;

3. As a part of the international Communist conspiracy seeking to control the world;

4. As an atheist regime which persecuted Chinese Christians and western missionaries in an attempt to destroy religious institutions in China.

Using these characterizations the China Lobby promoted a U.S. policy which sought to contain the expansion of Chinese Communism, which branded China as an aggressor nation in the international arena, and which successfully isolated the PRC from participation in world affairs.

But now, in 1971, the situation has changed. The China Lobby has declined in influence, and the search for a new policy has begun. The Communists have remained in power for twenty years, and Chiang Kai Shek's promise to return to the mainland is no longer taken seriously. President Nixon has relaxed trade and travel restrictions directed at the PRC and has called for a normalization of relations between the U.S. and China. Bipartisan resolutions have been introduced in Congress calling for a new U.S. policy, and a majority of the member states of the United Nations favor the inclusion of the People's Republic in the world today.

In part, these dramatic changes in the emotional environment of China discussions reflect a "realistic" assessment of the domestic political and military strength of the Communist government, and a recognition of the unreality of excluding a nation of 800 million people from participation in the normal channels of international relations. They also reflect a larger change in American attitudes and behavior towards the Communist world in general. Most importantly, however, they reflect some new understandings of the realities of China under the Communists, and it is these understandings which American Christians must come to grip with.

THE PEOPLE'S REPUBLIC OF CHINA SINCE WORLD WAR II

What these new understandings amount to is a discovery that the assumption underlying U.S. policy towards the PRC since 1949 are no longer correct, if they ever were. Both in the realm of China's foreign policy and in the realm of her domestic policy, the stereotypes promoted by the China Lobby are, today, false ones.

The assumption that Chinese foreign policy under the Communists is merely a subsidiary part of an over-all design by monolithic world-Communism has been shown to be a myth. The split between China and the Soviet Union has widened since 1960 to the point where the possibility of war between the two Communist giants is no longer unthinkable.

More important, however, is the discovery that the assumptions of the aggressive character of Chinese Communism are also not an accurate portrayal of reality. In the period since 1949, China has sent troops outside her border on three occasions: in Korea in 1952, in Tibet in 1960, and in India during 1962. In each of these cases the United States branded China as the aggressor and spoke out against these acts, but in each case the passage of time has revealed new information which clouds the accuracy of these claims. In the case of Korea we have learned that not only did the PRC repeatedly warn the United States of the specific conditions that would lead to Chinese intervention, but also (as I.F. Stone and others have documented) that China genuinely feared—with some cause—that the United States might

invade China. In the case of India it now seems unclear as to which nation provoked the hostilities, and both the Nationalist Government on Taiwan and the Peking Government supported the boundary change that occurred. In the case of Tibet we have learned that however much we may deplore the killing which took place there—both the Nationalist government of Chiang Kai Shek and the Communist government claim Tibet as an integral part of China and both had declared their intention of restoring Chinese rule over Tibet.

While these understandings do not justify specific actions of the PRC in each case, they do suggest that the determination of guilt and responsibility are not so clearcut as we once thought. This is particularly true when we consider United States actions with respect to China during the same period. While China often used threatening rhetoric towards the rest of the world, her actions were largely cautious and temperate. Aside from the three instances cited, the PRC has stationed no combat forces outside of her own borders. During this same period the United States has ringed the perimeter of China with military bases (including nuclear weapons), and has stationed over a half million combat forces on Asian soil.

Perhaps even more important than these new understandings of Chinese foreign policy under the Communists, however, are certain new perceptions of the domestic realities of China today. It now seems clear from all the information available to the West that the last twenty years have resulted in a substantial improvement in the quality of life of the average Chinese citizen. Not only has the PRC increased its economic productivity at a rate surpassing that of most developing countries, but it also seems to have solved the problems of distribution which often created famine during earlier periods. Even the most hostile observers agree that government corruption (which seemed endemic to Chinese bureaucracy) has been largely eliminated, and the beggars whose memory haunted Western missionaries no longer fill the streets and sidewalks of Shanghai and other large cities.

And despite our stereotypes about the repressive and totalitarian character of Chinese Communism, we are also discovering that political power in China is more widely dispersed than was once the case. It is certainly true that the PRC is not a "democracy" in the Western sense, but it is also true that in comparison with past forms of government in China the participation in decision-making of the "average man" has increased. Following the "Cultural Revolution' period during the mid-sixties, the entire party and government apparatus were re-built. More than two-thirds of the Central Committee of the Communist Party were replaced, and local party organizatitons were re-built from the bottom up. While there are those who would shrug this off as merely a power struggle at the top, knowledgeable "China watchers" in Hong Kong (known for their antipathy to the Communist regime) have concluded that there has, indeed, been a fundamental downward distribution of power to a broader base of the Chinese population.

All of this is not to say that China today is a perfect state with no flaws that we may criticize, but it is to say that China is not the "yellow peril" we once feared. After the revolution in 1949 there were mass executions and the use of coercion to gain support. Selected groups—including Christians—were persecuted for their behavior and beliefs. What is not so clear, in the retrospect of history, is that these excesses were a unique feature of the Communists rather than a common (albeit ugly) feature of the period following all successful revolution—even to some degree of our own. Whatever we may think of the negative features of China under the Communists must be balanced by an understanding of the positive features which also exist, and there must be a part of our consciousness as we seek a new beginning.

To briefly summarize these understandings of the positive features which must form a background to our search for a new American policy:

1. The government of the People's Republic of China is the actual and legitimate government of China. It has maintained itself in power for over 20 years, improved the lot of its citizens, and not only is there no particular reason to think that it does not have the support of most of its citizens, but there are also good reasons to think that it does have such support.

2. Regardless of how threatening its rhetoric has been from time to time, the actions of the People's Republic of China have not shown it to be an aggressive power which should be isolated from the world community.

What, then, are the obstacles to changing U.S. policy toward China in the directions suggested by these understandings? To answer this question we must look beyond the general characteristics of past U.S. policy to the specifics of that policy. Then, perhaps, we may see more clearly the moral issues which confronts us in developing a new policy.

THE IMPROVEMENT OF U.S.-CHINA RELATIONS AND THE PROBLEM OF TAIWAN

The past year has witnessed a dramatic change in the participation of China in world affairs. Canada and Italy, as well as Chile, have established diplomatic relations with the PRC under a formula by which they "take note" of Peking's claim to Taiwan, and a majority of the members of the U.N. General Assembly (although not the two-thirds majority required by a U.S. backed procedural resolution) have supported a resolution which calls for the seating of the PRC and the expulsion of the Nationalist representatives.

Under President Nixon, U.S. discussions with the PRC were resumed after a long hiatus. Since the invasion of Cambodia, however, no discussions have taken place. Present indications are that further progress in "normalizing" relations—even with the present optimistic signs of change—will be difficult to achieve.

While the United States wants to "normalize" relations with the PRC, its flexibility in doing so is limited. In the first place, the U.S. has a lengthy historical and moral tie to the Nationalist government on Taiwan. Not only does the U.S. still formally recognize the Nationalist government as the government of all China, but it is committed to defend that government under a mutual security pact. In addition, as part of its policy of containing Communism the U.S. has established military bases in Korea, Okinawa, Taiwan, Thailand, and Vietnam. It has committed itself to the defense of those countries and is currently engaged in a major war in Indochina. As American policy-makers view their options, the U.S. cannot quickly break these commitments and abandon present policies in Asia solely to improve relations with the PRC.

The U.S. attitude, then, is to attempt a gradual improvement of relations by relaxing trade and travel restrictions, followed by diplomatic initiatives similar to the "Canadian formula" of "taking note" of Peking's claim to Taiwan, which will ultimately result in a restoration of diplomatic relations. In the international arena this strategy involves the gradual ending of our opposition to participation by the PRC in international organizations such as the U.N., while at the same time maintaining support for the Nationalist government as the government of Taiwan.

From the Chinese perspective, improved relations with the United States are dependent on two conditions: first, the U.S. must end its policy of encircling China with military forces and must withdraw from Indochina, and second, the U.S. must end its interference in the Chinese civil-war by withdrawing its forces from Taiwan and ending its support for the Nationalist government.

While the many different perceptions of the means to improve relations are complex and present many obstacles, at their heart lies the problem of Taiwan. Until the Taiwan issue is resolved it seems fair to say that relations between the U.S. and China will remain strained.

At first glance, the Taiwan issue seems to be a matter of choosing one Chinese "government" over another. Both the Communist People's Republic of China and the Nationalist Republic of China claim that Taiwan is an integral part of Chinese territory—they merely differ over which is the legitimate government of China. And, indeed, up until the Sino-Japanese war at the close of the 19th Century, Taiwan was formally a part of China. The twelve million Taiwanese who today form the majority of the population on that island are descendants of Chinese who emigrated to Taiwan from the mainland during the 17th Century. After the Chinese were defeated in the Sino-Japanese war, Taiwan was ceded to the Japanese who maintained their rule for some fifty years until the end of World War II. President Truman and other American leaders recognized Taiwan as Chinese territory and promised to restore it to China in the peace settlement with Japan. Before that treaty was signed in 1952, however, the Communists won control of the mainland. Chiang Kai Shek and his followers fled to Taiwan and, with U.S. protection, established his Nationalist government there. When the peace treaty was finally signed it left the legal status of Taiwan in doubt, and in the years that followed, the Nationalists consolidated their control over the island.

The Nationalist control of Taiwan has brought mixed blessings to the population. Chiang's government—with U.S. aid—has built a strong and growing economy on the island which has established trade relations throughout the world. The standard of living is high compared to most of Asia, and poverty is not a major problem. On the other hand the Nationalist government rules the population with an iron hand. It is primarily a government of the two million Chinese who fled the mainland in 1949, and the twelve million native Taiwanese are treated as second-class citizens.

During this period the Christian churches have been a major source of support for the Nationalist government. The role of the Church during the Chinese civil-war was not a neutral one, as the atheistic components of Communism led a great many Western missionaries to openly support the Nationalists, and when the government fled, so, too, did the missionaries. Both Chiang Kai Shek and his wife are devout Methodists and their support by American Christians was highly visible during and after the civil war. Although the Presbyterian Church has, for over 100 years, maintained a strong indigenous Taiwanese church, the other Christian churches which today function on Taiwan are primarily composed of these Chinese who came to the island with the Nationalists. This identification of Christianity with the Nationalist cause has greatly complicated the position of the churches with both the Communists and the native Taiwanese.

If the moral issues which face us in developing a policy about Taiwan concern only the Chinese, then, they are fairly straightforward. Since both Chinese governments recognize Taiwan as part of China, the United States must decide which of them it will recognize as the legitimate government of China. Despite the past history of U.S. sup-

port for the Nationalists, and despite the past ties of American Christians to the Nationalists, a belief in the right of self-determination of peoples as well as a recognition of the realities of power must lead to the conclusion that the People's Republic of China is the actual and legitimate government of China. In facing the issue of U.S. responsibility in such a situation, U.S. efforts would have to be limited to insuring the safety of those Nationalists whom America supported for so long and who might face reprisals, if or when authority over the island is established by the PRC.

The problem of Taiwan is, however, greatly complicated by the emergence of an indigenous movement of Taiwanese (or Formosans, as they prefer to call themselves) who seek a status for the island independent of both the Communists and the Nationalists. Pointing to the totalitarian and unrepresentative character of Nationalist control, these Taiwanese seek self-determination and majority rule for the island. In addition, however, they argue that the long period of Japanese rule, together with traditionally weak ties between the island and the mainland, have given the inhabitants a distinct, non-Chinese, identity. Pointing to the ambiguous legal status of Taiwan, they call for an internationally supervised plebescite to determine the status and future government of the island.

The emergence of this movement of indigenous Taiwanese raises profound political and moral issues which must be considered by Americans seeking a new China policy.

1. Since both the PRC and ROC claim Taiwan as Chinese territory, does the United States have any right to ignore or deny the historical claims of China to Taiwan? Would the U.S. not be intervening in the international affairs of a sovereign nation if it did so?

2. Even if both the PRC and the ROC claim Taiwan as Chinese territory, does the United States have any right to ignore or deny the aspirations of the inhabitants of Taiwan to determine their own future? Would the U.S. not be ignoring the right of a people to self-determination if it did so?

3. Regardless of the ultimate status of Taiwan with respect to China, does the U.S. have any responsibility to insure a representative government on Taiwan, or to no longer support an unrepresentative and repressive one?

4. Given the past history of U.S. policies toward the Chinese Communists, and past and present policies toward the Chinese Nationalists, does the United States have any moral right or responsibility to share in deciding the future of Taiwan?

5. Has the issue on Taiwan become an issue of international concern which is legitimately open to international settlement and guarantees, regardless of the Chinese claims?

There are no easily discernable answers to these questions. The principle of self-determination of peoples is a fundamental tenet of international law, and is supported by American Christians and the American people as a whole. So, too, however, is the principle of respect for the sovereignty and territorial integrity of nations. What we are faced with by the issue of Taiwan is a conflict between these principles, and we are asked to choose between them.

At the same time, however, the choice is not simply for the United States to decide the future of Taiwan. Any action which the United States takes now cannot be separated from its past relations with China. The long standing policy of hostility towards the Communist government on the mainland by many American Christians and American policymakers, as well as the past and present U.S. policy of supporting the Nationalist government on Taiwan, must obscure the moral status of any position the U.S. may take. At the same time, American Christians cannot simply absolve themselves of any responsibility for finding a solution, since our involvement has helped to create the existing dilemma.

THE LIMITS OF U.S. RESPONSIBILITY

What we can say at this point is that there are certain directions for developing a new U.S. policy towards China which emerge from this review of the past:

1. The People's Republic of China is the legitimate government of China, and should be recognized as such in all international organizations.

2. The Republic of China on Taiwan is a minority government which represents neither the Chinese People as a whole, nor the majority of people on Taiwan, and the U.S. should withdraw its political and military support for that government.

3. The issue of whether the island of Taiwan should be recognized as Chinese territory or as an independent entity raises difficult moral and political problems, but the issue is primarily one between the people on Taiwan and the people on the mainland. The U.S. has no right to unilaterally impose a solution of this issue. The United States should withdraw its military forces from Taiwan, recognize that Taiwan traditionally was part of China, and should encourage a peaceful resolution of the future status of Taiwan by the PRC and the inhabitants of the island.

While these steps, by themselves, will not lead to a new era of harmony between the United States and China, they are a necessary prelude to the long and difficult task of overcoming the hostilities and suspicions which have developed between the peoples of these two great nations. As Christians, we are called to confess honestly our past mistakes and to seek improved relations with an attitude of trust and love for our fellowmen. The church as an institution, and individual Christians, have played major roles in shaping past relations between the United States and China, and it is now our responsibility to actively lead the search for a new basis for bettering those relations.

TRIBUTE TO THE LATE SENATOR RUSSELL OF GEORGIA

Mr. TALMADGE. Mr. President, there has been brought to my attention a resolution by the Georgia School Food Service Association in tribute to the late Senator Richard B. Russell of Georgia for his leading role in launching the original National School Lunch Act in 1946.

As we know, the national school lunch program has been of immeasurable benefit to untold millions of schoolchildren throughout all the country, and this is certainly well-deserved recognition of my late distinguished senior colleague who was instrumental in securing adoption of this legislation.

I bring the resolution to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

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

GEORGIA SCHOOL FOOD SERVICE ASSOCIATION

A resolution honoring the late Senator Richard B. Russell of Georgia; and for other purposes.

Whereas, in 1946, Georgia's Senator Richard B. Russell was one of the sponsors of the original National School Lunch Act; and

Whereas, his leadership provided the instrument for the Georgia School Food Service Association to dedicate itself to securing adequate nutrition for Georgia school children, and

Whereas, the Georgia School Food Service Association is grateful that Senator Russell devoted his public life in Congress to the service of mankind, especially to children as evidenced by his efforts to provide necessary food and sustenance to our country's school children;

Therefore, be it resolved, that the Georgia School Food Service Association does hereby express its appreciation of Senator Russell and his concern for the School Lunch Program; and

Be it further resolved, that the Georgia School Food Service Association submit a similar Resolution honoring the memory of Senator Russell to the American School Food Service Association; and

Be it further resolved, that a copy of this Resolution be sent to members of Senator Russell's family and to each United States Senator of the 92nd Congress; and

Be it finally resolved, That a copy of this Resolution be sent to Senator Herman E. Talmadge of Georgia, sponsor of an amendment of the National School Lunch Act, requesting that this resolution be read into the Congressional Record as a tribute to Senator Richard B. Russell from the Georgia School Food Service Association.

TESTIMONY OF J. OSBORN FULLER, PRESIDENT OF FAIRLEIGH DICKINSON, BEFORE THE SENATE SUBCOMMITTEE ON EDUCATION OF THE LABOR AND PUBLIC WELFARE COMMITTEE

Mr. WILLIAMS. Mr. President, on April 27, 1971, the president of Fairleigh Dickinson University, Dr. J. Osborn Fuller, testified before the Senate Subcommittee on Education concerning the role of the Federal Government in providing assistance to independent, nonprofit institutions of higher education. Dr. Fuller pointed out the important role that his university is playing in New Jersey as a "center from which we reach out into the communities to use them as our laboratories, while simultaneously responding to their needs."

Mr. President, I think that Dr. Fuller's testimony sheds an important light on the needs and the objectives of this kind of institution—the urban university. I commend it to the reading of the Senate and ask unanimous consent that the text of Dr. Fuller's statement be printed immediately following my remarks.

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

REMARKS BY J. OSBORN FULLER, PRESIDENT, FAIRLEIGH DICKINSON UNIVERSITY, RUTHERFORD, N.J., APRIL 27, 1971

Mr. Chairman and members of the Subcommittee on Education of the Labor and Public Welfare Committee. I appreciate the committee's kind invitation, extended so graciously by Senator Williams, to share with you my thoughts concerning a constructive relationship between the government and the university.

This is my maiden appearance before a Senate Committee. I hope it will be the first of many because I believe that government, business and education must work more closely together to solve the many problems which face us today.

Since my ideas, like those of everyone else, are strongly influenced by my past experiences, I think it might be helpful for you to know a bit about my experience in higher education.

I went to college and to graduate school at traditional prestigious eastern colleges—Lehigh and Columbia. Then I taught geology at a small private college in the midwest—Mount Union.

Next, I moved to the land-grant institutions, serving as a professor at Ohio State University and West Virginia University. Shortly after my return to Ohio State, I went into administration and later became Dean of the College of Arts and Sciences for eleven years.

In 1967, I became President of Fairleigh Dickinson University. This institution is entirely different from the private colleges and universities with which most of us are familiar, and also different from the large land grant universities. It is oriented toward serving the needs of the immediate community and has a large working part-time student body. It is best classified as an urban university.

You have invited me to give my ideas about how the federal government can best exercise its role to the benefit of independent non-profit institutions. In my response, I wish to concentrate on the private urban university as an illustration.

I think I can do this best by describing some of the programs at Fairleigh Dickinson University which typify the urban university. Then I want to tell you how the urban university relates to the problems of the times and how, in my opinion, the government can best aid these institutions.

Fairleigh Dickinson University, with an enrollment of 20,000, is the 9th largest private institution in the country. On the three main campuses, located at Rutherford, Teaneck and Madison, New Jersey, the student population is almost equally divided between day and evening students, with the result that each unit is relatively small. Therefore, contact between students and faculty is frequent and understanding is good. The locations of the centers encourage interreaction with the communities. The relatively small size of the units permits innovation and a flexibility of operation not normally associated with a large institution. Our multi-campus organization gives us many of the advantages of both the small college and the large university.

All of these features are illustrated by the wide range of programs we have developed. For those students who, because of a poor start or slow maturity, have difficulty, we have a number of special programs. At Wayne, New Jersey, we have a Reading and Study Institute which was started in 1958 to prepare for college those students who had a poor high school record. In the twelve years since it began, 1530 students have benefited from this one-year program. Over 80 percent go on to accredited colleges after completing the program. We have also utilized this program to assist the disadvantaged.

In 1964, we started a two-year experimental college for those students who had not yet decided on a specific field, or whose performance in high school was below what we felt was their true potential. Utilizing small classes, and to a large extent the tutorial process, nine hundred have gone on to accredited colleges with full credit transferred.

We have also pioneered in specific response to community needs. We began one of the first programs for dental hygienists training more than 500 since 1948. We also had one of two pilot programs designed to meet the nursing crisis in the early fifties. From this program, 406 received associate in arts degrees and qualified as registered nurses. Because the demand for nurses having four years of training was increasing, we now have a baccalaureate program. However, we are still providing, on a cooperative basis, the liberal arts courses for the nursing programs run by two local hospitals.

This fall the College of Science and Engineering developed a bachelor of science in technology program, with the aid of teachers from the two-year technical Institutes. Transfers from their two-year program who have shown promise, can earn a four year degree in technology. There is a tremendous demand in industry for these educated and highly trained semi-professionals. Over 200 students registered in the first semester, far exceeding our expectations. Other institutions are now following our lead.

We have also developed two exciting programs overseas. At Wroxton, England, we offer both undergraduate and graduate programs in English Literature, history and government for American students on a one semester basis. More than 500 have studied at Wroxton College since its inception in 1965.

At St. Croix, Virgin Islands, we are building facilities to operate an undergraduate teaching laboratory in the sciences related to oceanography. When these facilities are completed, we will be able to expand the oceanography program which we have conducted for three summers in a local hotel. The new laboratories will also be used by other affiliated universities. The West Indies Laboratory, as we call it, will be the first laboratory built without a large government grant. We were so convinced of the importance of the new field of oceanography, that we proceeded with our plans despite the fact that Sea Grant funds had been exhausted.

At the graduate level we have also developed innovative programs in response to community needs.

In 1964 we started a Master of Arts in Teaching program with help from the Ford Foundation. Over 300 students have graduated in the program.

In 1964 we initiated an orthodontics degree program. All participants have between 6 to 8 years of training, including two years of practice before entering this program.

For next year we have announced a unique program for the degree of Doctor of Education. It builds on a master's degree regardless of major, and gives credit for work experience in any phase of educational service. The program is designed by the student and approved by an intercollege advisory committee. Courses may be used from any college in the University or from other universities.

Two programs which are a complete departure from the normal collegiate patterns of operation are the Saturday College and the volunteer community service program.

The Saturday College is designed for the adult who wants to upgrade himself, and classes are offered late Friday afternoon and on Saturday. There are no admission requirements and when performance standards are met, full college credit is awarded and is transferrable. The response to the concept has been so tremendous that we are expanding our offerings. Two other local colleges are initiating similar programs as a result of our success.

Finally, I want to tell you about the volunteer community service program. At my suggestion we started this program last Fall. The University faculty and administration offer guidance, and help make agency and community contacts for students who want to contribute volunteer service. With little publicity the program keeps growing. At last count, over 400 students had responded on one campus alone. Students are operating a 24 hour "Hot Line" on two campuses for people undergoing severe personal stress; a tutorial service for preschool blacks in Newark; Big Brother and Big Sister units in cooperation with the national organizations; working with a local town council, and numerous other projects.

We are pleased that our students, who are of all political persuasions, are actively helping to solve community problems on a volunteer basis. We feel it is an important part of their education.

These examples illustrate why we feel we are innovative and responsive to the community needs. We are not an intellectual island, but a center from which we reach out into the communities to use them as our laboratories, while simultaneously responding to their needs.

We are not unique in practicing this philosophy. The urban universities have been the leaders in this movement, although other universities are improving their community involvement.

You will remember that my second purpose today was to tell you how the role of the urban universally relates intimately with the problems of the times. From the descriptions of some of the Fairleigh Dickinson University programs and of those at the institutions which my colleagues represent, many relationships are immediately obvious. However, I want to paint the picture with a broader brush. To do this, I want to take you back a bit in history. How has the Federal government helped higher education in the past? Since the beginning, higher education has received continuous support from the Federal government. However, there have been noticeable peaks in the quantity of support.

In the middle of the nineteenth century, there was a clamor for education for more than the elite. There was a cry, too, for a different kind of education. The country's food needs were expanding. Industrial needs were expanding rapidly. The federal government responded to these needs, and the land grant colleges came into existence in 1861. Low cost education in the "agricultural and mechanical art" became a reality for a large number of students. The land grant institution, with its government supported agricultural and engineering experiment stations, flooded the farmer and industrialist with new ideas and products. Industry exploited these and a major revolution resulted. An unacknowledged partnership between government and education and industry rocketed us toward world leadership. We became the first nation to produce a surplus of food, while simultaneously becoming an industrial nation.

During the second world war, the federal government again gave significant support to higher education. This time the government turned to a different group of institutions. The graduate departments and technical schools became the centers for significant research and development, and—an unexcelled war machine resulted.

Another peak of federal support occurred after Sputnik. Again the informal but effective partnership—government, business and education—responded to produce unbelievable successes in space exploration.

My third purpose is to give you my opinions of how the government can best aid higher education, at this time in history.

Today our problems are primarily social problems. Is it not time for another peak federal effort to support higher education? Is it not time for the federal government to take that bold step and invest in the search for solutions to the social problems through another partnership with higher education? I believe it is.

The two things the federal government must do is broaden the opportunities for higher education of its youth, and directly assist those universities which can best help in solving social problems.

The need to develop opportunities for minority groups and expand technical education especially through the two-year institutions, is well known and I support the government's effort to develop such programs.

Less well understood are the problems that are developing for the middle income group.

Rapidly rising tuitions in the private institutions, and the present criteria for obtaining financial aid, are steadily cutting down on the choice of opportunities for the middle income group. If the present trend continues, the rich and some of the poor will be able to choose their institutions and their role in life, but members of the middle income group, if they can afford to go to college, will be limited to the low cost institutions regardless of what educational programs they may wish to pursue. In considering the problem of expanded student financial aid, this middle income group must not be forgotten. New Jersey has a plan to help. It is called the fee equalization plan, through which grants are made to cover the tuition difference between public and private institutions, so the student is better able to go to the institution of his choice. The difficulty with the plan is that the income cut-off is so low that it eliminates most middle income students from qualifying; and, second, insufficient funds is a further limitation.

I also want to make a special plea for the part-time student. Not many years from now the importance of continuous upgrading through part-time education, will be accepted as a desirable feature in the development of our human resources. At present, the large number of part-time students who are upgrading themselves, except for veterans, are given no help by the government. The numbers of working students who would take courses part-time, would be greatly increased if there were financial assistance for them.

Broadening opportunities for the youth can be helped by increased direct student aid. However, direct student aid alone is not sufficient. Each institution spends more on educating the student than he pays in tuition and fees. Therefore, there must be aid to institutions in order to keep them viable and innovative. While the *simplest* way to solve this problem would be direct aid on the basis of head count, I do not believe this is the *best* way.

Our problems are social problems—urban problems. Therefore now, as in the past, a major portion of the funds must flow to those institutions which, through experience, show they are capable and willing to do the job. The urban universities, as a group have the most experience in working with community problems. It is my opinion that with government support they will be able both to speed up the work they are already doing, and explore new solutions. They will develop the team research necessary to analyze and tackle community problems. They will expand their service as a resource bank, ready to answer the call for expertise from the government and the community.

The urban universities stand ready to respond to the national need, but they cannot do it alone. They need business—and most importantly—they need government support.

I hope, gentlemen, that this committee will agree with me and my colleagues and recommend provisions in Bill S659 which will provide not only direct aid to students, but will also grant major support to those universities best suited by experience and philosophy to educate and serve in the area of urban problems.

Thank you very much.

INTERNATIONAL TRAFFIC IN HEROIN

Mr. HARTKE. Mr. President, there is a growing frustration in this country at the apparent inability of the Federal Government to control the international traffic in heroin. This deadly narcotic has spread like an epidemic throughout the Nation. So great is the peril that I am afraid that even the most concerted programs of education, treatment and rehabilitation will not succeed in arresting this terrible disease.

Recently, I received a letter from Senator John H. Hughes, chairman of the New York State Senate Committee on Judiciary. In that letter, Senator Hughes included a copy of a resolution passed by both houses of the New York State Legislature urging the Congress to take immediate action to halt the flow of heroin into the United States.

Mr. President, I ask unanimous consent to have Senator Hughes' letter together with the resolution and a copy of an article recently published in Reader's Digest included in the RECORD at this point.

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

THE SENATE,
STATE OF NEW YORK,
Albany, May 20, 1971.

DEAR SENATOR: I have enclosed for your advice concurrent Resolution No. 141 passed by the Senate and Assembly of this state on May 13, 1971. Essentially the Resolution calls upon the Congress of the United States to use every resource at its command to insure the destruction of the 1971 Turkish opium poppy crop.

After twenty-five years as a member of the Senate of the State of New York, I am not so naive as to assume that this, or any other state, memorializing Resolution to Congress can alone be considered as an effective instrument to move your august body. However, such resolutions do possess those qualities necessary to an efficient vehicle for gaining your attention.

As a sponsor of the subject Resolution as well as the chairman of the Senate Judiciary Committee and additionally Chairman of the Joint Legislative Committee on Crime Its Causes, Control and Effect on Society, I felt that you would be benefited by an explanation of the crisis which prompted this unique Resolution.

Heroin addiction in this State has reached such critical proportions that I feel that if permitted to increase at its present rate for even one year more that New York State would have to come to grips with the very real possibility of a governmental emergency of massive proportions. So pervasive has this crisis of addiction become that it is difficult, if not impossible, to conceive of any serious problem confronting the state not excerbated by it. I fully appreciate that the arithmetic of addicts, addiction, costs of drugs, etc., have been cited so often that much of their significance is lost through their insistent repetition. Aware of this, permit me to briefly define the boundaries of the problem.

The fifty-two thousand identifiable heroin addicts in New York City in 1968 grew, by 1971, to 103,000. Translated into phases of the crisis of addiction, 103,000 identifiable heroin addicts equals a criminal court system which is collapsing under the weight of 30,000 felony narcotic arrests in 1970 and which arrests are growing at a rate of 44% annually. It means a narcotic addict rehabilitation program costing over one hundred million dollars a year and which program rehabilitates less than five percent of our addicts and is able to treat less than ten percent. It means a welfare program burdened with 15,000 addicts at a cost of fifty million dollars each year. It means a public school system about to be overcome by the very magnitude of the number of addicted students. It means an emergency situation in housing caused by the abandonment of habitable buildings as a result of their virtual takeover by addicts as places for indulgence. It means the erosion of confidence of our citizens in the entire law enforcement establishment stemming from the increasing public exposure of corruption. It means an infection in our young people so virulent that death from overdosage of narcotics has become the greatest single cause of death in our 15 to 25 year old age group.

The litany of the problems of the crisis of addiction is complemented by a similar litany of our efforts to relieve the crisis. In the past 20 years we have increased both maximum and mandatory-minimum imposable sentences for drug sellers. In fact our state now permits a life sentence for some heroin violators. Additionally, we have augmented local police efforts with state police reinforcements. We have added to our criminal court bench. We have supported our prosecutors with a totally state subsidized special prosecutor for organized crime. We have enacted "stop and frisk" legislation, "no-knock" search warrants as well as providing for eavesdropping and wiretapping, all these restrictions on our freedom initiated largely by the crisis of addiction.

In a word our citizens have sacrificed both their treasure and their freedom to stem this flood. Our efforts have failed and no present proposal now available to our state offers any greater promise of success. The crisis of addiction has reached Constitutional dimensions which the United States Congress will choose to ignore at its peril. We must stop the flow of heroin this year. The only means with any hope of success is to destroy the present opium poppy crop. This crop is now growing in Turkey. Opium, the only base for heroin, is not grown in any amount meaningful to us anywhere else in the world. If the 1971 Turkish poppy crop is destroyed I assure you New York State will not have a crisis of addiction in 6 months.

No consideration, including the placing in jeopardy of our existing military airfields, radar sites, and electronic surveillance outposts in Turkey approaches the danger to which our national interest will be exposed if the crisis of addiction is permitted to continue unabated for even one more year. It is my judgment that despite our presently existing acute fiscal crisis, the dimensions of addiction are such that our state would be willing to underwrite the expense of the program of destruction called for in the Resolution, if an unwillingness to incur such expense would be used as an excuse by the federal government to avoid taking action.

I have been made aware of various bills now pending in Congress which call for the cessation of all foreign aid to any country failing to cooperate fully and completely with the control of illicit traffic in heroin. I reject such proposals as being worse than useless, since not only are they foredoomed but they have the additional and possibly greater evil of raising the hopes of the affected public by offering a shadow of a program, with no substance.

Accordingly, while we are requesting the destruction of the 1971 poppy crop we do not suggest limits to the alternative means available to our government in executing such a program. However, if it is believed that the suspension of foreign aid can be effective in persuading the Turkish government to undertake and support such a program then the *only* legislation which could be considered credible would be that calling for our immediate suspenison of all aid unless the 1971 opium crop were destroyed before harvest.

Let me assure you, with humility, and good wishes that the Legislature of the State of New York. could not be more serious than it is in demanding the action by the Congress called for in our Resolution. It would be folly to be misled by the reasonableness

of the tone of the subject Resolution into a belief that the Legislature is prepared to dismiss its obligations with regard to the destruction of the opium poppy crop merely with this Resolution. We anticipate and anxiously await Congressional proposals in response to our Resolution.

Respectfully yours,

JOHN H. HUGHES,
Chairman.

STATE OF NEW YORK RESOLUTION No. 141

Concurrent resolution of the Legislature of the State of New York to memorialize the Congress of the United States to take all necessary steps to persuade the Government of Turkey to immediately destroy its opium poppy fields before the 1971 harvest in return for reimbursement to its opium poppy farmers of the damages suffered thereby from funds appropriated for that purpose by the State of New York and the U.S. Congress

Whereas, death from an overdose of heroin represents the greatest single cause of death among the youth of New York City; and

Whereas, All efforts by local, state and federal law enforcement agencies to interdict the smuggling of heroin into the United States and its sale within this state have failed to curb this traffic; and

Whereas, On April 7, 1971, the New York State Commission of Investigation reported to the governor of this state that "Law enforcement's approach to this problem has been ineffective. The traffic in heroin has not been curbed. Indeed, it is flourishing"; and

Whereas, The New York State Legislature has four times in the last twenty years amended the anti-narcotic laws of this state to provide for both more severe and mandatory punishments for heroin traffickers with little effect on the traffic itself; and

Whereas, Despite every effort by New York State to curb the increases in the number of persons addicted to heroin, the number of identified addicts has increased in New York City alone from 52,000 in 1968 to an estimated 103,000 in 1971; and

Whereas, New York State is required to spend over $100,000,000.00 annually directly for the care, treatment, rehabilitation and retraining of a small fraction of the narcotic addict population; and

Whereas, The Addiction Services Agency of the City of New York will have spent over $80 million during the 1970–71 fiscal year to assist 3,500 addicts and would require $2½ billion to treat and care for only 100,000 of the addicts now residing in the City of New York; and

Whereas, There are an estimated 15,000 narcotics addicts presently receiving welfare assistance from the City of New York at a direct cost of over $50 million annually; and

Whereas, The major portion of violent and other serious crimes committed in New York City and the other cities of this State results from the tragic need of heroin addicts to obtain funds to pay for the heroin they consume; and

Whereas, In 1960, there were 1841 felony arrests in New York State of persons charged with selling narcotics or possessing narcotics in an amount sufficient to create a presumption of intent to sell and in 1969 there were 18,489 felony arrests in New York State for this same crime, an increase of 1000% and in 1970, in New York City alone, there were 26,799 felony arrests in this category, a 44% increase over the entire state-wide figure for the year previous, so that our law enforcement agencies are being overwhelmed by the sheer numbers of narcotic sellers and addicts being processed through our criminal justice system; and

Whereas, It now appears that the only practical solution to halt the continued flood of heroin into the State of New York is the destruction of the opium poppy at its source; and

Whereas, It would be less expensive and more effective for the State of New York to contribute toward the cost of preventing opium cultivation than to concentrate its resources in treating heroin addicts or combating the huge and profitable traffic in narcotics taking place on the streets of its cities; and

Whereas, Eighty-five percent of all of the heroin sold in the State of New York is refined from the sap of the opium poppy (*papaver somniferum*) grown in Turkey; and

Whereas, Opium, unlike other dangerous drugs, cannot be synthetically produced, nor can it be cultivated in any but selected areas within the world; and

Whereas, To date Turkey has failed and neglected to control the diversion of its opium crop to illegal channels; and

Whereas, By the end of 1970, the Turkish government and nation has received in excess of $5 billion in military and economic assistance from our federal government which monies were raised in substantial part through taxation of the citizens of this state; and

Whereas, The public statements of members of the Turkish Government on the problem of limiting the cultivation of the opium poppy in Turkey have evidenced an appalling lack of concern about the crisis caused in this state as well as this nation by Turkey's failure to strictly enforce the international treaty binding it to destroy all opium poppy production not grown for legitimate purposes; and

Whereas, Opium can be harvested only during one twenty-four hour period each year, which period occurs during the last week of June or the first week of July each year; and

Whereas, The illegal opium poppy production in Turkey intended for diversion to the heroin traffic can only be harvested simultaneously and from the same fields as those devoted to the legitimate cultivation of the opium poppy; and

Whereas, The world supply of legitimate opium presently in stock is sufficient to satisfy all legitimate needs for the foreseeable future; and

Whereas, Eighty-five percent of the heroin supplied to the addicts of this state can be interdicted if all the Turkish opium poppy fields now under cultivation were destroyed prior to the approaching harvest date, which destruction can be accomplished for a fraction of the present cost to this state resulting from the traffic in heroin; now, therefore, be it

Resolved (if the Assembly concur), That the Congress of the United States be and hereby is memorialized to take all necessary steps to persuade the government of Turkey to immediately destroy its opium poppy fields before the 1971 harvest in return for reimbursement to its opium poppy farmers of the damages suffered thereby from funds appropriated for that purpose by the State of New York and the United States Congress; and be it further

Resolved (if the Assembly concur), That copies of this resolution be transmitted to the Congress of the United States by forwarding one copy to the Secretary of the Senate and one copy to the Clerk of the House of Representatives, and one copy to each member of the Congress from the State of New York and that the latter be urged to devote themselves to the task of accomplishing the purposes of this resolution.

LET'S HALT THE HEROIN AT THE SOURCE

(By William Schulz)

(Eighty percent of the drug that is poisoning our cities originates in the poppy fields of Turkey. The Turkish government refuses to cut off the flow. Has the time come to re-appraise this ally?)

A 26-year-old Vietnam veteran lies fatally wounded in a New York gutter, the victime of knife-wielding addicts who needed money to buy heroin. Authorities report that half the city's crime is committed by desperate addicts who must finance habits that require as much as $50,000 a year each.

In Philadelphia, the son of well-to-do parents dies of a heroin overdose. Five times as many Philadelphians are dying from drugs as from combat in Vietnam.

In Miami, police arrest a teen-age pusher who makes $60,000 a year peddling heroin and other drugs.

In crowded ghettos and affluent suburbs, in college towns and rural hamlets, the talcum-like powder called heroin is taking an awesome toll. Two hundred thousand American addicts are literally killing themselves; in the process, they are running up an annual crime bill that probably exceeds $10 *billion*.

Behind the ruined lives and the soaring crime is the shocking fact that American addicts are fed by a valued ally: 80 percent of the nation's heroin originates in Turkey, a cornerstone of NATO, a loyal supporter of American foreign policy.

"Cut off the Turkish supply," President Nixon has said privately, "and you've gone a long way toward ending the drug crisis." But the "Turkish problem," as it is known gingerly in official Washington, has proved enormously frustrating. Despite the President's personal attention, despite extraordinary efforts at high-level negotiation, the deadly flow of Turkish heroin continues.

Pretty Poppies. For 2000 years the farmers of the desolate Anatolian Highlands of southwestern Turkey have eked out an existence by growing wheat, barley and opium. The seeds of the opium poppy are used in cooking; the stalks are fed to livestock. Adults swallow tiny bits of opium as a painkiller and cold remedy. But there is no addiction.

The crop is planted in the fall. By spring, fields of beautiful poppies—white, blue and red—bloom throughout the region. A few weeks after the petals fall, the farmer makes an incision in the pod and "milks" the plant A white substance—opium,—seeps out and hardens. A day later, it is scraped off and rolled into sticky, malodorous balls.

Theoretically, the opium is to be sold only to Toprak, a monopoly of the Turkish government which supplies pharmaceutical houses throughout the world. There is little effort to police distribution, however, and much of the crop goes into illicit channels. American and Turkish officials know the names of the major opium brokers, but can do little. The dealers operate through front men and dummy corporations; insulated by aides and bodyguards, they never handle the stuff themselves.

Once collected, the opium is boiled down to an odorless morphine base, which reduces its bulk by 90 percent, and smuggled to Marseille, France. Some of it goes by sea, but in recent years most of it has moved overland by automobile. The cars, with hidden storage panels and false-bottom gas tanks, are generally driven through Bulgaria and Yugoslavia, to exit at the Italian or Austrian border. "It makes it impossible to tail them," says a weary U.S. agent. "The communists let them operate with impunity."

In Marseille, the morphine is delivered to Corsican gangsters, who maintain some dozen laboratories for converting it into heroin. From Marseille it is smuggled into the United States by international traffickers who supply the Cosa Nostra and other crime syndicates.

The profits of the trade are enormous. The kilo (2.2 pounds) of morphine base that sold for $350 in Istanbul is worth ten times that once it is converted into heroin in Marseille. Smuggled into the United States, its wholesale price triples to $10,000. Cut and recut, it will ultimately bring $250,000 in street

sales—more than 700 times the original price in Turkey.

Diplomatic Dead End. From the day he entered the White House, President Nixon declared war on drugs. A tough, onetime Assistant U.S. Attorney, Myles J. Ambrose, was appointed Commissioner of Customs, and the nation's first line of defense against major drug smugglers was beefed up. The budget of the Bureau of Narcotics and Dangerous Drugs was doubled. And for the first time a U.S. President elevated narcotics to the highest foreign-policy level. A Cabinet committee on heroin, headed by Henry A. Kissinger, White House adviser on national-security affairs—and including representatives of the Central Intelligence Agency—was given one order: stop the flow of heroin.

Obviously, Turkey was the key to the problem. While opium can be grown in many areas of the world, an end to Turkish production would force illicit traffickers to spend years developing additional supply sources and setting up new routes to the United States. To their surprise, committee members learned that legal exports of opium amount to less than one third of one percent of Turkey's foreign trade. Turkey, clearly, could get out of the business with almost no economic distress.

President Nixon wrote a personal letter to Turkey's prime minister, Suleyman Demirel, reminding him that it was the United States that came to Turkey's rescue when the communists threatened a takeover after World War II. Every bit as serious, said the President, was the threat now posed to the United States by Turkish heroin. This brought no action from Demirel.

Then the American ambassador at Ankara, William J. Handley, was instructed to approach Demirel with an extraordinary deal. The proposal: Turkey to announce an end to opium production; the spring-1970 crop to be plowed under; Demirel to be given $5 million to compensate the growers.

Again, Demirel demurred. A native of Isparta province, in the heart of the opium country, he argued that his constituents "would call me an American lackey."

Demirel did agree to reduce the number of opium-growing provinces from nine to seven—and then to four in 1972. But American officials found little to cheer about. As the House crime committee noted: "To placate the United States, the Turkish government has merely weeded out the inefficient opium-producing areas." Indeed, Demirel's own government estimated that opium production would increase by 25 percent this year.*

DRASTIC MEASURES

Frustrated by its inability to move the Turks, the United States turned to the United Nations Commission on Narcotic Drugs. There, John E. Ingersoll, director of the U.S. Bureau of Narcotics and Dangerous Drugs, urged a drastic revision of international law to replace current "voluntary" drug controls with tough, enforceable standards. U.N. reaction was disappointing. Communist and neutral nations tend to shrug off drugs as a "U.S. problem," and attempts to amend international drug statutes are likely to take years.

"For the present," says a key Washington official, "it all comes down to Turkey." Thus discussions of the "Turkish problem" continue at the highest levels of government. Among other things, U.S. officials have discussed an economis embargo on Turkey or a cessation of all Turkish aid. Both moves have been rejected, at least for now, for fear they might bring down a seemingly pro-American government without ending opium production.

*On March 12, 1971, Demirel was forced out of office by the Turkish military.

Turkey cannot afford to miscalculate the mood of the American people much longer. Late last year, the House of Representatives approved legislation giving the President power to cut off aid to any nation "not fully cooperating" with us in ending the international drug traffic. Supporters of the amendment made clear that it was aimed at Turkey.

As the months go by, as heroin continues to flood the nation, even more drastic measures are being considered—including reevaluation of Turkey's very worth as an ally. "It is time to decide," says one government leader, "if the solution to our drug crisis does not outweigh the military and strategic benefits of our Turkish alliance. For, until she acts, Turkey must share the blame for the deaths of thousands of young Americans."

CITY-KILLER

(By Stewart Alsop)

New York City's 9 West 102 Street is known throughout the East as a place where a desperate man can get a sure heroin fix. According to Deputy Inspector Richard Di Roma, chief of uniformed police in the 24th Precinct, there were 366 narcotics arrests at 9 West 102 in a recent nine-month period. But the house still operates full-blast as a heroin supermarket.

With Di Roma, I paid a visit to the place. Outside the front door a black was cleaning up a puddle of vomit. To the left of the entrance, behind a cubicle covered with heavy steel wire, sat a very thin Negro. Di Roma identified himself and the thin Negro went to find "the boss."

A pretty black girl with matchstick-thin legs brushed past us. A dog barked incessantly. There was gurgling laughter, a girl yelled, and then, except for the barking, there was sudden silence. The word had spread fast that there was a cop in the house.

The boss appeared, a white man with a Uriah Heep manner, and he led us up the stairs. A huge, angry-looking Negro lurched down the second-floor hall at us, mumbling loudly but incoherently; another black appeared from nowhere and led him away, still mumbling.

Doors opened off the hall into tiny, slatternly bedrooms and a couple of closet toilets, littered with cigarette stubs. The paint, an electric blue, was crumbling off the walls. On one door was a neatly lettered sign: "Please Do Not Knock On This Door Looking For Drugs. Please Cooperate. Thank You."

A mangy dog lunged out of a bedroom, snarling; a black pulled it back with a rope. At the back, beneath a fire escape, was a knee-deep accumulation of filth—old mattresses, bottles, boxes. "Whatya gonna do?" asked the manager plaintively. "They just throw everything out the window."

Outside, the air of New York, not famous for its purity, suddenly smelled sweet. Inside, there had been an omnipresent stench of vomit—addicts who need a fix vomit often. But there had been another smell as well: the smell of death. The people inside will be dead soon—heroin kills most people in a few years. But the smell was not only of the death of people, but of the death of a city.

When a person first gets hooked on heroin, he can get by for a few weeks on one "$3 bag" a day. But the addict soon moves up to the $5 bags, and after a year or so he needs four or more double bags, at $10 apiece, every day. For most addicts, the only way to support a $40-a-day addiction is to steal. As heroin addiction has become epidemic—narcotics arrests have climbed 400 percent in two years in New York's 24th Precinct—robbery complaints have climbed to an all-time high. In fact, 30 to 40 percent of the crime in the precinct is "drug-connected."

New York has at least 100,000 heroin addicts, and these people *must* get their $40 or so a day. This means that the addicts must steal more than $1.5 *billion* from the people of New York every year. But that sum is a tiny fraction of the real cost. The real cost is the death of New York as a city in which people who have any choice at all will be willing to live.

Rather than live out their lives in fear, those who can afford it are leaving New York City. In time, unless the malignancy of heroin addiction can be brought under control, New York will be a shell, its tax base wholly eroded, inhabited only by the very poor and by a tiny handful of those rich enough to insulate themselves from the surrounding sea of fear.

New York is by no means the only American city on the death list. Thus the meaning of 9 West 102 Street is this: *any* measure, no matter how radical, which holds *any* promise of controlling the heroin malignancy must be taken, and soon. It must become an overriding first priority of American policy—especially foreign policy, and especially with regard to Turkey, the prime source of heroin—to control the production and distribution of this city-killing drug. Anyone who has had a good look at the problem can reach only one conclusion: the interests of the United States would be far better served if Turkey were a member of the communist bloc—the communist countries rigidly control poppy culture—rather than a NATO ally supplying our great cities with the means of their destruction.

TENNESSEE-TOMBIGBEE

Mr. NELSON. Mr. President, from recent reports about the current status of the Tennessee-Tombigbee water project in Alabama and Mississippi, it appears that once again, the Federal Government is rushing headlong into a massive project whose environmental damages might outweigh any possible benefits.

While Congress is being asked to appropriate $6 million to start actual construction, comments under Federal law by the regional Environmental Protection Agency indicate the 253-mile waterway could well turn out to be an environmental disaster and an economic flop.

Before any further money is appropriated for the Tennessee-Tombigbee, Congress should require a thorough review of both the environmental and the economic justification for the waterway.

Thus far, the Federal taxpayer has put out $3.7 million for preconstruction planning and some land acquisition for the Tennessee-Tombigbee. But to complete it, he would have to put out 94 times that, $346 million.

It would be far wiser to take a thorough look now, than to wait through years and tens of millions of dollars of construction before deciding the waterway's environmental destruction would be too high a price to pay.

And in the near future, just as soon as it is appropriate, I will introduce an amendment in the Senate stipulating that no further funds for the waterway construction can be spent until such a reevaluation is undertaken by the Federal Government and reviewed by Congress.

The gigantic scale of this project is a largely unspoiled rural, scenic area is in itself a compelling reason for proceeding in the most cautious possible manner.

Spanning two States and two river basins, it will involve channelization and lock and dam construction on 168 miles of riverway, construction of a 45-mile canal with five locks, plus a 40-mile canal through the ridge dividing the river basins. Altogether, the project will take 9 years to complete.

In reviewing the Tennessee-Tombigbee project, the regional EPA found serious environmental danger and a questionable economic justification.

Coming from the Federal agency chiefly concerned with air, water, and solid waste pollution problems in this country, the EPA report's comments are critically important and I ask unanimous consent that at the end of these remarks, they be printed in the CONGRESSIONAL RECORD in full.

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

Mr. NELSON. In brief, the EPA review found that the construction and the operation of the channels, dams, and impoundments of the waterway, plus the associated changes in the region, would have a "profound and lasting effect" on the water quality and the ecology of the entire area.

Channelization and cut off of river bends would cause a loss of natural shallow water areas, flood plains, pools, and sandbars.

The ability of the streams to absorb wastes would be diminished and any pollution would be carried farther down river.

The impoundments would increase the water temperature, decrease the water's capacity to absorb oxygen, and, with the changed water environment that would result, would alter the food chain and fish life.

The cut across river basins would expose waters in the Tombigbee River system to the pollution of Pickwick Pool on the Tennessee River, which is already closed for fishing because of mercury contamination.

In addition, the 9 years of construction will subject the river systems to extensive turbidity and silting, with some materials probably going all the way to Mobile Bay.

The EPA report also points out that the waterway will lead to a massive new influx of pollution from a wide range of sources—barges, industries, cities among them—that will be difficult if not impossible to effectively treat with current pollution control requirements and technology.

In view of these grave environmental questions, the regional EPA report strongly recommended further pollution control studies and urged adoption of a tough, comprehensive plan of pollution abatement for the entire project. Even with this, the EPA expressed serious doubts as to whether overall degradation of the area's water quality values could be avoided.

Citing even broader concerns, however, the EPA report urged a reevaluation of the basic question of whether the project should ever be built.

In making this key recommendation—which I strongly support—the EPA report noted the picturesque and unspoiled nature of much of the waterway area, its current recreational value to already industrialized areas in the region, its historic and geologic values, the questions as to whether the original commercial and industrial development promise of the project would ever be fulfilled, and the probably massive environmental impact of the project.

As the regional EPA report so aptly noted, these broader concerns are reflected in the changing public opinion nationwide with regard to the development of such areas and the construction of such projects.

In arguing for the waterway, the Army Corps of Engineers claims a cost-benefit ratio of 1.6 to 1, supposedly promising a return of $1.60 for every $1 invested.

However, it has become dramatically clear in the last year that the American public has awakened to some of the hidden long-range environmental and economic implications of such projects, and is raising tough new questions in view of these concerns. In fact, I believe we are on the way to establishing as a society new cost-benefit ratios more accurately reflecting the values and the problems of new technology and the building of massive public works.

Fortunately, there is still time to take account of these important new factors in the decisionmaking on the Tennessee-Tombigbee project.

In addition to the Regional EPA office report, I ask unanimous consent that an article in the Washington Post by Elsie Carper which reported this situation also be printed in the RECORD.

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

ENVIRONMENTAL PROTECTION AGENCY,
February 12, 1971.

DISTRICT ENGINEER,
U.S. Army, Corps of Engineers,
Mobile, Ala.

DEAR SIR: This is in reply to your letter of January 15, 1971, requesting our views on the preliminary environmental statement covering the proposed Tennessee-Tombigbee waterway project. Our reply is given in compliance with the requirements of the National Environmental Policy Act of 1969 (Public Law 91–190), Section 102(c).

The 253 mile long Tennessee-Tombigbee waterway which extends from Pickwick pool on the Tennessee River to Demopolis on the Tombigbee River is the upper portion of a 470 mile long waterway which connects Mobile Bay on the Gulf of Mexico with the Tennessee River.

Present ecological values are well documented in the environmental statement but insufficient acknowledgment is given to the adverse effect that the project will have on future ecological and water quality values.

The channelization, the dams and impoundments, the introduction of Tennessee River water into the Tombigbee River system, the increased population and new industries and the construction operations necessary for completing the waterway will all have a profound and lasting effect on the water quality values and the ecology of the entire area through which the waterway passes.

The channelization and cut off of river bends will cause a loss of the natural shallow water areas, flood plains, pools, sand bars and riffles with their associated aquatic vegetation conducive to stream purification and a balanced water quality. The assimilative capacity of the streams will be lessened and the pollution will be carried further down stream and over a greater reach of the stream before becoming stabilized.

The impoundments created by the locks and dams will increase the overall water temperature and decrease the waters capacity for absorption of oxygen. The change from a free flowing stream to a semiquiescent reservoir environment will alter the dominate fish species and organisms in the fish food chain. Studies on other similar streams indicate that although some pick up of oxygen can be realized in the spillway discharges, the assimilative capacity of the stream and its overall oxygen content after being converted to a waterway by the use of impoundments will be less than that for the free flowing stream.

The East Fork, Mackeys Creek and Yellow Creek are presently free flowing streams with excellent water quality. Most of Mackeys Creek and Yellow Creek and its tributaries will be inundated by the Bay Springs Lock and Dam impoundment..

Pickwick Pool on the Tennessee River, which will supply water to the proposed waterway, is presently closed for fishing because of mercury contamination. Because of the heavy industrialization of the Tennessee River Valley above Pickwick Dam, these waters also have more than the normal background of nutrients, heavy metals and toxicants including DDT. Because of the dilution by heavy stream flows, water use classifications and water quality standards are generally not violated on the Tennessee except near some of the large communities and industrial complexes and the feeder streams into which they discharge. Some of the sludges generated by these discharges contain damaging pollutants. The continual dredging operations taking place on the Tennessee River and tributaries keep these materials in suspension.

Because of the height of the Bay Springs Dam, stratification will probably occur in the impoundment and there may be a deficiency in oxygen in the waters received by the canal section through lockages. Barge traffic will keep the canal waters relatively turbid and oil slicks can be expected. The discharge of these turbid canal waters with low oxygen content, dangerous mercury levels and higher temperature into the relatively pure and free flowing East Fork represents a definite degradation in water quality.

The construction of the waterway will take a minimum of 9 years to complete and during this time portions of the river systems will be subjected to extensive turbidity and silting. Most severely affected will be the river bend and oxbow sections cut off from normal flow by newly constructed channels. These sections will be subjected to extensive silting during construction and more or less continuous silting from normal flows because of the reduced velocity in these sections. Because of the colloidal nature of many of the fine sandy clay silts which are to be dredged, it can be expected that considerable quantities of the suspended material will be carried all the way to Mobile Bay. Much of the material which does settle out in the impoundments will be released by lockages and carried along with flood flows.

The waterway will bring with it new industries, boat traffic, an increase in the population and a resultant increase in the pollutional load for the entire river system. No effective methods have yet been devised to control boat pollution and the secondary treatment requirement for municipal and industrial wastes still leaves a heavy waste load and most of the nutrients to be assimilated by the stream.

The Environmental Protection Agency is concerned with the resulting cumulative long-term effects of the increased future residential, commercial and industrial development on water quality values of the

streams involved. The waste assimilative capacity of the existing free flowing streams will be considerably reduced when replaced by deep navigation pools. The additional water derived from maximum lockages (24 per day) may be adequate to offset this reduced assimilative capacity but on days with low barge traffic an insufficient amount of water will probably be released. There should be definite assurances that sufficient water releases will be made, regardless of the number of lockages, so that present assimilative capacity is maintained.

In view of these facts, it is strongly recommended that a study be initiated to determine the quantity of water required and the method of furnishing the additional stream flow necessary for water quality management over that supplied by the actual navigational lockages.

A method should also be devised to insure an adequate supply of oxygen in the releases from Bay Springs Lock and Dam impoundment.

It is further recommended that an efficient abatement plan for pollution control be developed in full coordination with the appropriate non-federal agencies to insure implementation of the water quality management plan.

The project was conceived to provide a more direct connecting waterway from the Central Gulf Coast to mid-continental United States and to improve the economics of a now depressed area. However, the depressed area which it is supposed to help (northeastern Mississippi) is near the most highly industrialized section of southeastern United States stretching along the Tennessee River from Pickwick Pool to Kingsport in northern Tennessee. The area from the Tombigbee River along the East Fork, Mackeys Creek and over the divide to the Yellow River is one of the most picturesque and unspoiled areas still remaining in Mississippi. The value of the area to students of paleontology, geology and archaeology is well known throughout the southeastern United States. Since it is also near to a heavily industrialized area, its value as a recreational, hunting, fishing and scenic area is of immeasurable importance. In view of the rapidly changing public opinion with regard to such areas and the questionable economic value of the project, the EPA believes that a reevaluation of the project should be made taking into consideration the fact that the project may not bring the commercial and industrial development to the area originally anticipated, particularly northeast Mississippi, and a scenic and natural area will be irreversibly damaged for all time.

It is the considered opinion of the EPA that the cumulative long-term overall effect of the project on the environment will be one of overall degradation of water quality values in spite of the presently known techniques which can be applied to help maintain water quality. Water for lockages at Bay Springs can be drawn from surface waters; all municipalities and industries in the drainage area will be given a minimum of secondary treatment; extensive erosion control measures can and should be provided; anti-pollution laws can be rigidly enforced but, in spite of these measures, it is felt by the EPA that there would be a general degradation in water quality values resulting from the project.

With these facts in mind, it is recommended that the environmental statement be revised to include conditions as they will exist with minimum lockages, minimum river flows and maximum anticipated population and industrial development. With these conditions, the system should still be designed to maintain present water use classifications.

The project should also be designed to fit into the landscape with the minimum damage to the natural beauty and the paleontologic, geologic and archeologic sites in the area. It should also give prime consideration to hunting, fishing and recreational values and the forests should be left undamaged wherever possible.

The comments offered your agency in this letter are based on the Environmental Protection Agency's responsibility to render technical assistance. If you desire a formal EPA response in your proposed action, it is suggested that a request be directed to the Administrator, Environmental Protection Agency, 1626 K Street, N. W., Washington, D. C. 20460.

Your cooperation in the matter of water pollution control is appreciated.

Sincerely yours,

JOHN C. WHITE,
Acting Regional Director.

[From the Washington Post]

BIG WATERWAY PLAN ASSAILED BY EPA UNIT

(By Elsie Carper)

An Environmental Protection Agency report has raised strong objections to construction of the Tennessee-Tombigbee Waterway, which President Nixon praised at symbolic groundbreaking ceremonies last week.

The report declared that the multimillion dollar project is of "questionable economic value" and would "irreversibly" damage a scenic and natural area in northeast Mississippi.

In urging that the planned 253-mile channel be "reevaluated," the report, written last February, said that even if all known anti-pollution measures were taken, the project would degrade streams and rivers and the general water supply.

The channel is to link the Tennessee River with the Tombigbee River to form the upper portion of a 470-mile waterway connecting the Tennessee River and the Ohio Valley to the north with the Gulf of Mexico at Mobile.

It will require the digging of a 186-mile-long channel in the Tombigbee River, a 45-mile lateral canal and a 39-mile deep canal piercing a high ridge that divides two river basins. Ten locks are to be built for the $385.5 million project.

CORPS SOUGHT REPORT

The report was prepared by the Southeast regional office of the EPA and sent to the Mobile office of the Corps of Engineers. The Corps, which will construct the waterway, had asked for the EPA views in compliance with the National Environmental Policy Act requiring consideration of the environmental impact of major government projects.

John C. White, acting EPA regional director, who signed the report, suggested that the Corps seek a "formal response" from EPA's national administrator, William D. Ruckelshaus. An EPA spokesman said yesterday that the Corps had not made such a request.

ECONOMIC ARGUMENT

Questioning economic arguments for the waterway, the report declared that "the depressed area which it is supposed to help (northeastern Mississippi) is near the most highly industrialized section of southeastern United States, stretching along the Tennessee River from Pickwick Pool to Kingsport in northern Tennessee."

In contrast, it said, the area where construction would take place is "one of the most picturesque and unspoiled areas still remaining in Mississippi," valuable for recreation and for geological formations.

"In view of the rapidly changing public opinion with regard to such areas and the questionable economic value of the project, the EPA believes that a reevaluation of the project should be made, taking into consideration the fact that the project may not bring the commercial and industrial development to the area originally anticipated . . . and a scenic and natural area will be irreversibly damaged . . ."

Mr. Nixon spoke at the symbolic groundbreaking in Mobile last Tuesday on his first visit to Alabama since assuming office. The actual groundbreaking will take place later this year.

The waterway was in the planning stage long before the Environmental Protection Agency came into being and before consideration was given to the ecological effect of such massive projects. The President halted a similar project, the Cross-Florida Barge Canal, last January "to prevent potentially serious environmental damage." The canal was about one-third completed when he acted.

In his Mobile speech, Mr. Nixon said the Tennessee-Tombigbee would provide jobs and also "carry out and maintain the beauty of this part of the country . . ."

DAMAGE SEEN

But the EPA regional report said insufficient attention had been given to damage the waterway would do to future ecological and water quality values.

"The channelization, the dams and impoundments, the introduction of Tennessee River water into the Tombigbee River system, the increased population and new industries and the construction operations necessary for completing the waterway will all have a profound and lasting effect on the water quality values and the ecology of the entire area through which the waterway passes," the report said.

It warned of the "loss of natural shallow water areas, flood plains, pools and bars and riffles with their associated aquatic vegetation conducive to stream purification," an increase in water temperature, and a change in fish species and organisms in the fish food chain.

It also said that pollution from heavy industralization of the Tennessee River Valley will contaminate present free-flowing and relatively pure streams with nutrients, mercury and toxicants, including DDT. Barge traffic will add oil slicks and turbidity, it added.

PRIVATE PENSION PROGRAM

Mr. JAVITS. Mr. President, I ask unanimous consent to place in the RECORD the testimony and an appendix I recently delivered before the House Labor Subcommittee concerning pending legislation to reform the private pension plans system.

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

CONGRESS MUST ACT ON PRIVATE PENSION REFORM

(Testimony of Senator JAVITS)

Mr. Chairman, the key fact—and the one which often remains hidden under the self-laudatory rhetoric of self-proclaimed pension spokesmen—is that the majority of private pension plans in this country are established and operated on the basis of three dangerously obsolete assumptions.

The first of these assumptions is that an employee is going to work for one company all or most of his working career. The second assumption is that the company can and should use the pension plan as a club to prevent the employee from seeking job opportunities elsewhere. The third assumption is that the company will stay in business forever in substantially the same or expanded form as when it installed the pension plan.

It is these outmoded and unrealistic assumptions which are at the heart of what is wrong with private pension plans today and which have caused so many employees to leave plans empty-handed and utterly broken hearted. I would like to emphasize this point because there are all too many who

believe that the inequities in the private pension system are caused by dishonest and corrupt individuals and that all that is necessary is to establish strong federal standards of fiduciary responsibility. I yield to no one in my concern over assuring the honest, loyal and prudent management of welfare and pension plans, but I can guarantee to this Committee that the vast majority of these funds are run honestly and faithfully, and that enactment of fiduciary standards alone would barely touch on the really serious and pervasive deficiencies in the private pension system.

The New York Times entitled its lead editorial of April 17—"Phantom Pensions in Industry." In that editorial, the Times declared that "private pension plans now cover the majority of American workers, but the security which these plans seem to offer is often a delusion." Mr. Chairman, in a nutshell, that is what private pension legislation is all about and why it is so urgently needed.

VESTING

By now I am sure that the Chairman and members of this Committee are fully aware that there are nearly 30-million employees covered by private pension plans with assets of $130-billion—predicted to grow to over $200-billion by 1980—the largest aggregate of virtually unregulated money in the Nation. Despite the enormous resources commanded by these funds, however, there is grim evidence that private pension plans deliver on their promises to a relatively inadequate number of employees covered by these plans.

Contrary to the assumption on which most private pension plans are built, in today's modern industrial society, labor mobility is the *rule* rather than the exception. Very few employees work for one employer all their working lives. In fact, very few work for one employer as long as 30 years or even 20 years. Despite undeniable evidence of the enormous velocity in job changes among the Nation's work force, private pension plans continue to be structured in a manner which can only result in an abnormally high loss of pension benefits.

Mr. Chairman, at my initiative a year ago, the Senate Labor Subcommittee, under the wise and concerned leadership of its Chairman, Senator Harrison A. Williams, Jr. of N.J.—who is now Chairman of the full Committee on Labor and Public Welfare as well—undertook a landmark study into the operation of the private pension system. On March 31 of this year, the Chairman and I released some preliminary results from this survey. The full text of the report is included in Appendix A to my prepared statement and I ask unanimous consent that it be included in the record of these hearings together with my prepared statement.

While these results are "preliminary"—in the sense of not being statistically all-encompassing—they are sufficiently sobering to alert all of us to the dangerously inequitable provisions in private pension plans and the hardship and privation that has been worked on thousands upon thousands of employees.

In brief, the preliminary report indicated that in a 20-year period, of 51 plans ($10-billion in assets) with no vesting or 11 or more years for vesting only 5% of all participants who have left their jobs since 1950 have received benefits. In 36 plans ($6-billion in assets) with 10 years of vesting or less, 16% of all participants who left since 1950 have received benefits.

In terms of forfeitures, 92% of all active participants since 1950 who left the 51 plans forfeited without qualifying for benefits; 73% of all active participants since 1950 who left the 36 plans forfeited without qualifying for benefits. The study also indicates that substantial numbers of workers who lost their pension benefits are long-service employees; and the precise figures in this respect are contained in the text and tables of the report.

These appalling statistics on forfeiture of benefits have been reinforced in human terms by the steady stream into my office—and I assume into your offices, Mr. Chairman, and the offices of members of this Committee—of letters of complaint from employees and their beneficiaries. While I have been receiving these letters at the rate of about 1500 a year, for the last 4 or 5 years, in only a three-week period that elapsed from the release of the Senate Labor Subcommittee's preliminary findings, my staff informs me that we received over 500 letters, of which all but 4 were letters detailing specific cases of long-service employees who forfeited pensions and who urge enactment of a comprehensive pension bill (S. 2). Incidentally, of the 4 letters of opposition, 3 were from firms of pension plan consultants and one was from the vice-president of a large corporation. Representative examples of these letters, with identities of individuals, companies and plans removed, are provided in Appendix B to my testimony, and I ask that this material also be included in the record of these hearings.

The experience I have just described is not unique. The 1970 Report to Congress by the Secretary of Labor on the Welfare and Pension Plans Disclosure Act states:

"The Department of Labor continued to receive many letters directly from plan participants, or through Congressional or White House liaison, requesting assistance in collecting retirement benefits or asking for legislation requiring liberalization of plan provisions. Letters are received from participants in retirement plans administered by employers, unions, and joint boards of trustees. The most common and most serious complaint is inability to meet lengthy service requirements for pension eligibility, frequently despite a lifetime of employment. Some workers with thirty, forty, and even more years of service find themselves ineligible for pension benefits because the continuity of their service with one employer or under a particular plan was broken. Many plan participants are innocent victims of events beyond their control: discharge from employment in middle age without vested benefits, failure of employers to contribute to a multiemployer plan, frequent layoffs resulting in cancellation of previously earned pension credits, plant shutdowns, or company mergers. Job changes are also a frequent cause of pension ineligibility. Many of the letters deal with the inadequacy of retirement benefits, made even more inadequate by the rise in the cost of living with no corresponding increase in benefits."

REACTION TO THE SENATE LABOR SUBCOMMITTEE STUDY

Reaction to the release of the Labor Subcommittee's preliminary data was overwhelmingly favorable. The mail my office received since then runs at the rate of 100 to one in favor of legislation. The Times editorial I have mentioned is typical of the growing understanding of what is needed.

Nevertheless, as I anticipated, there has been some adverse reaction—principally from some pension consultants who have had long experience in this field, designing the very plans we are investigating.

It has been stated to the press by officials of certain pension consulting firms that my conclusions on the basis of the preliminary findings are "gross misrepresentations of the facts," that the study is "fallacious material," and that it is nothing more than a "manufactured crisis which could lead to government control of the private pension system."

Mr. Chairman, I will not go into the technical defects in the so-called data which have been circulated in an effort to rebut the Labor Subcommittee's study, but I ask unanimous consent to insert in the Record a memorandum commenting on some of these "counter-studies."

This memorandum, which I am submitting for the record, will show quite clearly how it is possible to construct a statistical study of vesting in which most people appear to get something; the two principal devices are (1) don't count the people who "pass through" the plan—only count those who are there on one specific date, and then take a percentage *of them* who will vest (i.e., leave out those who come *and go* during the time it takes the handful of lucky ones to earn a vested interest); and (2) don't actually count all vested interests—just "estimate" them. With that kind of study, you can produce any result you like.

Mr. Chairman, the Senate Labor Subcommittee study is not an "estimate," it is a compilation of the answers which were supplied by the pension plan administrators themselves—the hard data, the number of forfeitures, over the past 5 years, and the past 20 years.

Note also, Mr. Chairman, what the two principal arguments now being made against my bill are. First, vesting is so improved in recent years that no legislation is necessary; and second, the cost of complying with the legislation for vesting would be too great.

Now it ought to be obvious that one or another of these arguments has to be misconceived! And in point of fact they both are.

Suffice it to say that, if it were true that vesting has so drastically improved that legislation is unnecessary, it would also be true that the impact of the vesting standards set forth in my bill, for example, would be negligible, and plans would encounter little difficulty in complying. But at the same time, it is argued that mandatory vesting would be prohibitively expensive and therefore should be resisted.

In a diversion from the major substantive issue—loss of pension benefits—opponents of legislation setting minimum vesting standards have argued that the Congress really ought to focus on how to encourage extension of private pension plans to those employees who do not have them. I favor encouraging the extension of private pension plans to the maximum feasible extent by whatever means are appropriate, but while engaging in this highly praiseworthy effort we should not lose sight of the serious deficiencies in existing plans which, as I have noted, already cover 30 million American workers.

There is no reason to suppose that there is an inherent conflict between encouraging the growth of private pension plans on the one hand, and establishing minimum standards to insure that every private pension plan is equitable and adequately protects employees against loss of their just pension benefits. In this respect, I cannot emphasize too strongly the salient importance of enacting a comprehensive federal insurance program to protect employees against loss of pension benefits owing to premature plan termination. And, I doubt that I could improve in this connection on the eloquent and impressive testimony of I. W. Abel, President of the Steelworkers Union, before this Committee last Wednesday.

To those who minimize the importance of pension legislation, I say *ask* the 40 busloads of steel workers who poured into this hearing room a week ago whether *they* agree—and who were characterized by the Chairman of this Committee "as the largest number of people to attend a public hearing on a specific piece of legislation in my 40-odd years of legislative duties." It is all very well for those who are in the business of selling and servicing pension plans to pooh-pooh the need for pension legislation, *but it is the employee who is getting it in the neck—who knows why he needs legislation!*

PRINCIPAL DIFFERENCES BETWEEN S. 2 (JAVITS PROPOSAL) AND H.R. 1269 (DENT PROPOSAL)

Mr. Chairman, both the bill I have authored (S. 2) and your bill (H.R. 1269) are substantially similar in intent and technique. Both mandate basic standards for vesting, funding and fiduciary responsibility, and both establish a program of federal insurance. There are, however, a number of important differences between the two bills and by illuminating and concentrating attention on them both may profit.

1. *Minimum Vesting Schedule*

First, as to *vesting*, S. 2 provides a 10 percent vested right after the 6th year of service, and increasing by 10 percent each year thereafter, so that at the end of 15 years of service the employee has a 100 percent vested right. The concept employed is known as deferred *graded* vesting.

H.R. 1269 provides a 100 percent vested right after an employee has worked 10 years. The concept employed here is known as deferred *full* vesting.

I believe that the essential advantage provided by the approach taken in my bill is that vesting starts earlier and avoids an "all-or-nothing" result. An employee who works 9 years and 11 months and then is separated from employment would forfeit all pension credits under H.R. 1269, but under my bill he would have a 40 percent vested right. As the Senate Labor Committee report shows, there are very substantial numbers of employees who forfeit with more than 5 but less than 10 years of service and I think it is imperative in such a highly mobile industrial society as ours, that we start vesting pension credits early in a worker's career once he has clearly moved out of the transient or casual category.

2. *"Aggregate Service"*

S. 2. also provides vesting based on "aggregate" years of service rather than "continuous" years of service. The distinction is important because many employees have complained about loss of pension credits owing to a "break in service" despite the fact that their years of service, in the "aggregate," would have qualified them for vested rights under the plan.

H.R. 1269, which is based on the "continuous service" concept, does authorize the Secretary of Labor to decide whether "break in service" rules are reasonable, but I believe the entire notion is an artificial one, and that the employee's pension credits—like his wages—should not be lost simply because he is compelled to leave his employment and subsequently returns.

3. *"Waiting Periods"*

In addition, S. 2 removes all restrictive eligibility rules from pension plans. Plans are required to admit employees to membership in the plan from the date the employer contributes to the plan on their behalf but in no event later than 6 months from the date of hire. Restrictive "waiting periods" for joining plans have the effect of deferring qualification for vesting and should not be permitted.

H.R. 1269, on the other hand, permits plans to set eligibility for participation at 3 years or until age 25, whichever is the later. Thus, under H.R. 1269, it is possible, for example, for an employee to be hired at age 19 and have to wait 6 years to participate in the plan and then another 10 years to qualify for a vested right—a total of 16 years. I think this is too harsh.

4. *Funding*

Insofar as *funding* is concerned, the major substantive difference concerns the funding of past service liabilities. H.R. 1269 requires the systematic amortization of past service liabilities only to the extent they represent *vested* liabilities. This is, of course, a vast improvement over the Internal Revenue Service requirements but not adequate enough. There should be a systematic liquidation of past service (vested or not) from the date these liabilities are incurred, and S. 2 so provides.

5. *Reinsurance*

Regarding *reinsurance*, the most important substantive difference between S. 2 and H.R. 1269 is that the latter does not establish any limits on the amount of vested benefits that will be covered by reinsurance nor does it spell out the order of priorities to which reinsurance shall be allocated. S. 2 limits reinsurance of vested benefits to the lesser of 50 percent of the employee's average monthly wage for the period at which his earnings were the greatest, or $500 per month. S. 2 also sets out an order of priorities which govern the insurance of beneficiaries' rights.

I believe it would be impractical to establish reinsurance to cover every vestige of benefit right because such an approach might significantly impair the viability of the reinsurance program, particularly during a period of depressed economic activity. By way of analogy, the Federal Deposit Insurance Corporation limits coverage of savings deposits to $20,000 in any one banking institution.

In addition, the Committee should give careful consideration to establishing an order of priorities in the legislation. All too often, plan provisions for distribution of assets on termination are lacking or incomplete, or contain requirements for distribution to beneficiaries which are in direct conflict with the vesting provisions of the plan.

6. *Portability*

Unlike S. 2, H.R. 1269 does not establish a Federal program for *portability* of pension credits. There has been, unfortunately, a great deal of confusion concerning the concepts of *portability* and *vesting*, so I would like briefly to clarify my objective.

S. 2 establishes a Federal central clearinghouse to promote, on a voluntary basis, the transfer of *vested* pension credits from plan to plan. There are some who believe that portability would cover the transfer of *non-vested* pension credits as well but this would be tantamount to *immediate full* vesting and would be too expensive and impractical to administer on other than a social security basis. Without portability, a typical worker would receive at retirement a number of checks from different employers representing the vested pension credits he had earned from each of them. However, each of these checks would represent vested benefits earned at the time of separation of employment from each respective employer and would be based on the benefit formula in existence at that time. To a large extent, employees would lose out on improved benefit formulas or benefit formulas geared to their improved earnings as they move from corporation to corporation.

The portability program established under S. 2 would provide one solution to this problem. By being able to transfer the value of the benefit right to the new employer or to central investment pools authorized under the Federal clearinghouse arrangement, the employee would be able to enhance the value of his benefit right by "plugging it in" to the more desirable benefit formula of the new employer or to the central clearinghouse fund, where it would be credited with the investment earnings of that fund. Such a program would greatly enhance the adequacy of retirement income that the worker ultimately receives.

7. *Administration*

Finally, there are substantal differences between S. 2 and H.R. 1269 concerning the *administration* of pension regulatory functions. S. 2 would create an independent SEC-type commission to administer the provisions of the bill as well as pension functions presently performed by other agencies, such as the disclosure functions of the Department of Labor under the Welfare and Pension Plans Disclosure Act, and the bulk of the tax qualification functions performed by the Internal Revenue Service. H.R. 1269 would provide for the administration of vesting, funding, fiduciary and disclosure standards by the Department of Labor and would create a governmental corporation within the Department of Labor to administer the reinsurance provisions.

I regard centralization of all pension regulatory functions as highly desirable. There is too much overlapping and duplication of effort going on right now. For example, many of the reports filed with the Internal Revenue Service are also filed with the Department of Labor and if proposed fiduciary provisions should be enacted, not only would the duplication of paperwork be increased but the Secretary of Labor's enforcement of fiduciary standards would overlap with the Internal Revenue Service's enforcement of the "prohibited transactions" secton of the Internal Revenue Code. Many other examples could be given, e.g. enforcement of the funding standards, but these will suffice.

While the pension industry may well experience some transitional problems in accommodating to a new centralized regulatory agency, I firmly believe that in the long run the industry will be much better served if duplicate disclosure burdens and potential conflicts between competing bureaus are eliminated. And in this connection, I would like to observe that H.R. 1269 only preempts state law in the area of fiduciary standards while S. 2 preempts state law with regard to all the subjects covered by the legislation. Once an across-the-board federal pension law is enacted, it seems unfair and unduly burdensome to subject private pension plans—many of which are interstate in operation—to additional state regulation.

Mr. Chairman, I intend to submit a more detailed comparison of the technical differences between S. 2 and H.R. 1269, and I ask that the Chairman keep the record open so that I can provide this material.

CONCLUSION

Mr. Chairman, the Senate Special Committee on Aging has reported just last year that 1 out of every 4 persons over age 65 lives in poverty and the number is steadily increasing. In New York City alone, over 12 percent of the city's population—one million persons—consists of senior citizens over age 65. Substantial numbers of these persons are living from hand-to-mouth in the most deplorable conditions, with inadequate sources of income to maintain a decent and dignified standard of living.

How many of these persons are retired workers who were covered by private pension plans, but who left empty-handed, nobody really knows. Judging from the complaints my office has received, the number is quite significant.

I know that the Chairman of this Committee has established improvements in the minimum wage laws as a matter of high priority and the attainment of this objective has my full support. I regard the enactment of pension reform legislation as a matter of equally high priority. The minimum wage standards are designed to protect the worker against unjust economic exploitation during his productive years but how short-sighted we would be if we failed to provide similar protection for the deferred compensation that the worker has earned by his labor so that he may live decently when his productive years come to an end.

I would submit that unless the Congress enacts pension legislation—so that private pensions will truly serve as an adequate supplement to Social Security—the anger and disappointment of thousands of frustrated, empty-handed beneficiaries will create enormous pressure for punitive legislation against the private pension system that ultimately will be most difficult to resist.

I urge this Committee in its deliberations carefully to consider the alternatives and to respond to these problems meaningfully.

MEMORANDUM CONCERNING CERTAIN STUDIES CITED BY VARIOUS PENSION CONSULTANTS

A. THE GRIFFIN-TROWBRIDGE STUDY

I would like to urge the Chairman and the the members of this committee to review this well-publicized study on funding in private pension plans, which was co-authored by one of the architects of the criticism directed at the Senate Labor Subcommittee's survey. This study, which incidentally purportedly demonstrated the soundness of private pension plan funding, was conceded by its authors to underrepresent multiemployer plans and small plans and was based exclusively on plans which "cooperated" with the authors. In this regard, the Chief Economist of the Bureau of Labor Statistics stated in 1969: "The actuaries who supplied the data for the study succeeded in persuading their client plans to adopt conscientious funding programs. But the actuaries who did not supply any data—particularly those who advise multiemployer plans—may not have been as successful. In other words, it is impossible to determine whether the plans included in the survey are representative of those who by the nature of the survey had to be excluded."

B. THE A. S. HANSEN STUDY

I have been led to understand that the principal basis for the "criticism" of the Senate survey is that the data produced by the Senate survey is only "historical" in nature and therefore cannot be used to evaluate the future impact of private pension plans on employee benefit expectations. It is asserted that vesting has vastly improved and can be expected to improve even more in the future.

These predictions are based on a "study" of private pension plans by A. S. Hansen, Incorporated, prepared at the request of the Treasury Department, after it was suggested by A. S. Hansen Incorporated to the Treasury Department that they perform such a study.

A. S. Hansen purported to survey all private pension plans serviced by A. S. Hansen. They directed their study to the number of current employees covered by these plans and purported to ascertain the number of these current employees who were already vested and the number of those current employees who could be "expected to vest." Out of 864 plans surveyed, with 881, 281 current active participants, it was found that 132,466 were retired and vested, 265,817 were vested and 319,239 were "expected to vest." Thus the percentage vested and expected to vest is 66%; the percentage expected to forfeit is 34%. With respect to the percentage expected to forfeit, it is anticipated, according to one press report that they will "find future employment in firms with pension coverage."

Hansen also breaks down the percentage not vested by age group. In the 25–30 age category, the percentage not vested is 99%, in the 30–35 age group the percentage is 96%, in the 35-40 age group the percentage is 86% and in the over 40 age group, the percentage is 47%. However, no attempt is made to break-down these age categories by length of the employee's service so it is impossible to ascertain the degree to which longer service employees might lose pensions under these plans.

Aside from the fact that the percentage expected to forfeit (34%) is not exactly insubstantial, and that many of these may very well be longer-service employees, major defects in the Hansen study are these:

(1) Since it is only directed at current employees it necessarily results in exaggerating the quota for vesting, because the total number "expected to vest" is stated as a percentage of current employees, instead of being stated as a percentage of the much larger number of participants who will come into and pass out of the plans during the years ahead. By way of contrast, the Senate Labor Subcommittee study took account of all participants who had flowed through the plans it sampled during a 20 year period.

(2) In determining the number of employees "expected to vest," Hansen made "estimates" on the basis of "typical" employee turnover rates which Hansen characterizes as "armchair" assumptions which can be made applicable to all plans regardless of specific experience. The Labor Subcommittee study did not "assume" turnover and forfeiture experience for each plan sampled.

APPENDIX B.—REPRESENTATIVE LETTERS OF COMPLAINT FROM PENSION BENEFICIARIES

APRIL 1, 1971.

DEAR SENATOR JAVITS: I have read with great interest an article in today's News pertaining to an investigation on pension plans and the unjust by-laws used by the unions to retain this pension money when one leaves the union before retiring.

I am in such a predicament at the present time. I have been with ——— Local ——— for the past 18 years and have been paying pension to the local union. I have decided to move to Florida for my wife's health. I belong to an International Union and have requested a transfer. A transfer card will be given to me to work in Florida, but I was told by Mr. ——— of Local ——— that all of my pension money will remain with the Local. I am told it cannot be carried over to any other local. I am now 49 years of age and have given my best years of work while in this union. It hardly seems fair to start all over again, especially since the dues and assessments paid to my local by both me and my employer supported this international union.

Since I have no other alternative and the union refuses to give me any of these funds or transfer them, I am asking you to help me in this matter, if possible or refer me to who ever can assist me.

Thanking you in advance, I remain

Very truly yours,

——— ———.

APRIL 18, 1971.

DEAR SENATOR JAVITS: I don't know if you can do anything for me or not but this is my problem.

I joined the ——— Union on October 25, 1952. At that time we were told at the age of 65 and with 15 years of service in the union shop we could get a pension. A short time later the union officials changed the time from 15 to 20 years.

I was a steady member until November 1968 when I was taken sick. I paid my dues for 26 weeks hoping my health would improve so I could go back to work but it did not. I applied for a pension but was turned down because I did not have 20 years in. I think I am entitled to at least a partial pension by our first agreement. If I could only get something I would not have to have Medicaid as I do now for the doctor and medicine. My social security is not enough to pay all I have to pay by the time I pay my mortgage payment, lights, heat and telephone. I do not have anything left. If it were not for the Food Stamps I would not be able to have enough food.

I hope you can look into this for me.

Thank you,

——— ———.

APRIL 3, 1971.

Senator JACOB K. JAVITS.

DEAR SIR: On January 11, 1968, I had to be relieved of my route because of chest pains. I was admitted to the hospital on January 15 and on January 23 I sustained an acute myocardial infarction and I am unable to work any more.

I was 59 years of age and I filed a retirement form with my union because of my disability. I was a union member for 31 years from 1937 to 1968 and I was turned down. I was told that I had to be 60 years of age to collect a pension on disability. I am receiving no benefits from my union now. My employer has paid into the pension fund all these years and I feel a great injustice is being done to me.

My doctor suggested that I move to California to prolong my life.

I read an article in the Los Angeles Times about your interest in the Union pension plans. Can you please help me to get my disability pension? My union is ———.

Very truly yours,

——— ———.

APRIL 5, 1971.

Senator JACOB K. JAVITS.

DEAR SENATOR: I have read with a great deal of interest the P.P.I. release on pension funds of large companies.

My circumstances should be brought to light:

Employed by ——— Company at age 17, September 1, 1942 until April 19, 1969—26 years. Required surgery and was unable to return to my job as manager. At age 35 after 18 years of work I did not qualify for the pension program because vester rights are acquired only at 50. At age 46 I do not qualify for any pension rights. After 26½ years of loyal and continuous employment in capacity as manager and District Manager, I have been advised that I am no longer on the pension program.

I have no income as social security advises my disability is not serious enough to continue any benefits.

I applaud your efforts to expose this fraud upon millions of innocent employees all over America.

Sincerely,

——— ———.

APRIL 5, 1971.

DEAR SENATOR JAVITS: I read with interest your recent press release concerning pension plans in industry.

I am a recent victim of one of these cancellations of right to participation in one of these plans. I worked for 40 years in the ——— Plant at Elizabethton Tennessee. ——— was owned by ——— which in turn is owned by ———, a Texas corporation. Then in December 1970 they closed down the ——— Plant and it has now reopened under new ownership. My rights to the retirement plan were terminated. It is now too late to build anywhere else. I have been hurt and other longtime employees of this plant have also been hurt.

I checked with the Social Security Administration and found that my benefits at age 62 after 40 years of work would be $134.80. Now a bill is being readied to give a minimum of $200 monthly on welfare. This is disgusting. It put a premium on laziness and irresponsibility and penalizes the man who works. I realize that answers are difficult and hard to find but unless found I fear for the existence of our nation.

Yours truly,

——— ———.

APRIL 1, 1971.

DEAR MR. JAVITS: Having just read an article in the New York Post, dated March 31, 1971, and thinking that my case might just fit into the type of legislation that you are proposing, I'll state it here.

The ——— Company has the type of pension plan which I think you refer in the article. Non-participation on the part of the employee. At age 55 and after 20 years of service, an employee is qualified to retire and draw pension. I worked for the company for 18 years, left of my own volition and could draw nothing. Two years later I tried to re-

turn and complete my term by working for five more years (to bridge the service) but they would not take me. They said, "for medical reasons," but I doubt that. Anyway, that part is not important. What I am interested in is the first part. If I am right and this is what you are talking about, please make the legislation retroactive for at least 10 years. My reason for that is simple. I left the phone company in 1964, and would certainly like to benefit by the passage of such a bill.

Wishing you continued success in all your endeavors. I am,

Very truly yours,

———— ————.

———

APRIL 9, 1971.

HON. JACOB K. JAVITS.

HONORABLE SIR: This is to commend your proposed pension plan as per the enclosed clipping. Be assured any such legislation will have our unqualified support although it will come too late to benefit us. The following brief employment record is explanatory of our feelings in this matter.

Twenty-five years (25) employment at a steel company in the midwest, working up slowly and painfully from the ranks of common labor to Complaint Metallurgist. On leaving the company monthly salary was $575. There was no pension plan for salaried workers, but an employee-paid annuity fund had been set up during the last ten or twelve years of that time. Total accrument was $3,100.

Three years (3) in an aerospace firm in California. The company had a ten-year minimum pension plan.

Four years (4) in an aerospace firm in the state of Washington. This company had a ten-year minimum plan. Employee was not eligible because he would reach age 65 in less than ten years.

Employed since October 1969 by a California aerospace firm. Again not eligible for pension plan.

On retirement at age 65 in June 1974 will be entitled to Social Security benefits somewhere near, but not at, maximum level. Will also have a dependent wife who will not reach age 62 until 1979.

There will be some money to invest in a home or small business because we have been careful to live within or below our means at all times. However, it seems a small reward for 37 years devoted to being faithful, dedicated and a most competent employee.

As you can see the Golden Years will hardly be that for us. So we say hurrah for you in the hope that those who follow us have the security, and its attendant peace of mind, we have been denied.

Very sincerely yours,

———— ————.

———

APRIL 3, 1971.

DEAR SENATORS: I am one of the boys that you are talking about. I worked for ———— Corp. for 24 years, 14 years as a supervisor. Through some misunderstanding with an engineer I quit this job in 1948, but 6 years later they wanted me back. That was in 1954, but I did not get in 10 years, because I had to retire in 1959 when I was 65. They said I lost all my years of service. All I get from ———— is $19.75 a month.

If you would like more information, I would gladly give it to you.

Sincerely,

———— ————.

———

APRIL 5, 1971.

Senator JACOB JAVITS.

DEAR SIR: In regard to your proposed bill concerning "Vesting Pensions," I was happy to see that someone was taking an interest in persons like myself and many others in my industry as well as other industries where pensions are concerned. For instance, I have 23 years on the job and have no rights to my pension until age 55. I am tied to my job, as I was offered other employment, but due to the pension fund, if I left now I would lose everything. I and many others would be very grateful if this bill would be passed.

Thanking you, I remain,

———— ————.

———

MARCH 31, 1971.

DEAR SENATOR JAVITS: Enclosed is an article about pension plans removed from the Denver Post of March 31, 1971.

I would like to point out two cases of hardship and mistreatment from a large corporation ———— Inc.

I was fired January 1965 after 18 years of hard service and I don't know how many hours of free hours of work I donated to ———— with no pay. I lost my pension rights as I did not complete my 20 years service to get my vested rights so I could draw my pension.

Another case, my brother ———— ———— was fired after 32 years of hard labor. He also lost his pension rights because he is still under 50 years of age.

I am very happy the government is finally going to look after the rights of the working man and give him some protection. I had 2 years to complete to get my vested rights, and my brother had 21 months to go before he could get his vested rights.

Who wants to hire people our age and give us a pension now. We gave ———— Inc. our youth and they gave us an easy goodbye for our labor.

Sincerely,

———— ————.

———

APRIL 13, 1971.

Hon. JACOB K. JAVITS.

DEAR SIR: In regards to an article in the newspapers April 1, 1971, you are co-sponsoring a bill for pensions to people who have been working for companies. I have been working about 18½ years for ————. I resigned in 1968 because I was past 65 years old. It was just 6 months before the old union contract expired.

I took my wife to Copenhagen, Denmark for an operation so we stayed there a year and returned in 1970.

I then went to ———— to ask if I could get some pension. The answer was "No," only if I was on the payroll in 1969 (I retired July 1, 1968).

I do not know what to do, and would like to have your advice, if there is any hope in the bill you have co-sponsored.

Sincerely,

———— ————.

———

APRIL 2, 1971.

Senator JACOB K. JAVITS.

DEAR SENATOR: May I have several copies of your bill that has been introduced in the Senate relative to guarantee pension rights for vested assessments after five years.

Believing the bill has merit now denied those retired, of benefits actually due them; and that your bill should include a "portability" clause covering all 50 states, if same is not already inserted.

May I state my case briefly:

Belonging to a parent national union, that claims they have no jurisdiction as regards local union pension funds.

One local union of which I was a member for 34 years and assessed for that length of time for pension benefits if I retired after 20 years, but a clause inserted stated I must return to that local to receive that benefit. After 34 years I moved from that state and secured employment in New York.

After working another 15 years in the latter state I retired, but this local also had a 20-year clause, although I was assessed 15 years for pension benefits.

So you see I paid into local pension funds for 52 years and at the present time I am not entitled to any benefits from either of the two locals, except the former IF I rejoin that group, out of state.

Surely both locals should be covered by insurance laws guaranteeing benefits, regardless of what state they lived in upon retirement, and should be retroactive to the date of that retirement.

Thanking you for introducing such a wonderful bill, and hoping it becomes federal law in all 50 states, so future retirees are not forfeiting pensions actually due them.

Sincerely,

———— ————.

P.S.—From the above you can judge why I wrote you previously for action on a World War I pension. Seems I get nothing no place!

APRIL 2, 1970.

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DEAR SENATOR JAVITS: Regarding the Senate Labor Subcommittee survey of Company pension plans, I though that you might be interested in hearing from a victim of one of these plans.

I had long service with a company, 25 years to be exact, and was told very suddenly that my job had been terminated due to the sale of the division of the company in which I was employed to another company. Also, I was informed that the only benefits I would receive would be one weeks pay for each year of service and any money plus interest for contributions to the pension plan from my salary over a 3 year period of employee contribution to the company pension plan. Although the company had always had some form of pension plan, the 22 years of service before this period yielded nothing to the terminated employee.

I would like to fill you in on the history of my particular case as a victim of a large company and its disregard for long term employees where pension plans are concerned. My 25 years of service began in November, 1944 with the ———— Corp. of Richmond, Virginia. As of November, 1962, the ————, ———— Company. During the 25 period with these two companies, it was the understanding of all employees that we had a retirement plan; however, as of November, 1969, when my job was terminated along with 150 ———— employees in the Richmond, Virginia area, we were informed that the only employees receiving retirement pay would be those with a total of 75 years with the company, which was determined by adding the employees age and years of service together for a total. As I was only 43 years old in 1969, I fell short of this 75 year figure by 7 years.

I hope this letter will add a little fuel to the fire your committee has started. Please contact me, if I can be of any help.

Very truly yours,

———— ————.

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APRIL 1, 1970.

DEAR MR. JAVITS: Relative to the article appearing April 1, 1971 in the Syracuse Post Standard of the Labor Sub-Committee on Company Pensions.

I worked for the ———— Company 30 years, 26 years in ————, New York. The last 10 years as chief engineer. 31 of the best years of my life and have never received any pension.

Any small monthly amount would be deeply appreciated.

I am enclosing a quarter century club from the ———— Company acknowledging my services in the ———— Plant to substantiate my above statements.

Very truly yours,

———— ————.

———

APRIL 6, 1971.

Hon. JACOB K. JAVITS.

DEAR SIR: After having been employed by the ———— Company for more than twenty-nine (29) years, I have been notified that my employment is being terminated. At the time this notification was given to me, my superiors stressed that my work was entirely satisfactory and that I should not feel that

the action was a reflection on my performance. In fact, throughout the entire period of my ——— employment which began March 23, 1942, all of my superiors have, without exception, rated my work performance entirely satisfactory, and in most cases, as outstanding.

Needless to say, the termination notice comes as a jolt! My employment with ——— covers "years of plenty" when other employment opportunities as well as education opportunities were readily available, and when job offers were declined in favor of continued employment with ———. One of the major influencing factors in reaching the decision to remain with ——— in each instance was the pension which eventually would be available to me under the ——— Plan for Employees' Pensions, Disability Benefits, and Death Benefits. The anticipated pension naturally has always been considered by me to be a part of my compensation, especially during periods when comparatively low salaries were being received by ——— employees. The pension was always stressed by ——— to both existing and new employees as a major employment benefit. It seems significant that my employer has elected to terminate my employment after these many years of service and only two years before I become eligible to receive the pension.

Although I have been given "permission" to seek employment in other departments of the company, it also seems significant that I have been unable to locate another position even though personnel changes are occurring constantly. Throughout the company, new employees are being hired to fill positions, many of which I am certainly adequately qualified to handle.

While I am aware that all employers are, at times, forced to take force reduction measures, I feel that the action taken with regard to my termination is a grave injustice involving prejudice and discrimination.

It is a frightening thing, after having devoted a lifetime to ———, to find myself in the ranks of the unemployed and to be thrust suddenly into the position of job seeking at a time when the economic situation is very unfavorable; when my age (47) is not considered the most desirable by most prospective employers; and when my years of experience with ——— are not readily adaptable to another field.

In view of your involvement with the Senate Labor and Public Welfare Committee and its recent investigation of private pension plans, I urgently appeal to you, as my representative in the U.S. Senate, for any assistance and/or advice you can provide me with regard to recourse available to me.

Yours very truly,

———— ————.

———

APRIL 5, 1971.

SENATOR JAVITS: I worked for the ——— Company for 19½ years and let go for cause. I guess the cause was because at 20 years I would have been entitled to the pension plan. When I heard on the television that the ——— Company is asking for an increase and they are definitely in need of money, I have my doubts, since 60% of the installers and repairmen are under 35 years of age and not making top pay.

Anything you can do in my case would be appreciated, since I am now on Welfare.

Sincerely,

———— ————.

———

APRIL 6, 1971.

Hon. JACOB K. JAVITS.

DEAR SIR: You are to be congratulated on your efforts to remedy many of the inequities which exist in Pension Plans throughout the country.

I was a member of Local——— with the New York City District Council for 35½ years and at age 65, found the work too strenuous and applied for a pension in September 1969.

My membership record is as follows:

[In years]

June 11, 1923 to July 13, 1930	7
July 27, 1942 to date	28½
Total	35½

With this record I assumed that I would qualify for a pension. My application was denied because I did not work for a contributing employer during the years 1956 and 1957.

Being unable to pursue this type of strenuous work, I find it very difficult to manage on social security alone. A pension, which I so rightfully deserve, would be very helpful at present.

I wish you much success in your endeavor to help us unfortunates who have fallen into this desperate situation.

Very truly yours,

———— ————.

———

APRIL 1, 1971.

DEAR SENATOR JAVITS: I was reading the article in the N.Y. Daily News about the Company and Union pension plans and I agree with you 100% that something must be done about this and soon. I for one am one who has been caught in this sinking ship. I worked for 12 years for ——— Company in their warehouse in New York. We were represented by Local ——— of the ——— Union. In our contract the company paid 12½ cents an hour for our pension plans which comes to $5.00 a week for every man and woman. If that money had not been put into a pension plan we would have received it in our pay envelope as a fringe benefit.

Now after 12 years the company moved to Harrisburg, Pa. and took only 4 men with them. There are other people who had 15, 20 and 25 years with the Company about 100 of us in the same spot, we receive nothing. I contend that the money that was put in for us is ours or at least part of it. We paid union dues every month at the rate of $7.00 per month.

I would like to see something done about this situation too, because I think that the thing is very unfair to the working man.

Yours respectfully,

———— ————.

———

APRIL 15, 1971.

Senator JACOB JAVITS.

SIR: I am a former member of the ——— Union for 38 years. For the past 9 years I worked in California for the ——— Union for which I receive $30.

The 30 years I put in the ——— Union, Locals ——— and ——— respectively. They claim no reciprocal agreement. I have already written you and every one in the upper echelon connected with the union and they keep passing the buck. I am now 69 years of age and sadly in need of my pension. Things are bad and we cannot survive on social security and the $30 pension. I know how hard you have been fighting for us and I hope before I die, life will be a little easier.

I read the article in the Los Angeles Times and I am grateful and hopeful something will come of this.

Thank God for men like you. Oh, I forgot to mention we are former residents of New York City and we were with you all the way.

I sincerely hope my prayers will be answered.

Thank you.

Sincerely,

———— ————.

———

APRIL 10, 1971.

Hon. JACOB K. JAVITS.

MOST HONORABLE SIR: It is with a glitter of hope that I take note of your interest in the pension plan injustices that are being exposed both on T.V. and the news media, because I too am a victim who, although being over 70 years of age, cannot retire because I do not have (according to their findings) enough time with their local.

I am a member of this union for almost 30 years, but only 11 years with this local, so they say I have to wait another 4 years (if I live that long) to begin to collect a pension.

Why can't I retire even with a reduced pension, or if not that, why not a lump sum to lighten the time left to live with some dignity.

In January 1970, I received a letter from Senator Harrison A. Williams regarding the Pension Benefit Security Act, advocating vested retirement benefits for participants who put in 10 years service or more.

If there is anything you can do to help me get something in the way of pension, I should be glad to give you more detailed information.

I am sure there are a good many more senior citizens who are in this very same position and who would appreciate whatever you can do. Also, let me point out that time is very short and we cannot wait until 1972 or 1973—time for action is now—Please.

Sincerely,

———— ————.

THE ARCTIC—RESOURCE DEVELOPMENT AND ENVIRONMENTAL PROTECTION

Mr. STEVENS. Mr. President, I am today submitting for inclusion in the CONGRESSIONAL RECORD a speech which was delivered by Assistant Secretary of the Interior Hollis M. Dole at the second International Symposium on Arctic Geology.

Mr. Dole begins his address with the observation that up to now, man's influence on the natural Arctic environment has been insignificant. This embryonic stage of development poses a great opportunity and a great challenge; that is, to start from scratch in the development of the vast Arctic mineral resource potential while using the knowledge gained from past successes and failures in other parts of the world to protect the natural environment. The challenge that I have just described is emphasized by the growing need of all the world's people for nonrenewable resources. Thus, natural resource development and utilization is inextricably linked by economics and the way we live to our environment.

In order to insure the prudent development of these resources, systematic research, communication, and the application of knowledge are essential. Assistant Secretary Dole points out that the Department of the Interior intends to continue its role in encouraging planning for a comprehensive Arctic policy that will take cognizance of the political, scientific, economic, defense, and other interests of the United States in the North while promoting a spirit of cooperation with our Arctic neighbors and other nations.

The historian Arnold Toynbee has observed that one of the hallmarks of all great civilizations is their ability to respond to a challenge with an adequate response. Mr. Dole points out that the challenges of the Arctic must be met on three response levels: International, national, and individual. Given the great ability of this Nation to meet the challenges that have confronted us with an adequate response, I am confident that

we will once again meet the challenge by using our technology and human resources to develop the Arctic while preserving the ecology and stark wilderness splendor. Mr. Dole's address defines the challenge and necessary response with great clarity and understanding, and I commend his remarks to the attention of this body.

I ask unanimous consent that Assistant Secretary Dole's speech be printed at this point in the RECORD.

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

THE CHALLENGES OF RESOURCE DEVELOPMENT AND ENVIRONMENTAL PROTECTION IN THE ARCTIC

This symposium focuses specifically on Arctic geology. This subject is of high interest to us as scientists for its own sake, but, more importantly, it relates to what I believe are mankind's most serious and critical challenges. Let me try to define these challenges and to describe the levels at which significant responses to them can and must be made. By so doing, we can develop a clearer picture of what we must do to meet them.

Let me first define the environment in which these challenges and response levels exist. We live in a total environment that consists of our living systems, economic systems, and governmental systems superposed on our natural environment. Up to now, the influence of man and his accompanying systems on the natural Arctic environment has been insignificant. As yet man has not greatly influenced the natural phenomena and processes existing there, nor has his understanding of them been very deep. The breadth of our ignorance is revealed in the wide variety of scientific studies now being directed toward the acquisition of baseline data and the development of hypotheses and theories concerning this relatively untouched part of our earth.

THE CHALLENGES

Now, what are these critical challenges I spoke of? The first of them is to provide mineral and energy resources to all mankind in amounts that are adequate for their present and developing needs; the second is to provide these resources without degrading the natural environment that sustains and gratifies humans in innumerable ways; and the third is to acquire, organize, communicate, and apply the knowledge on which solutions to the first two challenges depend.

The challenge to provide non-renewable mineral resources, including energy-producing materials, for the world's demands can be illustrated by reference to the United States. The U.S. is far from typical for the world because our per capita consumption of mineral raw materials is far greater than that of other nations. The general trend in all nations, however, is in the direction of increased population and increased consumption.

Energy consumption projections based on gross National Product (GNP) indicate that by 1985 the United States is going to require—at the very least—almost double the amount of energy it used last year to heat its homes, power its factories, mines and transportation systems, and in general to accomplish the work that supports our high level of living. Similar projections indicate a three-fold increase in energy consumption between now and the year 2000.

When we consider the projected demands on the other non-renewable mineral resources, we find a similiar situation. Present estimates suggest that the United States demand for primary minerals will increase four-fold by the year 2000. Specifically, demands for aluminum and titanium are expected to increase six-fold; tungsten and vanadium, four-fold; copper, sand and gravel, crushed stone, beryllium, fluorine, tantalum, and magnesium, three-fold. Many others will experience two-fold increases. This projected staggering demand for hard mineral resources imposes a gigantic task of new discovery and new development, not only in the U.S. but throughout the world.

In speaking of projections, some may ask, why allow ourselves to be swept on to such higher and higher levels of consumption? Why not simply curtail our use of resources, perhaps even return to a lower level of living—one that might make us healthier and happier anyway? I won't take the time to speculate about how much popular support we might find for such an idea or whether or not we may be forced to take such a course eventually by reason of resource inadequacy. Instead, I will say without elaboration that, on the one hand, national and world civilization would collapse and millions upon millions of people would starve if we were to attempt such a retrenchment over a short time span and that, on the other hand, a tapering off in our rate of increase in consumption would only solve our problem temporarily. Whether we set as our goal continued growth in level of living or mere survival, for the next few decades we are going to have to find the raw materials to keep our industrial society going!

Accepting these increasing needs for minerals and fuels, how are we going to meet them?

At the present time U.S. domestic onshore oil exploration is at a low, all productive capacity is being utilized, and the United States is inevitably becoming more dependent on the rest of the world for crude oil and residual fuel oil supplies. At the same time, oil is being forced to supply more and more of the energy demanded by the U.S. The role of coal in the energy mix is likely to be curtailed by air quality restrictions for at least the next five years. Hydroelectric power will continue to grow but will be of decreasing relative importance. Nuclear power capacity, though growing, is lagging behind earlier timetables and above cost estimates. In addition to unforeseen technical problems, the nuclear industry has also encountered public concern and resistance to thermal pollution and potential radiation hazards. Unconventional energy sources such as oil from shale and gas from coal are not expected to be available commercially before the 1980's, although they, together with nuclear breeder reactors are now the only apparent real possibilities for very long term energy sources.

The situation for hard minerals also calls for new sources, and the needs for them and for petroleum both underscore the importance of Arctic exploration and development.

Although petroleum exploration has been going on in the Arctic for years, it has been recently accelerated and the next few years will probably see significant increases in the efforts to find and develop new fossil fuel reserves. The search for non-fuel minerals will also intensify as technology provides improved transportation and processing methods. We are actually just now starting the exploration phase that is going to result in the finding of the major non-renewable resource accumulations that are present in the Arctic.

The challenge to protect and enhance our natural environment in the face of all the intentional and unintentional influences of man is inextricably linked to the resource challenge I just described. The quest for and utilization of non-renewable resource raw materials necessarily results in modification of the natural environment. The path of resource use—with its extraction, beneficiation, refining, transportation, fabrication, consumption, and disposal elements—is inevitably marked by blazes—and sometimes ugly scars or worse effects—on our natural environment.

If we accept, as we must, the need for a continuing supply of mineral raw materials, then we must accept the fact that the natural environment is going to be influenced by the processes of resource extraction and use. Our problem, then, is to minimize the potentially adverse effects of resource development and to remedy them when they occur in spite of our efforts to avoid them. To ignore this problem is to run the risk of immersing ourselves in aesthetically displeasing surroundings, of losing those as-yet-untouched parts of the earth's surface, with their real but hard to quantify values; and of fouling our environment to such an extent that it literally becomes toxic to organic life. As we move to minimize the adverse influences of mans' living systems, to attempt to enhance the total environment where and whenever possible, and to preserve some untouched areas for aesthetic, recreational, and scientific purposes, we must keep in mind that these efforts may add to the costs of the non-renewable resources that are involved and we must be prepared to accept the added costs, knowing that they represent the purchase of values that we are sharing with all mankind and passing on to the world citizens of the future. But if we put our minds to the task imaginatively, perhaps we can find ways to achieve and effectively meet these challenges without added costs by converting liabilities and costs into assets and profits.

Because the Arctic is practically unmodified by the various parts of modern man's living systems that will eventually influence it, it provides a unique test of our abilities to meet these challenges. In the Arctic man and his machines are about to encounter the proverbial blank slate; the problems of minimizing the adverse impact of man's activities are raising the cost of these activities, but certain such costs are not as high as those involved in the tremendous task of reversing the degradational processes already in effect in our air, our lakes, our rivers, and our communities in the lower latitudes. Meeting this challenge to safeguard the Arctic natural environment includes an added dimension because it necessarily involves several sovereign nations, each of whom approaches the Arctic with a different background, different national needs, and different attitudes about resource development.

The third challenge that I'm concerned with is the driving need to acquire the resource and environmental data necessary to meet the other challenges; to organize that data and generalize it rigorously; and to effectively communicate the findings, not only to fellow scientists, but to all groups of people who have an interest in the Arctic. We all recognize that future actions that are firmly based on sound knowledge are going to meet our challenges much more efficiently and economically than would actions based on assumptions and ignorance.

In the Arctic, the task of acquiring field data and baseline information is made difficult by the natural environment. Yet if we are to meet the resource development and environmental protection challenges effectively, we must know the systems involved. When the time comes to consider the environmental impact of, say, another transportation system like the proposed Alaska pipeline, we must know well in advance the distribution of fish and wildlife and their migration patterns, the distribution of permafrost and the engineering properties of soil and rock materials, and the nature of other aspects of the ecosystem. This will take accelerated research into these questions, just as the quest for resources of minerals and fuels in the Arctic is going to require accelerated research and support at all levels.

THE RESPONSE LEVELS

The challenges I've posed must be met at three different levels of application and involvement. This symposium contains elements of all three levels and I urge you to

examine the role that you as an individual can and should play at each level. The first challenge-response level is international, the second is national, and the third is hard to label, but I'll call it individual.

It is clear that problems that are international in character require solutions that are also international, whether the problems relate to resource exploitation, protection of the natural environment, or the development of a body of knowledge. The decisions and actions of the United States, and of any other nation, in regard to resources affect every other nation directly or indirectly and affect not only those who now reside on earth, but all the future generations. In a very real way, all of us, regardless of nationality, are the stewards of the earth and our responsibilities at the international level are emerging, even if they are not yet fully articulated.

The international non-renewable resource development picture has been, and is, a combination of the demands of differing economic and governmental systems. In the most general way, the economic systems have functioned more or less efficiently to bring the least expensive sources of raw materials into production first and the derived materials into the marketplace in a timely fashion. This process has been affected to greater or lesser degree at various times and in various places by the demands of national security and sovereignty. No nation on earth is self-sufficient regarding mineral raw materials and the continuation and improvement of world-wide standards of living depend upon the ability of nations to exist with one another, to bargain, and to trade. Peace throughout the whole world would make the development and continuation of mutually beneficial trading systems easier, as well as ending the needless expenditure of non-renewable and human resources that results from conflict. But we are approaching the time when peace will not be possible unless regional and global environmental deterioration and damage can be avoided.

What are the effective international approaches to the resource, environmental, and research challenges? It seems to me they can be grouped into two main categories. One is cooperative research and investigation and the other is international agreement based on sound understanding of the resource and environmental problems and their solutions. Neither approach has been pursued nearly as assiduously or as far as it should, but we have some examples to point the way.

There have been joint expeditions to the Arctic such as the 1957–60 and 1967–68 EGIG (Expedition Glaciologique Internationale au Groenland), and the Swedish-Finnish-Swiss Expedition to Nordaustlandet in 1957–58. International commissions, such as that on periglacial geomorphology of the International Geographical Union, offer another way of coordinating Arctic research on an international basis. Perhaps the greatest accomplishments will come from internationally coordinated, and in part, cooperative studies of the International Biological Program, the International Geophysical Year, the International Polar Years, the International Hydrological Decade, and the International Decade of Oceanographic Exploration. No international institutes, except for the joint Canadian-United States Arctic Institute of North America, are actively studying the Arctic. This lack of cooperation is somewhat mitigated by the fact that many of the national institutes include scientists of different nationalities on their staffs, which at least provides an informal international approach to the acquisition and dissemination of scientific knowledge. The personal contact of one scientist with another now sustains the international response to the challenge of obtaining the knowledge necessary for rational and balanced activity in the Arctic.

International agreements and studies concerned with the natural environment have been relatively few, although those relating to fisheries resources, whale harvesting, and polar bears certainly have as a primary aim the conservation of these natural resources. The Nuclear Test Ban treaty with its prohibition of atmospheric testing stands as an example of how international agreement can prevent further degradation of our natural environment. The Antarctic treaty illustrates how the influences of scientists on their governments can be combined with the cooperation of those separate governments to formulate a truly international approach to the problems of a region. As you may recall, the final successful proposal of that treaty grew out of the scientific cooperation and communication that took place in Antarctica during IGY. The apparent absence of exploitable non-renewable mineral resources perhaps made this relatively easy to accomplish, but even so, it stands as one example of the renunciation of national territorial claims in favor of joint cooperation, international study, and dedication of a region to scientific purposes. An even more far reaching international accord may now be in sight with the United Nations' efforts regarding the sea-bed and related questions. The General Assembly adopted resolutions in December constituting a declaration of principles governing the sea-bed and ocean floor beyond national jurisdiction, and calling for a Conference on the Law of the Sea in 1973. These efforts have profound implications for the Arctic, where the broad outer shelf areas may contain as yet undiscovered accumulations of oil and gas.

Barring the extremely unlikely possibility of early agreement on a comprehensive treaty dealing with the Arctic, international Arctic policy for the near future will be the sum of all the national policies of the adjacent and otherwise concerned sovereign powers. International cooperation and understanding in the "emerging Arctic" can be advanced if each concerned power develops and clearly states its policy in regard to the development of non-renewable mineral resources, indigenous human populations, protection of the natural environment, and scientific inquiry and exchange of information. But for the time being, the main policy initiative must come from national and State governments. This brings me to the second challenge-response level, and more particularly to my own area of responsibility.

In candor, I must say that the United States does not at this time have a formally articulated Arctic policy, but we do have a well-developed national response mechanism that has been, is, and will be meeting the challenges of the Arctic. Many parts of this response mechanism are in the U.S. Department of the Interior and Interior's leadership role in Arctic activities is becoming increasingly apparent. Let me describe some of our activities as an example of national level response to the resource, environmental, and research challenges.

The Department of the Interior activities in the Arctic, specifically in Alaska, are broadly resource oriented. Thus, the work of the Geological Survey is designed to establish the geologic framework of the State and to provide data needed to inventory mineral resources. In addition to these studies, the Survey is also deeply concerned with engineering geology problems in the State. The Bureau of Mines gathers data on mineral production and is charged with the promotion of safe and healthful working conditions in the mineral industry and the investigation of mining systems that are best suited to Alaska's natural environment. The EROS program is a relatively new one that utilizes or will utilize remote sensors of all types from aircraft and satellites to generate information that, together with ground-gathered geologic data, will aid in the evaluation of mineral resources and the geologic environment.

Three Interior bureaus are human resource-oriented as well as natural environment-oriented. The Bureau of Indian Affairs has the responsibility for Federal Government liaison with the Eskimos, Aleuts, and Indians, who are in transition from their original subsistence cultures into modern industrialized society. The Bureau of Outdoor Recreation is concerned with the utilization of the natural environment by man with due regard for enhancement of man's outdoors experience and for protection of the environment necessary for that experience. The National Park Service oversees and protects one of our greatest National parks at Mount McKinley, as well as Katmai, Glacier Bay, and Sitka National Monuments. Their responsibilities have both natural environmental and human experience dimensions.

The Bureau of Sports Fisheries and Wildlife shares with State of Alaska counterpart bureaus the study, protection, and enforcement functions associated with the naturally occurring biome. The Bureau also administrates wildlife refuges that include some of the major waterfowl nesting areas of North America as well as the Arctic National Wildlife Refuge.

And finally, as landlord for much of the public domain in Alaska, the Interior Department through the Bureau of Land Management, is responsible for the classification and management of large tracts of land in the interior of the State, and together with the Geological Survey, for administering Federal mineral leasing laws and regulations in the State, both on land and offshore.

The deep involvement of the Interior Bureaus and offices in the problems of Arctic non-renewable resource development and protection of the natural environment demonstrates the leadership role that the Department has in Arctic affairs. As the main steward for the public lands, as the protector of fish and wildlife resources, and as the scientist synthesizing the geologic and ecologic framework of Alaska we bring together and integrate almost all of the elements necessary in the total resource inventory that is necessary before judgments about resource utilization can be made.

I hasten to mention the other Federal agencies that play important roles in the Arctic part of the United States and to point out our successful collaborations with them. The Office of Naval Research with its magnificent Barrow Arctic Research Laboratory, the Office of Naval Petroleum Reserves, and the Corps of Engineers Cold Regions Research and Engineering Laboratory have a long history of mutually successful cooperation with the Geological Survey in particular. The U.S. Coast Guard is a valued collaborator with the Survey in oceanographic studies, as is the Coast and Geodetic Survey. The Bureau of Commercial Fisheries is, of cource, recently transferred from Interior, and close collaborative ties remain. The Federal Water Quality Administration and the National Air Pollution Control Administration have had or are now developing close relations with the Geological Survey and the Bureau of Land Management as a result of their mutual concern with protection of the natural environment. Lastly, the Forest Service is the steward for forest and recreational lands in sub-Arctic Alaska and collaborates with the BLM.

The mechanisms thus exist at the national and state level in the United States to meet the challenges of resource development, environmental protection, and knowledge acquisition. Similar agencies and mechanisms exist in the other countries concerned with the Arctic. Here and elsewhere we could do with more interbureau coordination, but what is most important for us now is to formulate and formalize an Arctic policy

that will clearly spell out how the U.S. intends to approach the problems of Arctic development and protection. The Department of the Interior, in its leadership role in the Arctic, intends to work toward that end and to encourage in every way the articulation of Arctic policy by all other concerned nations.

Earlier in this talk I put the label "individual" on the third challenge-response level. I'd like to expand on that with a brief analysis of the roles that you, as geologists and as individuals, have played and will play in meeting the three challenges. In doing this, I will also be talking indirectly about the geological organizations that you are part of, for, as is probably true for most scientific fields, the actions and contributions of an organization are absolutely equated with the professional background, experience, dedication, and ambition of its people.

The petroleum accumulations that are now known to exist in the North American Arctic were discovered as a result of the efforts of government geologists and geophysicists and intense and perceptive follow-up by private industry. These discoveries are a tribute to the men who had the ability and devotion necessary to carry out the early studies and to make their implications clear to agencies and (or) industries who then filled in the details and assumed the responsibility for exploration. The contributions that all of these geologists and geophysicists made in meeting the challenge to provide energy source material are far from ended. The continuing and future work onshore and on the shelf areas of Alaska alone may result in the finding of petroleum resources well in excess of those already known to exist.

Up to now, the Arctic quest for nonrenewable resources other than petroleum has yielded less than spectacular results, although the extraction of gold in Siberia, Canada, and Alaska has been of great importance. Iron, copper, lead, zinc, nickel, tungsten, platinum, tin, uranium, and other metals have been found or are being mined in the Arctic and sub-Arctic, particularly in Siberia, and deposits of phosphate rock, coal, and oil shale are known but have not yet become economical to produce. These developments have been spotty and, with the possible exception of iron and nickel production in Sweden and Siberia, they have contributed only a small proportion of the world's requirements. The search for the mineral commodities in the Arctic will surely continue, aided by improved remote sensing devices and transportation means.

I'd like to back up briefly here to reemphasize the role of the individual geologist in conceptualizing the framework in which exploration for mineral resources must take place. Too often we forget that the efficient path to the discovery of a new oil pool, gas field, or mining district involves the systematic and painstaking acquisition of geologic and geophysical data and the integration of those data into a framework that guides and cues the geologist who is intent on discovery of mineral raw materials. This symposium's technical sessions provide the perfect situation for each of you to compare, test, and resynthesize the broad geologic and geophysical framework that you are concerned with.

The role of the geologist and geophysicist in the protection of the natural Arctic environment is becoming increasingly important as more and more enginering-geologic decisions have to be made in connection with structures of all kinds in the Arctic environment. The studies and recommendations of the engineering geologist have two major complementary impacts: they maximize the security and integrity of engineering structures and they minimize adverse impacts on the natural environment. The efforts of the engineering geologist necessarily involve communication with people from other disciplines, and this leads me into an area of extreme personal concern; an area that each of you must examine carefully.

I maintain that the traditional role that the geologist plays in our society is totally inadequate to the problems and pressures of our time. We must find more mineral resources, we must make better use of our knowledge to help protect our natural environment, but we can't do these things effectively if we insist on staying in the field, labs, and offices all the time. If we're to be effective on behalf of our organizations, our nations, and all mankind, we must—as individuals—make an effort to communicate, to apply geology to the service of man in coping with all the problems he faces. Not only can we serve, but we can and should lead. It takes an individual commitment from each of us, but we must make it if we are going to be part of the solutions to the critical challenges. We each have a responsibility, as individuals and as essential parts of organizations, to further man's goals at the national and international levels. No one is more aware of the irrationality of artificial boundaries than is a geologist, and no one is better equipped to pursue the implications of his knowledge through to its very connection with our governmental, economic, and living systems.

REMINDERS

Let me conclude by reminding you again of what we are faced with. First of all we have the Arctic—practically untouched by the governmental, economic, and living systems of modern man—one of the last places on the earth where we shall have the opportunity to start from scratch in the exploitation of mineral resources and at the same time protect the natural environment with the knowledge gained from our successes and failures elsewhere. Here is the place where we can apply our knowledge and carefully develop methods of exploration, extraction, and transportation that are compatible with the environment and do not degrade it unnecessarily.

We also have the growing needs of the world's peoples for non-renewable resources. We are learning that we cannot burden our natural environment indefinitely with our waste and the other scars of our living systems without injuring man's health, mind, or spirit. We are learning that resource development and use and our environment are inextricably linked together by economics and by the way we live and support ourselves. And we are learning that there are real costs involved in both, and that a lessened cost of resource extraction may mean an increased cost of environmental protection or restoration.

We also see that wise stewardship of the earth, whether it is at an international, national, local, or individual level requires systematic research, communication, and application of knowledge. The Department of the Interior intends to continue its leadership in U.S. Arctic affairs and to encourage planning for a comprehensive Arctic policy that would state the political, scientific, economic defense, and other interests of the U.S. in the north and that would establish our dedication to mutually beneficial cooperation with our Arctic neighbors and other nations in exploration, exploitation, and scientific studies, and to the free exchange of technical, scientific, and economic data regarding the Arctic.

Last of all, let me remind each of you of the personal responsibility you have to help lay the groundwork for the far-reaching decisions that are going to be made about the Arctic. Your dedication to scientific research, to the dissemination of your findings, and to their application is essential for wise national and international responses to the three challenges that I've discussed today.

SENATOR BROOKE'S COMMENCEMENT ADDRESS AT UNIVERSITY OF MASSACHUSETTS

Mr. COOPER. Mr. President, the distinguished junior Senator from Massachusetts, EDWARD BROOKE, delivered a commencement address at the University of Massachusets on Sunday, May 30, 1971. Senator BROOKE's address was characteristic of the man we have come to know and respect. The basic theme of his address is the reaffirmation of the just purposes of this Government and the workability of our system of government. As Senator BROOKE said:

The willingness to play fair, to abide by legitimate rules, to accept the objective disciplines of a free society—this alone separates us from the law of the jungle. It is our readiness to submit our ideas to the test of searching inquiry and open debate that makes the rule of reason possible. Without this readiness, a society would quickly lose that diversity of views which alone gives it the capacity for self-correction and renewal.

Senator BROOKE described the problems facing the youth now leaving our universities and in a very forthright manner identified the shortcomings so evident in our society. At one point in his speech, he listed the dangers that confront this country:

This is why—of all the dangers that confront us in the 1970's—the greatest in my judgment is the growing sense that we are coming apart. On every hand we see new evidence of nation being set against nation, region against region, class against class, race against race, and generation against generation. Over the last several years, in fact, the word "gap" has become the vogue word of our age. Everywhere we turn we hear about credibility gaps, communication gaps, culture gaps, and generation gaps. The gap has become the symbol of our time.

While many have commented on the present generation as alienated from older values, Senator BROOKE sees positive merit in the questioning of the young. He expresses it in a way that I find myself in agreement with:

But perhaps one of the hidden blessings of our time will be an increased capacity for questioning our own righteousness, a capacity which is the mark of true confidence and maturity both in nations and in men. If that happens, and I am hopeful that it will, then a great deal of credit will have to go to your generation, which has been idealistic enough—some might even say naive enough—to remind America of its oldest and finest dreams. You already have helped our society to measure itself by its truly noble standards. And while it has been sad to see the distance between the real and the ideal, it is at least encouraging to know that we at last are ready to acknowledge that disparity.

Much of the commencement address is concerned with general philosophical questions. But in one important example, Senator BROOKE cites an impasse between the Senate and the administration which is of great importance to the security of this country and the world, the Geneva Protocol of 1925. He describes for his academic audience the main issues and the points of view, pro and con. He stresses that there is a great danger that unless a way can be found to reconcile the Senate and the administration ratification of this important protocol

may be delayed indefinitely. As Senator BROOKE said:

The budding structure of peace is fragile and precious; it needs all the reinforcement we can provide.

Not content with citing an example of difficulties, Senator BROOKE proposes a solution that I hope the administration and the Senate will seriously consider. Senator BROOKE argues for the necessity for compromise as good law and sound policy. In his own words:

The search for accommodation on issues of this kind is the lifeblood of the American community. So it has been since our nation was founded.

Because there is much in Senator BROOKE's address that would be of value to the Senate, and particularly his suggestions concerning the Geneva Protocol, I ask unanimous consent that the text of Senator BROOKE's commencement address be printed in the RECORD.

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

COMMENCEMENT ADDRESS DELIVERED BY SENATOR EDWARD W. BROOKE

Lord Kenneth Clark—whose studies of "Civilization" have received so much attention in the last year—began an article in the *New York Times* the other day with these words: "We have no idea where we are going, and sweeping, confident articles on the future seem to me the most disreputable of all forms of public utterance."

Of course, sweeping, confident comments on the future have been the stock and trade of commencement speakers for centuries. But somehow this spring, speaking to this particular college class, I must agree with Lord Clark that such an approach would be particularly "disreputable." For you really have been too much to be persuaded as easily as my generation was that the world is waiting to welcome you, that your dreams will all come true, that your idealism will be rewarded. To say such things in the spring of your senior year would mock the memories of your freshman spring—scarred as it was by gunshots in Memphis and Los Angeles and by rioting in the Nation's ghettoes. It would deny the experience of your sophomore year—when turmoil raged on so many of our campuses. And it would ignore what you learned in your junior year—the year of Kent State and Jackson State and Cambodia.

Sometimes, in fact, I think the job of a commencement speaker in times like these is a little like that of a man who was crossing a great bridge one day when he came upon a fellow perched on the rail and about to jump. "Come down!" said the first man, "things can't be that bad, after all. Let's take a walk and talk it over." So they took a walk, they talked it over, they came back to the center of the bridge—and they *both* jumped over the rail!

My intention today is not to reassure you. I won't tell you that things aren't so bad, after all. On the other hand, I have no intention of letting myself be persuaded that things are *so* dark we should be jumping over the rails, though there are a good many people around who, in one form or another, are urging precisely that course. Some call it dropping out. Some talk of alienation or separation. Some speak of destroying the system, or bringing it to a halt. And some simply plan to retire from the battle. But whatever form it takes, jumping off bridges is always pretty futile. This may not be a time for sweeping, confident rhetoric—but neither is it a time for stopping the world or for trying to get off.

What this is, as I see it, is a time for going on. And what I would like to do today, therefore, is to offer a few of my own thoughts about what it takes to go on in times like these. For a text I would go back to an earlier time, to the year 1630, and to a leader who perhaps had more to do with the founding and early success of this Commonwealth than any other man. His name was John Winthrop, and this is what he wrote on board his ship, the *Arbella*, as his small band of settlers sailed toward the Massachusetts coast: "Now the only way to avoid this shipwreck and to provide for our posterity," he said, is this: "We must be knit together in this work as one man. . . ."

As our life becomes more complex, change more rapid, and society more interdependent than ever before, the need to "knit together" is greater than ever before. We desperately need one another if we are to meet the perplexing challenges of modern life—not because any of us has the answers to the questions we face, but because *none* of us has those answers and because going on together is the only way we can ever hope to find them.

This is why—of all the dangers that confront us in the 1970's—the greatest in my judgment is the growing sense that we are coming apart. On every hand we see new evidence of nation being set against nation, region against region, class against class, race against race, and generation against generation. Over the last several years, in fact, the word "gap" has become the vogue word of our age. Everywhere we turn we hear about credibility gaps, communication gaps, culture gaps, and generation gaps. The gap has become the symbol of our time.

We could spend all day talking about the causes of this fragmentation. One obvious factor is the growing scale of our society. As each group within our culture becomes larger, it becomes more self-contained. The suburbs are psychologically and sometimes physically farther from the cities. Each neighborhood is farther from the next one. I would suspect that students on this campus no longer mingle as readily as they once did with the citizens of Amherst. Students can go through a whole academic year, in fact, without really ever talking face to face with a laborer, or with a farmer, with a retired person, or even with little children. No wonder our sense of community is breaking down.

It sometimes strikes me as particularly ironic that such gaps have proliferated at the very time that our communications have been expanding so rapidly. But perhaps that very expansion is another cause of our division. It may well be that many of these gaps were there all along but we really didn't pay much attention to them until the communications revolution extended our horizons and helped us to see our differences more clearly.

Through the mass media, suburbanites can see something of life in the ghetto, and college students can see something of the hard hats. But the preoccupation of the media with the unusual and the sensational means that all of these groups usually see each other at their most extreme moments—shouting and fighting and threatening one another and being represented in so many cases by their least responsible spokesman.

There are many other elements which contribute to the division in our society: the revolution in religion and in values, the rising expectations of the disadvantaged, the persistence of war, the threat of nuclear devastation and so on. But there is one element which underlies all of our divisions which I want to comment further upon today. What prevents us from coming together—in instance after instance—is our own self-containment, our sense of pride, of being right.

As Lord Clark put it, "We have no idea where we are going." And yet individually, as groups and even as nations, we insist on pretending that we do. Even when it is clear that we have been heading in the wrong direction, we find it terribly difficult to confess that fact. Perhaps it's really because we are so uncertain of our powers that we are so unready to admit our limitations. Perhaps it is because we have so few good answers that we insist so loudly that we know all the answers. Perhaps it is because the facts are so confusing and so unclear that we make slogans out of our guesses at the truth and then shout them from the rooftops. And perhaps it is because we need one another so deeply that we are unwilling to talk about that need.

During the last year and a half the most popular book and most popular movie in America has told us that "love means never having to say you're sorry." Even if you are among the few who missed *both* the movie and the book you could hardly have missed *that line*, since it has been featured so prominently in the public media. I don't know what the author of *Love Story* meant when he penned that aphorism—perhaps he meant that people who are in love don't have to SAY they are sorry, that they can communicate that fact without any words. But there is also a sense in which some of Segal's characters are simply too *proud* to say they are sorry—and in many ways that unwillingness is a hallmark of our age.

But if I were asked to make up my own little proverb on this subject, it would probably go something like this: "Love means being *able* to say you're sorry." Love means being ready to admit that you are wrong, ready to confess that you do not know everything, ready to acknowledge your own capacity to hurt and to disappoint. For love, as St. Paul put it, is not "puffed up."

I guess the philosophy I prefer is that which was expressed in another movie not so long ago, one based on a play by Herb Gardner and called *A Thousand Clowns*. At one point the lead character—Murray Burns—who is something of a free spirit—tells his girlfriend about his experience in downtown Manhattan one day when he decided, as he put it, to stand "right there on the corner of Fifty-first and Lexington for awhile just saying I'm sorry to everybody that went by." "Oh, I'm so sorry, sir . . . I'm terribly sorry, madam . . . Say there, Miss, I'm sorry." "Of course, some people just gave me a funny look," he says, "but, Sandy, I swear, 75 percent of them *forgave* me."

"Sandy," he concludes, "I could run up on the roof right now and holler, 'I am sorry,' and half a million people would holler right back, 'That's O.K., just see that you don't do it again.' "

The healing power that can be unleashed by contrition is one of civilization's oldest themes. For centuries, theologians of many religions have told us that confession and repentance are the first steps on the road to salvation. In this century, Freud and his followers have forcefully argued that identifying, revealing and even articulating our own weaknesses is fundamental to their cure. I suppose that the encounter groups which are so popular today are subscribing to that same truth when they encourage their members to open up to one another, to talk about their hangups, to let go of their false pride.

All of these philosophies, in my judgment, speak squarely to one of the central problems of our day. For whether we are talking about individuals, about social and political groups, or about nations themselves, the unreadiness to say: "I am wrong; I'm sorry," underlies many of our most difficult problems.

This is what really lies behind our difficulties in Indo-China, it seems to me. Unwilling to blemish our proud history, we have been slow to admit that we were wrong to get involved in this conflict. For too long, we were primarily concerned about saving pride and saving face in Southeast Asia—and each time new evidence showed us the error of our ways, we respond only by raising the

ante, and by plunging in deeper. But think how the world would have responded if the most powerful nation on earth had simply said: "We made a mistake—we are sorry—we are going to get out."

And it is only as we come to swallow our pride and confess our mistake in Southeast Asia that the situation there will really improve. And it will be only by retaining a highly realistic sense of our own limitations, only by realizing that we cannot play the role of judge or of policeman for the world, that we will be able to prevent future Vietnams.

The same pattern holds as we deal with domestic problems. Only in the last few years, for example, have we begun to confess the sins we have committed against our environment. For years we bragged of our proud technological accomplishments. Then, gradually, we began to see that while we glorified technology, we were exploiting nature, and that the same behavior we once regarded as the very image of responsibility would have to be sharply adjusted if our natural surroundings were to be protected and renewed.

Since our beginning, white Americans have systematically committed wrongs against minority groups—Indians, Mexican-Americans, Blacks and poor whites alike. Think of what the response could be if, today, millions of white Americans said to those who are black, yellow, red and poor, "We are wrong. We are sorry for years of prejudice, misunderstanding, hatred and discrimination. We accept you as our brothers; we will work with you to achieve what this country ought to be."

We still have a long way to go in this direction. But perhaps one of the hidden blessings of our time will be an increased capacity for questioning our own righteousness, a capacity which is the mark of true confidence and maturity both in nations and in men. If that happens, and I am hopeful that it will, then a great deal of credit will have to go to your generation, which has been idealistic enough—some might even say naive enough—to remind America of its oldest and finest dreams. You already have helped our society to measure itself by its truly noble standards. And while it has been sad to see the distance between the real and the ideal, it is at least encouraging to know that we at last are ready to acknowledge that disparity.

Yet I sometimes fear that the price of calling others to account can be the loss of one's own capacity for self-appraisal. And I am a bit disturbed by the thought that those who have done so much to remind our society of its limitations may begin to forget their own. It was Chekov who warned us that "you cannot become a saint through other people's sins." And yet we all know very well how easily our impatience with the shortcomings of others can bring out our own most self-righteous traits.

There is a real danger, in my judgment, that this tendency could continue to grow among us and that many in your generation, as you pursue your own private visions of the truth, may one day find yourselves cut off more sharply than you may have expected from a society which you need as much as it needs you.

This danger came home to me with special force a couple of weeks ago when a young visitor to Washington tried to explain his mission by announcing that the only way to save the Government of the United States this spring was by shutting it down. I thought that sounded familiar somehow, and then I remembered the phrase which had so much to do with the turning of public opinion against the Vietnam war a few years ago, the comment by a military officer that "we had to destroy the village in order to save it." That comment struck me then as an arrogant and terrifying thing to say about a village which belonged to so many other Asians. Similarly, the May Day tactics a couple of weeks ago struck me as a presumptuous and arrogant way for a group of dissenters to deal with a city and a Government which belongs to so many other Americans.

Now that was an extreme case, of course. And so, I suppose, were those few instances this past year when small groups declared that the only way they could bring true freedom to our campuses was by denying the freedom of others to assemble and speak in support of unpopular views.

Yet, in more subtle ways, our certainty that we are right can cause many of us to become careless about the respect we show for other opinions. In our certainty that we are right, many of us become careless about the rights of others. It is very easy for us to claim that procedural guarantees are mere niceties of law, that wrong opinions do not deserve a real hearing, that nothing is really gained by allowing error its rights. And it is easier still for us to close our minds to other points of view even though we tolerate their expression, to shut our ears and our hearts to those whom we have learned to regard as different from us, because of their age, or their dress, or where they are from, or what they have said on other subjects.

Yet if centuries of political experience have taught us anything, they should have taught us this: Any time the rights and the dignity of any man are compromised then the rights and the dignity of every man are made less secure. And this is true whether the compromising is by a body of unruly dissenters or by the Intelligence Branch of the Army, or by a narrow-minded professor or by the FBI.

Knowledge of our limitations is the most important thing any student can learn. If nothing else has happened to you during your years at this institution, I would hope that perhaps at least now and then you have been frightened just a little by catching a glimpse of how much you do not know. Maybe it came one day when you were walking past the library and realized—as Thomas Wolfe did—just how many books you have not read. Maybe it came in the laboratory when you realized with a start all the experiments you would never have time to perform. Or maybe it came when you went home for a vacation, or spent a semester practice teaching, or worked for a summer in a factory or (for that matter) in a Congressional office, or when you did your tour in Vietnam—and in such new settings realized how little your academic learning could tell you about the real world.

These can all be unsettling experiences. But, as President Goheen of Princeton once put it: "If you come out of here with the feeling that your two feet are planted firmly on the ground, then somehow this school has failed you."

The willingness to play fair, to abide by legitimate rules, to accept the objective discipline of a free society—this alone separates us from the law of the jungle. It is our readiness to submit our ideas to the test of searching inquiry and open debate that makes the rule of reason possible. Without this readiness, a society would quickly lose that diversity of views which alone gives it the capacity for self-correction and renewal.

Yet it will not suffice merely to glorify diversity of opinion as our saving grace. Beyond the conflict of views we must forge a basis for common action on the great issues which confront us. Politics teaches us how often one man's certainty is another's doubt. Earnest conviction may impede essential cooperation. And so the central challenge of public life in a pluralistic society is to map an agreed course which men and women of various perspectives can willingly pursue. Accommodation must follow confrontation or we breed only stalemate.

I am especially perplexed by a current case which is very much in point. It concerns the difference of opinion which has emerged between the Senate and the Administration over the scope of the Geneva Protocol of 1925. That Protocol is the principal agreement aimed at preventing the use of poison gas and other chemical agents in warfare. Some 88 nations are parties to the agreement. Unfortunately, for a variety of reasons, for almost half a century the United States has not ratified the Protocol. Not only has our failure to ratify weakened a vital building block of international arms control; it may also make it more difficult to negotiate additional limitations on biological weapons, since other nations understandably argue that the United States should first demonstrate its good faith by adhering to the single agreement which has already been concluded.

To his credit, President Nixon has submitted the Protocol to the Senate for ratification. He has also taken a number of other steps to indicate our dedication to arms control in this field; of special importance was his decision that the United States will unilaterally abandon work on biological weapons.

In submitting the Protocol for ratification, the Administration noted that there are differing interpretations of its precise coverage. The Secretary of State emphasized that the Executive Branch does not consider the Protocol to prohibit the use of either herbicides or riot control agents. Many of us in the Senate, however, disagree with this interpretation. We feel strongly that both herbicides and riot control agents ought to be banned. This difference of opinion between sincere and conscientious men now threatens to produce a deadlock. Unless a way can be found to reconcile the Senate and the Administration, ratification of this important Protocol may be delayed indefinitely.

The budding structure of peace is fragile and precious; it needs all the reinforcement we can provide. I do not believe the present dispute should cause the United States to withhold its support of the Protocol. As many experts have testified, the evidence on whether the Protocol covers herbicides and riot control agents is inconclusive.

In order to break the impasse on this issue, I will shortly offer a Senate Resolution urging that the question be referred to the International Court of Justice for an authoritative interpretation. The resolution will also make clear that, should the Court exclude these agents from the Protocol, the United States should promptly seek further negotiations to prohibit their use.

I am confident that a majority of Senators believe herbicides and riot control agents should be banned as weapons of war, and that they will welcome an opportunity to express that conviction by endorsing the proposed resolution. It is my hope that, having provided a means for resolving the dispute over herbicides and riot control agents, the Senate will then be able to ratify the Protocol forthwith and without reservation.

Given the ambiguity of the Protocol, not to mention the fact that this country is not a party to it, the United States has made use of herbicides and tear gas in Southeast Asia. However, the President has already sharply curtailed the use of such agents. I am hopeful that the Administration, with its record of achievement in this field, will be agreeable to a prohibition on the future use of herbicides and tear gas in war. And I trust it will recognize an opportunity to save the Protocal by accepting a Senate recommendation to seek appropriate judicial interpretation of the disputed provision. Such a compromise would be both good law and sound policy. The search for accommodation on issues of this kind is the lifeblood of the American community. So it has been since our nation was founded.

Nowhere is this point expressed more

cogently than on the very last day of the debate on the new Constitution of the United States, September 18, 1787. The final vote was only minutes away when the Chairman recognized Dr. Benjamin Franklin.

"I confess that there are several parts of this Constitution which I do not at present approve," Dr. Franklin began. "But I am not sure I shall *never* approve them. For . . . the older I grow the more apt I am to doubt my own judgment . . ."

Then Benjamin Franklin concluded with these famous words: "On the whole sir, I cannot help expressing a wish that every member of the Convention who may still have objections to it would, with me, on this occasion doubt a little of his own infallibility."

And so, doubting a little of their own infallibility, Dr. Franklin and his colleagues took their vote. And that is how our government began.

No one was fully satisfied that day in Philadelphia. No one knew the moral delight of having turned his private vision into public reality. And yet, the product of their common efforts was a frame of government which has lasted for over 180 years. It deserves to last much longer, and I believe it will.

Like those men, we, too, can overcome the circumstances of our time. We, too, can bridge the gaps and heal the scars and bind up the wounds of our people, if only we, like they, will doubt a little of our own infallibility, recognize our need for one another, and move on together in loving pursuit of our common dreams.

S. 635, STATE MINERAL INSTITUTE LEGISLATION

Mr. ALLOTT. Mr. President, on May 14, I indicated that I would be inserting in the RECORD certain statements presented to the Subcommittee on Minerals, Materials and Fuels of the Senate Committee on Interior and Insular Affairs at its April 28, 1971 hearings on S. 635, a bill to establish State mineral institutes.

Today I wish to bring to the attention of the Senate three more of the outstanding statements presented at that hearing.

The first of these statements was presented by Dr. Oscar G. Marzke, vice president for fundamental research, United States Steel Corp. Dr. Marzke pointed out that United States Steel had only been able to hire about 15 percent of the needed mining engineers in the 1967–68 period, and while the situation somewhat improved during the 1969–70 period, United States Steel was still only able to hire about 45 percent of the needed mining engineers. Concurrently, the corporation was only able to hire about 60 percent of the needed metallurgists during the 1967–68 period, and about 70 percent during the 1969–70 period. Dr. Marzke indicated that the improvement in hiring was in some measure due to a decrease in demand for such people by other industries, and also due to the general economic climate which has occasioned a reduction in the needs of the corporation.

Mr. President, I ask unanimous consent that Dr. Marzke's full statement be printed in the RECORD at this point.

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

STATEMENT OF DR. OSCAR T. MARZKE

Mr. Chairman and Members of the Subcommittee: My name is Oscar Marzke. I am Vice President for Fundamental Research of the United States Steel Corporation. I am here today as a representative of the Committee on General Research of the American Iron and Steel Institute, a committee composed of top level research administrators for some 25 major steel companies. The Committee supports this Bill. Another major Committee of the Institute, that on Manufacturing Problems, which is a Committee made up of principal operating or production officers of the member companies, also supports the Bill.

For more than a dozen years, many of us in the steel industry concerned with its technology have been painfully aware of the shortage of an adequate number of properly trained personnel in mining and process metallurgy. Under the term process metallurgy, I am including beneficiation of ores, smelting, refining, and casting.

As a result of the demand for materials of improved characteristics for military, space and atomic energy applications, the Federal Government made large sums of money available to academic institutions for research and development of new materials and for training manpower necessary for this type of work. Interest in a field usually goes where the money is. Consequently, there was a pronounced buildup of research and teaching capabilities in what is now often referred to as the field of Materials Science. This, however, was in general accompanied by a deterioration in mining and process metallurgy activities. A vicious cycle developed in these latter areas. The lack of money resulted in reduced research by the professors. This was evident to the students with the result that there has been a steady decrease in interest on the part of the students.

This situation has been brought to the attention of representatives of the majority of the Federal science and technology funding agencies on several occasions during the past several years. The usual reaction of these representatives was that this problem is one for the metals industry to handle; it is not one of national concern. While the metals industry does, of course, recognize its obligation, the funds which it has available for support of research in academic institutions cannot approach those of the Federal Government. The industry has for many years supported on a significant scale the acquisition of basic or fundamental information relative to reduction and refining operations. In fact, if it had not been for such support on the part of the American Iron and Steel Institute, I believe the situation would be even more serious than it is now.

I do not propose to elaborate upon what has happened in the academic institutions. This has been discussed in considerable detail in the National Academy of Sciences report entitled, "Mineral Science and Technology: Needs, Challenges and Opportunities." It will undoubtedly be further discussed by the academic people who are also scheduled to testify in behalf of this Bill.

You may well ask what has industry been doing to meet its requirements for personnel in these fields. It has taken people having related training and experience and retrained them at considerable expense of both time and money. It has also brought in people from abroad. It may be of interest to you that at a recent conference concerned with steelmaking 18% of the technical papers were given by foreigners. An additional 10% were authored by foreign trained personnel working for U.S. companies. In my own research group working in this area, about 25% of the key people received their training abroad.

Ours, that is U.S. Steel's, Operating Department informed me that in 1967–68 they were able to hire only about 60% of the metallurgists and 15% of the mining engineers they needed. In 1969–70, the situation improved somewhat; they were able to hire 70% of the metallurgists and 45% of the mining engineers. The improvement in the hiring of metallurgists was in some measure due to the decrease in demand for such people by other industries. Today because of the general economic climate, we are able to meet a significantly higher percentage of our needs, but I must add that our needs have decreased also.

The present situation we believe is only temporary; hopefully the economy will improve in the very near future. Furthermore, our industry is faced with several major new problems, problems that will require additional knowledge and people with extensive training in process or extractive metallurgy. These problems are the result of (1) restrictions imposed by ecological demands and legislation; (2) the need to utilize lower grade raw materials and the growing emphasis on recycling of waste materials; (3) demands for improved working conditions; (4) the effects of inflation on costs of facilities; and (5) the increase in cost of production due to higher wage rates. The accumulative effect of these factors demand major improvements in the control of existing processes and will force the introduction of new, perhaps radically new, technology. Unrestricted imports will increase the pressures for economic solutions to these problems. While some of these may not normally be considered appropriate problems for academic research, all of them require more knowledge and understanding which are the products of basic or fundamental research. Traditionally such research is carried out in academic institutions. The application of these basic findings to the solution of the real problems which is industry's responsibility will require more creative, highly trained people. Again, the universities are the source for these. This Bill should help to meet the knowledge and manpower requirements. It would greatly assist our industry to meet its responsibilities.

Mr. ALLOTT. Mr. President, the second statement I would like to call to the attention of the Senate was presented by Mr. Herbert S. Richey, president of the Valley Camp Coal Co. Mr. Richey discusses the efforts of his company in attempting to encourage young people to enter the mining field. And I think he makes a particularly telling point with respect to Lehigh University, and I shall quote from his statement:

I cite here an example that has occurred affecting my own company. Because of the high degree of technical training and the complete all around education they obtained, my company in the past employed a number of mining engineering graduates from Lehigh University; so many that one of them jokingly suggested that we change the name of the company from the Valley Camp Coal Company to the Lehigh Valley Camp Coal Company. But this source of engineers is no longer available to us since Lehigh no longer offers a degree in mining engineering. In fact, to my knowledge only four or possibly five universities east of the Mississippi River offer degrees in mining engineering.

Mr. President, I ask unanimous consent that Mr. Richey's statement be printed in the RECORD at this point.

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

STATEMENT OF HERBERT S. RICHEY

Mr. Chairman and Members of the Subcommittee: My name is Herbert S. Richey

and I am from Cleveland, Ohio. In addition to being President of The Valley Camp Coal Company, I am currently the Vice Chairman of National Coal Association. I appear here today on behalf of my company and the association to express strong support for S. 635. Accompanying me is Mr. Roger M. Haynes, Director-Employee Relations for Consolidation Coal Company. Mr. Haynes, because of his extensive experience in personnel recruiting, will tell the Committee more about the details of the need for this legislation.

The coal industry today faces unprecedented challenges. For one thing it must comply with the extreme requirements of the Mine Health and Safety Act which became effective just over a year ago. I say extreme because many requirements of that Act are in advance of current technology and in advance of the technical abilities of the mining and safety personnel available today. In addition to technical problems which must be solved relating to underground mining, the coal mine industry is also confronted with demands for stricter controls over surface mining, and even more stringent regulations over the burning of coal.

As the demand for coal increases, and as the regulations under which it is produced and used become more stringent, there is obviously a need for more technically trained personnel, particularly qualified engineers and safety experts. Their skills are more in demand today than ever before and the need for such personnel will continue to increase.

Yet we are confronted with a situation in which the number of colleges and universities with accredited departments of mining engineering are declining, and the number of degrees granted in mining engineering are falling off rather rapidly.

I fear, Mr. Chairman, that this situation has been unrecognized for too long; hence the necessity for this important legislation which would encourage more young men, and even women, to consider a future career in the coal mining and related industries. Establishing appropriate research and training centers in the states and providing funds for research in areas related to the production and use of our natural mineral resources, including coal, will attract qualified teachers who in turn will stimulate potential students to enroll. Without strong support from the Federal government, I feel sure there will be a further decline in the number of accredited mining engineering departments and an almost certain decrease in the number of graduates with degrees in mining engineering.

I cite here an example that has occurred affecting my own company. Because of the high degree of technical training and the complete all around education they obtained, my company in the past employed a number of mining engineering graduates from Lehigh University; so many that one of them jokingly suggested that we change the name of the company from The Valley Camp Coal Company to The Lehigh Valley Camp Coal Company. But this source of engineers is no longer available to us since Lehigh no longer offers a degree in mining engineering. In fact, to my knowledge only four or possibly five universities east of the Mississippi River offer degrees in mining engineering.

Dr. Elburt Osborn, the director of the U.S. Bureau of Mines, has pointed out the parallel between our dependence on mineral resources and agricultural resources. In the case of agriculture, federal and matching state funds are regularly appropriated for research purposes. This has led to a continuous supply of men trained to deal with agricultural problems.

Unfortunately we have no comparable program for mineral resources, despite the fact that our mineral resources provide the raw materials for our mills, factories, and power plants. In fact, I cannot think of any product or service that exists today that in some way does not originate from a mineral resource or process; and yet, all of the mineral industries are in trouble for a variety of reasons; we find ourselves in this crucial period with a shortage of trained technical personnel.

Many, if not most of the management positions in the coal industry today are occupied by men who have been trained in engineering. There are several routes the graduate engineer may travel toward the executive level in a coal company. From a starting salary of perhaps $850 to $1,000 per month, the graduate engineer may advance through the engineering, mine operation, safety and research, and possibly even sales functions. His salary and other benefits will normally increase until he may well become a highly paid corporate executive. The emphasis on improved technology means that many management positions of high responsibility will continue to be occupied by men with special engineering skills.

Coal production has been increasing and it must continue to do so in the future if the nation's demands for energy are to be met. Coal is by far our most abundant fuel resource. According to U.S. Geological Survey estimates, it constitutes more than 80 per cent of our proven fuel reserves. On the other hand, our reserves of natural gas and petroleum are severely limited. Known reserves of gas, our most critically short fuel, are expected to be exhausted before the year 2000; hence, many experts indicate that methods for converting coal into pipeline quality gas will be required before the end of the next decade

The situation with liquid fuels has not reached the same critical stage as has gas. One reason for this is that the Federal government has had its hand on the spigot which controls foreign oil imports. Recent history indicates that when the domestic oil supply gets a little tight, the government opens the spigot a bit wider. But that situation may be changing for, as we have seen in the past several months, foreign governments have been more inclined to take a firmer position in making their petroleum supplies available to us. Further, many Americans, particularly those on the east and west coasts are distressed by their dependence on unreliable foreign oil as their principal source of energy. In any event, we know that the domestic supplies of gas and oil cannot continue to meet our needs indefinitely. This will put additional pressure on the coal industry to supply coal for gasification and liquefaction.

Special skills, acquired only through technical training, will be required to meet the new burdens which will be placed upon the coal industry. The enactment of legislation along the lines of S. 635 will help to meet this need. We urge its approval at the earliest possible date.

In closing the thought comes to my mind that you may be asking yourselves—all right, Mr. Richey, you're here to support S. 635, but how would its passage affect your company and how would you take advantage of the increased facilities and opportunities for mining education which the bill would provide?

Gentlemen, all of my company's mines are located in West Virginia; periodically we visit local high schools near our mines where we talk to students in assembly, show them movies produced by the National Coal Association, and talk to them about mining. This is followed by an invitation to visit our properties, engineering departments, shops, coal preparation plants, and underground mines.

To cite a specific example, we recently put on such a program at a high school in Wheeling, West Virginia. As a result of the assembly program, twenty students visited us and seven indicated a desire and interest to study mining. I was told as late as yesterday morning that two more have shown sufficient interest to work for us this summer and then enroll at West Virginia University to study mining. Believe me, West Virginia University is an excellent mining school, but it is the only one available in that part of the country. It is my feeling that passage of S. 635 would permit more students to attend more schools, and thus produce a more varied educational experience which my company and certainly the industry badly needs.

I appreciate the opportunity to appear before this Committee and present my views on this important legislation. I will now ask Mr. Roger Haynes, Director-Employee Relations, Consolidated Coal Company, to continue this presentation endorsing S. 635.

Mr. ALLOTT. Mr. President, the third statement presented to the committee on April 28, to which I invite the attention of the Senate is the statement of Mr. Roger M. Haynes, director of employee relations, Consolidated Coal Co.

Mr. Haynes made some especially telling points wherein he shows that the demand for engineers in just the coal industry would exceed the total supply by 68 men. In other words, the present production of qualified engineers by our universities will not even satisfy the requirements of the coal industry if you gave no consideration to any of the other mining industries. As Mr. Haynes explains, the number to be graduating through the year 1975 is already determined, and the 5-year demand exceeds the 5-year supply by 582 men.

Mr. Haynes points out five of the factors which have caused the serious shortage of mining engineers. The fourth and fifth factors he recites are worthy of special notice, and I shall quote them:

Fourth—Due to lack of funds and interest, the mining schools are weak in the areas of research. As a result, their ability to attract top quality research scientists and professors has suffered.

Fifth—Because of the drop in enrollment and increased costs of education, some mining schools have closed. Only 20 schools now offer courses in mining, and some of these are in combination with other disciplines.

Mr. President, it is almost axiomatic that research capability in an institution of higher education provides a concomitant capability for training and education. It is anticipated that a substantial portion of the benefits to the Nation resulting from enactment and implementation of my bill, S. 635, will be in the form of spinoff education of engineers, scientists, and technicians. Mr. Haynes' statement graphically portrays the urgency of providing greater capability for the production of trained professionals in the minerals field.

Mr. President, I ask unanimous consent that Mr. Haynes' statement be printed in the RECORD at this point.

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

STATEMENT OF ROGER M. HAYNES

Mr. Chairman and Members of the Subcommittee: My name is Roger M. Haynes. I am Director of Employee Relations—Consolidated Coal Company, with headquarters in Pittsburgh, Pennsylvania.

I appear here today, along with my colleagues in the coal industry to urge this Committee to approve S. 635 which recognizes the need for significant government support

in areas of research, investigations, and experimentations . . . as well as for the training of scientists, engineers, and technicians in coal mining, coal mining safety, health of the coal miner, coal mined land reclamation and other associated activities related to the coal industry.

Coal makes up 80 per cent of our nation's proven fuel reserves—reserves that are estimated at anywhere from 800 billion to more than one trillion tons. Total U.S. coal production in 1970 was 595 million tons. Based on a combination of Federal Power Commission Reports and our Company's internal energy studies, coal production for 1971 is estimated at 615 million tons. For 1975 . . . 680 million tons. For 1980 . . . 770 million tons. And for 1985, coal production is estimated at 860 million tons.

Many things could happen which would require the growth of our industry to be even greater. Short supplies of natural gas and petroleum products, delays in nuclear energy power facilities, and so forth . . . would increase the demand for this natural resource of proven reserves.

Our dilemma is this: At a time when the demand for coal is ever increasing as an energy fuel for electrical, steel and other industrial markets . . . the supply of competent research scientists, trained engineers and technicians needed to improve production techniques—to solve problems of health and safety—to solve problems of land reclamation and environmental control—is simply not available today. Not only are these areas of vital importance neglected, but there also are insufficient mining engineers and technicians to take care of the growth of present mining activities!

Only 20 colleges and universities in the entire United States offer undergraduate degrees in mining engineering or related areas.

Last year 132 mining engineers graduated from these universities. It is anticipated that 148 will graduate this May, with an estimated 14 additional at the end of the summer term. By this year's end, there will have been only 184 graduating nation-wide during 1971. (See Table I.)

We have just this past week completed a study of mining engineering enrollments at the 20 universities offering a mining curriculum. The current total of enrollments, nation-wide, including advanced degree students is only 992. Based upon the engineer student retention percentages published in the "Engineer Manpower Bulletin," April, 1967, the maximum number of mining engineers that can be expected to graduate with Bachelor of Science degrees in the five-year period 1971–1975 is 722.

To put this supply of mining engineers into some type of perspective please refer to Table II. My company, at the present time, has a percentage ratio of technically trained manpower to total manpower of 2.6%. If you were to assume that this percentage was about right, even though we believe it to be far too low, and project it for the entire coal industry—the total number of technically trained people in our industry today is 3340.

Just to maintain the status quo, a net increase of 85 are needed each year. When this is combined with a conservative estimate of 5% leaving the industry each year due to joining mine machinery manufacturers, mine service organizations, government agencies, retirement, death, and disability, the requirement this year is 252 engineers . . . 257 next year . . . 261 during 1973 . . . 265 during 1974 . . . and 269 during 1975. By 1980, 293 will be needed annually and this increases to 318 annually by 1985.

As you can see, if no bachelor level graduates were to enter graduate school . . . if none were to enter the military service . . . if none were to join the Bureau of Mines or other government agencies . . . if none were to join equipment design firms or manufacturers . . . if none were to enter copper, lead, zinc or other mining fields . . . and all joined coal mining firms this year, the demand would exceed the supply by 68 men!

The number to be graduating through the year 1975 is already determined, and the 5-year demand exceeds the 5-year supply by 582 men.

Obviously, engineers from other disciplines such as Mechanical, Civil, Electrical, and Industrial engineering must be encouraged to join the mining industry.

The serious shortage of mining engineers has been caused by several factors:

First—Because of the general public impression that nuclear energy would replace coal as an energy source in power generation, the public felt that the importance of the coal industry had declined.

Second—An unawareness of opportunities in mining engineering at the high school level. Many students (and even their counselors) have not been familiar with the mining engineering curriculum.

Third—Some young men shy away from a career in coal mining because of poor health and safety records . . . as well as environmental conditions over the years.

Fourth—Due to lack of funds and interest, the mining schools are weak in the areas of research. As a result, their ability to attract top quality research scientists and professors has suffered.

Fifth—Because of the drop in enrollment and increased costs of education, some mining schools have closed. Only 20 schools now offer courses in mining, and some of these are in combination with other disciplines.

We in the coal industry have taken measures in order to attract more young men—and women—to the coal technology field through research grants and scholarships to mining schools . . . and through university Summer Employment and Co-Op Programs. We are also actively conducting educational campaigns in the high schools. But, we feel as though we are on a treadmill.

In order to stimulate the interest of hundreds or even thousands of research and production-oriented engineers and technicians needed to solve this industry's problems . . . I believe it will take a Federally supported program, as proposed in this Bill, S. 635.

Such Research and Training Centers at State Universities would offer a challenge to the research, health, safety and environmental experts who would teach at these Centers. These knowledgeable professors would, in turn, attract more young men and women to mining engineering through a more meaningful and more specialized curriculum.

This industry recognizes that we have the responsibility to attack and solve the technical problems relative to safer coal mines, healthier coal mines, improving working conditions in the mines, and feasible ways of controlling the environmental problems created in the mining process. This industry recognizes the need for the Bureau of Mines to utilize technically trained inspectors in the enforcement of the Federal Coal Mine Health and Safety Act . . . I mention these facts in order to strengthen the reason for our appearance here today.

The proposed Research and Training Centers in each State could—because of their two-fold purpose—enable mining engineers to specialize and; therefore, be more valuable to industry. Today, for example, in our mining research function, we do not have one active mining engineer who is a specialist in Rock Mechanics—or Computer Simulation—or Exploration. We are unable to hire a mining engineer with interest in equipment design! We do not have enough engineers to draw on with advanced degrees.

It is felt that the proposed Centers would also give the engineer adequate time in order to follow-through on specific research projects. One of the biggest problems in the current method of conducting research in universities is that—research is of short duration. An engineer preparing his thesis works in highly theoretical areas, and his research is done on a small scale in a laboratory or library. In most cases, he does not receive any practical experience in a productive mine. If a student could get academic training plus field research and application, he would have a more positive direction upon graduation. He would be better qualified to make a significant contribution to coal technology.

In the area of Health and Safety in mining:—Industry is devoting much of its expertise in arriving at solutions to problems, but again, because of the lack of sufficient trained technicians we are not able to progress as rapidly as we must in order to provide a more productive environment in which to work.

More technicians are needed for:

The study and evaluation of roof control systems, including more specialization in rock mechanics.

The study of mine ventilation systems, including degasification and dilution of methane gases.

Fire prevention controls and alarms.

Respirable dust control.

Study of noise levels.

A study of safety involved with equipment. For example, the new Health and Safety Act requires protective canopies over equipment. Engineers are needed for the development of these systems.

More technicians are needed to assist current projects on the degasification of the coal seam before mining.

Much research effort should be directed toward the devising of new mining techniques that would provide not only safer, healthier working conditions—but also sufficient production to satisfy the Nation's requirements in the future.

Developments such as remote control mining—continuous haulage—temporary roof support that is movable—indestructible mining machines—hydraulic mining and transportation—must be perfected.

One of the most basic research areas in which additional mining engineers are needed—is the development of Selective Mining Techniques. Experiments are currently being conducted at Pennsylvania State University, supported by the Office of Coal Research, in which they are making investigations of the petrographic components of coal. In breaking down these components, research experiments can determine which portions of specific coal seams are best suited for utilizing the coal for coking, pipelines, conversion into gasoline or gas, and so forth.

We do not have adequate knowledge in this area and are therefore, handicapped in that we are not taking advantage of the coal material we bring above ground to the extent we should. Selective Mining Techniques can develop better production processes . . . more efficient preparation plants . . . and can create an entirely new area of new product uses for coal.

Work underground has to be better coordinated with work above ground. Improved production methods, better ways of preparing coal for market, efficient health and safety measures, environmental controls . . . all are related for the coal industry to continue as a major supplier of energy fuel. The Nation must have this energy fuel.

Today's mining operations are hampered by a shortage of adequate research facilities and trained technical people. We are so involved with day-to-day problems—that there

is not much time to devote to long range mining needs.

In closing, Mr. Chairman, let me repeat that the coal industry recognizes the serious need for the establishment of Mineral Resource Research and Training Centers in the United States. With the supportive technology and the additional pool of expertly trained mining engineers to be provided—we can come up with lasting and effective solutions that will help the coal industry to fulfill the burgeoning energy demands of our Nation.

Mr. Chairman and members of the Subcommittee, I appreciate the opportunity to present these views of the coal industry, and urge that you support this bill, S. 635. I shall be most happy to respond to any questions.

I. Mining Engineering Enrollments—1970–71 School Year:

Freshman	231
Sophomore	229
Junior	210
Senior	222
Graduate	100
Total Students	992

II. Mining Engineering Scholarships Available—287.

III. Projected Mining Engineers Graduating with B.S. Degree:

1971	184
1972	166
1973	154
1974	111
1975	107
5 Yr. Total	722

Projected graduating students based on engineer student retention percentage, *Engineer Manpower Bulletin*—April 1967.

TABLE II.—TECHNICALLY TRAINED MANPOWER IN BITUMINOUS COAL INDUSTRY

	1971	1972	1973	1974	1975	1980	1985
Consolidated current ratio—2.6 percent of total technically trained manpower	3,340	3,425	3,510	3,595	3,680	4,170	4,660
Number of technically (5 percent) trained men leaving industry annually—death, suppliers, government	167	172	176	180	184	208	233
Number of technically trained men required (demand)	252	257	261	265	269	293	318
Supply: Estimated number of graduating mining engineers (U.S. citizens)	184	166	154	111	107	?	?

GENERAL CHAPMAN'S ADDRESS AT ARLINGTON CEMETERY

Mr. BUCKLEY. Mr. President, I ask unanimous consent to insert in the RECORD the Memorial Day address made at Arlington National Cemetery by the Commandant of the Marine Corps, Gen. Leonard F. Chapman, Jr. It is a moving statement of the meaning of the sacrifice which young Americans have been called upon to make in the cause of freedom.

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

REMARKS BY GEN. LEONARD F. CHAPMAN, JR., COMMANDANT OF THE MARINE CORPS, MEMORIAL DAY SERVICE, ARLINGTON NATIONAL CEMETERY, ARLINGTON, VA., MAY 31, 1971

Nearly two centuries ago there began in the young world called America, a new idea. It was not, this new idea, an academic postulation or an intellectual theory—it was human effort and a willingness to face hardships and sacrifices. It was a people joining together at risk of life and fortune to create a nation.

This new nation, this new idea, was conceived in the trust that all men were equal. Not commonly equal, but nobly alike. Noble enough to guide their own destiny; noble enough to live by a law of equality which commanded respect for the rights and hopes of all other men; and noble enough to defend, as free men, the freedom of their fellow men.

Now, in spite of the traditional rhetoric which declares us a young nation; that idea has grown for one hundred and ninety five years into a mature country. A country which is one hundred and fifty years older, in its steady flow of government, than ninety per cent of all other countries on this earth.

There are many reasons for our growth and our constitutional stability. Primarily it is because we have been willing to meet the challenges of each new period in our history. We have been willing to make changes where changes were required. Every generation of Americans has added its mark of change to our growth. This flexibility has become a national characteristic, a heritage of good progress.

But because this noble idea had to survive and grow in a real and threatening world; Americans had to face the reality of stopping armed aggression against freedom with armed defense. To a nation of people dedicated to peace and progress, such defense could not be forged by a king figure ordering subjects to submit to military service. Defense had to be made by the people, for the people. It had to be made from the noble principles of patriotism, loyalty, honor, devotion to duty, and a willingness to face hardships and sacrifices. And these virtues, these high and noble virtues, had to be tied together not by a whip, but by a steady discipline of respect and understanding. And if flexibility in meeting problems has become a national characteristic, then so too has devotion to these noble principles by noble men.

Since our beginning, Americans have had to apply these principles in the harsh environment of nine major wars, and in many other smaller but no less deadly armed threats. And in all of these wars and campaigns, American fighting men have purchased the freedom this nation needed to grow and progress. Now, in looking at the American record of almost two centuries, it is easy to be swept up in its epic—to see a then and a now; and to merge the patriotism, devotion to duty, and sacrifices of the men who served into the overall fabric of history. But history belongs to nations, wars are fought by men. Each war begins and ends as a series of immediate personal events—human events of bravery, sacrifices, and triumphs.

We are joined together today to remember and to honor the bravery, sacrifices, and triumphs of all men who have fought and died to make, and to keep our American freedom. We are here not to commemorate men who lost their lives in conquest, but to honor men who gave their lives for the triumph and progress of freedom.

War, any war, is the ultimate of human folly. No one knows this better than the men who have fought, and who must be constantly ready to fight to defend this nation. But these same men, American fighting men of all generations have known and still know that if war is a mistake—then defeat is tragedy, a terminal tragedy. Their service is a statement of hope, of belief. But their patriotism, their devotion to duty, and their sacrifices form a question: What growth, what progress would this nation have made in it's long life, if we had been defeated in any one of the armed conflicts of our history?

Since the beginning of our history, more than one million Americans have given their lives in the defense of American freedom. Through wars, compaigns, and skirmishes, men of every color and creed; men whose ancestors came from every tribe of the human race—from every continent of this earth have fought and died for this country. But they were all Americans, a part of the spirit that framed the hope for the freedom and dignity of all men. Our history, our freedom, our progress is their triumph. And in this, I think is the evasive but real fragrance of glory.

Now, we are still engaged in a long and bitter conflict. And like all wars in which Americans have fought this is a war testing the freedom of men to choose their own destiny. And as in all past struggles, we have never had any intention of conquest, only the hope for the triumph of the natural order of freedom. But unlike past conflicts, in this war our enemies have been more skillful with words than with firepower. This country, the very cradle of modern freedom and reason, has been accused—even from within—of imperialism, oppression, and flagrant abuse of power.

It is a paradox of our time that of all the wars fought by Americans, the Vietnam war has been by far the most unselfish. No American gain was intended, no American gain has been made. It is a test, a severe test to determine the feasibility of halting aggression without destroying the aggressor nation. We've never had any desire to destroy a nation, we've only intended that another country be left to its own determination. This war has been an effort to reestablish peace and order, by making it unprofitable for one nation to impose its will on a neighbor. But it has taken great restraint and an extremely temperate application of power.

Now the job is almost done. American fighting men are leaving Vietnam. And they leave a nation of people who can now defend themselves, who can now govern themselves, who can now find their own progress through freedom. And of the young Americans who fought, and worked, and sacrificed in this war: their patriotism, honor, and devotion to duty has triumphed. They have accomplished their mission. And their accomplishments join the list of Valley Forge, Fort McHenry, Gettysburg, Belleau Wood, Normandy, Iwo Jima, Chosin Reservoir, and the Naktong River—to name but a few.

We are here to remember the heroism of Americans—men who fought and died to give us our freedom. And it would be inappropriate to that memory to cloud it with negative words, because they were and they remain a positive breed. Men who triumphed, not men who conquered. Men who gave, not men who grasped. Men who hoped, not men who demanded.

This is the real military tradition of American service—the purpose of peace and freedom. The American fighting man has always known that war is evil, but defeat in war

does not bring peace—it creates even greater suffering.

These good men, these noble Americans knew well the meaning of Ecclesiastes in the Old Testament:

"For everything there is a season, and a time for every matter under heaven . . .

". . . a time for war and time for peace. What gain has the worker from his toil?"

Every American who has made this sacrifice—every Soldier, Sailor, Airmen, Coast Guardsman, and Marine—has met the needs of his time, and has given us the gain from his toil. He has given us freedom.

And in this, I think, is the real meaning of glory.

DETERGENTS

Mr. TAFT. Mr. President, in my judgment there is no more important domestic issue at this time than our concern for environmental quality.

That concern, however, should not lead us to adopt legislation which could backfire and cause more environmental problems than it cures.

In some instances attacks upon pollution have been made at the wrong point in the pollution process. Such attacks are about as effective as milking a cow at the wrong end.

We are all aware of the fact that phosphates may be one cause for the excessive growth of algae in our lakes and streams. The natural concern which legislators have for this important problem has unfortunately led many State, county, and municipal governments to ban phosphate detergents from the market. Such moves are not only ineffective in removing phosphates from lakes and rivers, but such legislation may have highly injurious effects upon our environment.

The only really effective way to remove phosphates from the Nation's lakes and rivers is through secondary and tertiary waste treatment. While legislation to ban phosphate detergents may satisfy the general public, an honest appraisal of the situation will reveal that phosphates enter the Nation's water supply from human waste, fertilizer runoff, and other means. Less than half of the phosphates in our lakes and rivers come from laundry detergents. A ban on phosphate laundry detergents, consequently, will not eliminate phosphates and may give the public the false notion that the problem is solved, so that the vitally important work of constructing secondary and tertiary waste treatment facilities will not be emphasized.

In addition to the ineffectiveness of such measures, phosphate substitutes can be even more harmful and dangerous than the phosphate materials they replace.

There are only three known substances presently available in quantity which can be used in detergent products to replace phosphates and produce a relatively effective washing material. One substance is the sodium salt of nitrilotriacetate, better known as NTA. Late last year, by direction of Federal officials, this substance was outlawed temporarily until certain additional safety tests could be completed. By this summary action, years of industry research and millions of dollars were in effect wiped out overnight, not because of a certainty of health hazard, but because of a mere suspicion that there might be a health hazard.

I do not contest the NTA decision, at least not at this time, for that is not the object of these remarks. Let me instead turn now to the other two available substitutes for phosphates.

One is sodium carbonate. The other is sodium metasilicate. These are caustic, dangerous materials. In order for a detergent containing them to be effective when used by the housewives of America, the product must be highly alkaline. If such products should get in the eyes, they can blind a child. Accidentally ingested, they can kill. If ingested or gotten into the eyes, and not treated immediately, they are almost certain to maim.

So hazardous are these products—and I refer to most of the new so-called "nonphosphate detergents"—that the packages containing these detergents must bear labels, pursuant to the Hazardous Substances Act, warning housewives to keep these materials away from children and prescribing antidotes that must be very swiftly administered if serious injury is to be avoided through accidental misuse of the products.

In other words, in our environmental impatience over the alleged but unproved ecological damage resulting from the use of harmless phosphates, we are encouraging Americans from coast to coast to resort to substitutes which in some cases can be fairly described as deadly.

Because of the way detergents are customarily used in the homes of America, every year large numbers of small children accidentally ingest them and get them into their eyes. A mere warning statement on the package which small children can neither read nor understand is ironic and tragically inadequate. I cannot believe that this Government means to stand idly by, clearing such products for nationwide use and simply waiting until enough children are badly hurt before deciding that the matter is important enough to deserve attention.

Let me include in these remarks a specific example of what I am protesting about. Mr. President, I ask unanimous consent to include in my remarks at this point an article from the March 9, 1971, New York Times.

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

"SAFE" DETERGENT IS SEIZED AS HARMFUL

(By Lacey Fosburgh)

About 2,000 cases of two laundry detergents that have been widely advertised as safe for the environment were seized by Federal marshals in Queens and in Maryland yesterday because they were allegedly "extremely dangerous, toxic and hazardous" to people.

The announcement of the simultaneous seizures was made by Edward R. Naeher, United States Attorney for the Eastern District of New York, and the Food and Drug Administration in Washington, which has recently submitted the "no phosphate" materials to extensive laboratory testing.

Both products seized are manufactured by the North American Chemical Corporation of 178 Keen Street in Paterson, N.J., which is being investigated by the Justice Department for its alleged connections to organized crime.

They are "Bohack's No-Phosphates" and "Ecolo-G," which in its national television advertisement, shows a man and his dog enjoying a walk in the fresh air along a lovely, deserted beach.

No spokesman for the Bohack Corporation was available yesterday afternoon to comment on the seizures, but Joseph Yankler, a partner in North American, said his company would contest the Government's actions.

"This product is only for clothes and washing machines," he said angrily, "it doesn't matter whether its toxic or not. What are you going to do? Eat it? Sure, we're going to fight the Government on this."

"Ecolo-G" is owned by North American, which in turn has manufactured the identical product for the Bohack Corporation to sell under its own name.

Fred S. Halverson, an officer in the bureau of product safety for the F.D.A., said laboratory testing last week showed the two products to be "extremely dangerous."

"They're toxic, corrosive to intact skin and produce, on contact, a severe eye irritation," he asserted. "They create an open wound on the skin, an actual burn. I've never seen anything like it."

The seizures yesterday, he said, came as part of a wide-ranging investigation by the F.D.A. into about 10 different "pro-environment" detergents.

Some of the chemicals being used as a substitute for phosphates—which have proved to be harmful to lakes, rivers, and streams—"may all have direct physical dangers," Mr. Halverson said. The key harmful chemical the F.D.A. is testing, he said, is sodium metasilicate.

ACTIONS ARE COORDINATED

At about 3 P.M. yesterday United States marshals from the Eastern District of New York and others in the District of Maryland went to warehouses in Queens and in Landover, Md., with court orders to seize about 1,000 cases each of the detergent.

At the Bohack warehouse at 48-25 Metropolitan Avenue in the Maspeth area of Queens, they placed the United States seal on some of the 938 40-pound red cardboard cases. Minutes later, they returned to their offices with four one-pound cartons to use as evidence.

The simple undramatic act, however, set in motion a wide-ranging series of events. As Robert A. Morse, the chief assistant United States Attorney, explained it, "The companies can either voluntarily recall their stock and agree to comply with the law or fight us."

The law in this instance is the 1960 Federal Hazardous Substances Act, which specifies that all products with "hazardous components" must be labeled with warnings and danger signals to alert the consumer.

In this case, however, the pertinent labeling in large yellow and white letters on the cartons—which sell for about $1.60 in neighborhood stores all over the city—state only that the powder "stops pollution" and does not harm "rivers and lakes."

Mr. Morse, the F.D.A. officials and others involved in the civil action against the products all said they were aware of simultaneous investigations by the Justice Department into the alleged connections between North American and organized crime, but said their inquiries were "not related."

The special Justice Department Task Force on Organized Crime working in the Eastern District of New York is investigating the possible connections between several Mafia "families" in New Jersey and Rhode Island and the North American Company, according to James O. Ducker, an attorney in the force.

Mr. TAFT. The above article explains that two detergent products were seized by the Food and Drug Administration. The article would seem to suggest that

these products were seized because they are toxic and dangerous. That misses the whole point. They were seized, not because they are hazardous, but only because they were not labeled as hazardous.

In other words, if these products simply carry an ineffectual warning intended to keep small children from being hurt by them, then it is all right with the Government to have them shipped all over the United States. I say this is wrong. Nor am I simply referring to these two products, for I single them out only because the FDA has already done so. I refer to the whole class of new detergent products which are equally dangerous and which are being touted to the uninformed public as a panacea for detergent environment problems but without regard to their danger to youngsters in American homes.

Now at this point I ask unanimous consent, Mr. President, also to include a March 30 FDA release which drives that last point home.

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

RELABELING LAUNDRY DETERGENTS

The North American Chemical Corporation of Paterson, New Jersey will relabel Ecolo-G and Bohack no-phosphate laundry detergents to include a danger warning to consumers on the package, the Food and Drug Administration announced today.

U.S. District Court Judge Orrin Judd in New York has supported the FDA contention that the two products were "misbranded, hazardous substances."

Officials of the detergent manufacturing company have agreed to recall and relabel their products in both wholesale and retail outlets in 44 states. The two products were seized March 8th in Brooklyn, New York and Landover, Maryland on FDA charges of misbranding.

FDA said biological testing had shown the two detergents "to be toxic, corrosive to intact skin and the cause of severe eye irritation." Without proper labeling, the detergents were, FDA charged, to be in violation of the Federal Hazardous Substances Act.

New labeling on the seized products will include the following warning:

Danger—may cause burns—harmful if swallowed—eye irritant.

Contains sodium metasilicate. Avoid contact with skin, eyes, and mucous membranes. In case of external contact flush with water. For eyes, flush with water for 15 minutes and get immediate medical attention. If swallowed, give large quantities of water or milk. Follow with citrus juice or dilute vinegar. Call physician immediately.

Keep out of reach of children.

Mr. TAFT. The above release does precisely what I have stated. It says that these products which were recently seized may now be marketed if they carry a proper warning label. In my opinion such a policy flagrantly flouts the public interest.

The truth is, because of our concern for the environment, many public servants at all levels, Federal, State, county, and local, have allowed themselves to get into a hopelessly confused and dangerous posture. The Government knows, from its own records, that children will surely ingest these dangerous products—they always have—but because of current criticisms of phosphate detergents they have not outlawed the dangerous substitutes.

Unfortunately, none of the jurisdictions which has acted to restrict phosphate detergents has any study on the nature of substitutes available to take the place of the phosphates, whether or not they endanger little children, or whether or not any such substitute is effective enough to keep clothes and dishes clean.

It is my personal judgment, without having the benefit of indepth hearings which I hope the appropriate committees will conduct, the following steps are urgently needed: first, forbid the marketing of dangerous substitutes; second, approach the problem of phosphates rationally through their removal from the Nation's waters by new waste treatment processes instead of going through the futile, costly approach of simply banning them from detergents.

OPPOSITION TO OCEAN MAMMAL PROTECTION ACT

Mr. STEVENS. Mr. President, today I am inserting in the CONGRESSIONAL RECORD a letter to Congressmen and a resolution in which the 600 Aleut residents of the Pribilof Islands in Alaska have expressed strong opposition to S. 1315, the Ocean Mammal Protection Act.

As the letter and resolution point out, the enactment of this legislation would be extremely unwise from both an ecological and an economic point of view. The bill would require the termination of the Four-Nation North Pacific Fur Seal Convention. If termination were permitted to occur, the continuing existence of the Alaska fur seal would be jeopardized. Termination would result in a retrogression to the preconvention situation where seals were slaughtered indiscriminately on the high seas. Under the Convention, the herd has progressed from near extinction to what is now a healthy, thriving population.

To insure the continuing vitality of the herd, selective harvesting of bachelor seals that have not found a mate is necessary. As the Pribilof Islanders' letter emphasizes, baby seals are not killed in Alaska. The letter also points out that extensive experimentation has demonstrated that the swiftest, most painless harvesting method is clubbing in the expert manner practiced by the residents of the Pribilofs.

In this connection, I should mention that my staff has contacted Mr. Tom Kimball, director of the National Wildlife Federation, and Dan Poole, president of Wildlife Management Institute, to obtain their views on S. 1315. Both of these men have said that this legislation is unsound in that it prohibits prudent management on the Pribilofs and requires the termination of the Fur Seal Convention. Representatives of other conservation groups are expected to express similar views in the near future.

The letter and resolution make abundantly clear that S. 1315 is not only unsound from a conservation point of view; it is also unsound economically. The Aleut residents of the Pribilof Islands would be deprived of their primary source of livelihood. At the same time, if the Convention is repealed, other nations would renew their pelagic sealing efforts, thus not only diverting income from the Pribilof Islands to foreign nationals but also destroying the scientific management program which has restored the herd.

For these reasons, I strongly support the position which has been taken by the Pribilof Islanders and commend their letter and resolution to your attention.

I ask unanimous consent that the letter and resolution be printed at this point in the RECORD.

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

THE ALEUT COMMUNITY COUNCIL

St. Paul Island, Alaska, May 19, 1971.

DEAR SENATOR: On behalf of the 600 Aleut residents of St. Paul and St. George, Pribilof Islands, we are writing to you about a bill known as the "Ocean Mammal Protection Act" (S. 1315, H.R. 6558) which has been introduced in this Congress. We urge you not to endorse or support this bad legislation.

If you have been told that this bill will benefit the Alaska fur seal, you have been misled. Title III of the bill would bring about termination of the North Pacific Fur Seal Convention. This would seriously endanger the herd and destroy our only practical source of income.

Why would anybody want to terminate a successful four-nation treaty which has brought the fur seal from near extinction to what is now a healthy, thriving population? Because a well-financed advertising campaign which plays upon the emotions of well meaning people has vilified our people and the Pribilof fur seal program, one of the most successful international conservation programs ever undertaken. Do not be misled into believing that baby seals are harvested on the Pribilof Islands. *No baby seals are ever harvested on the Pribilofs.* The Pribilof Island program should not be confused with one administered by the Canadian Government in the islands of the St. Lawrence River where baby hair seals are harvested. Do not be misled into believing that clubbing the seals is inhumane. *Extensive testing has failed to develop a quicker, more painless method of harvest.*

The Pribilof Islands are the sole breeding grounds of the Alaska fur seal. The seal spends most of the year in the open seas, migrating as far west as Japan and as far south as the Mexican border. Prior to the 1911 treaty the herd had been reduced to about 120,000 because sealers indiscriminately hunted in the open seas. Since the treaty was entered in 1911 sealing on the open seas has been forbidden by the laws of the U.S., Canada, Japan and Russia. The herd is now maintained at a level of about 1.3 million. These countries abstain from taking seals on the high seas in return for a share of the annual regulated harvest of nonbreeding bachelor males.

The Aleut residents of St. Paul and St. George are employed in the annual harvest and in skinning and curing. These two communities represent the largest aggregation of our people in the world. The legislation would require our people to disperse. It takes away our livelihood and gives us nothing practical in return.

The bill would also take away from the fur seal the protection afforded by the North Pacific Fur Seal Convention and give it no practical protection. In place of the present convention the bill calls for an international agreement to ban all killing at sea or on land. We frequently stand on shore and watch vessels with Russian, Japanese and Korean flags fishing the waters of the Bering Sea. Do you believe that if the present treaty were terminated North Korea would agree to abstain from taking seals in return for nothing?

The Aleut Community urges you not to

support this very bad legislation. We enclose a copy of a resolution and petition of the Aleut Community Council which we have submitted to Senator Fred Harris, the chief sponsor of S. 1315, requesting that he withdraw the bill.

JASON BOURDUKOFSKY,
President of the Aleut Community Council.
GABRIEL STEPITIN,
Vice President of the Aleut Community Council.

Enclosure.

THE ALEUT COMMUNITY COUNCIL,
ST. PAUL ISLAND, ALASKA

Whereas, the Aleut Community of St. Paul Island is organized under the Indian Reorganization Act of June 18, 1934, as amended by the Alaska Act of May 1, 1936, and under its Constitution and Bylaws, and Corporate Charter, are authorized to do business; And

Whereas, in addition to a land base, which after one hundred years is finally being made possible through the Fur Seal Act of 1966 authored by the late Senator Bob Bartlett, it is imperative that we retain our only source of income which is the seal industry; And

Whereas, through lack of knowledge of local people and conditions the author of S. 1315 implies that some one hundred fifty (150) men will become guides and rangers if they agree to stop sealing; And

Whereas, though the Harris Bill, S. 1315, may address itself to a general condition, it is detrimental to our way of life and future existence. NOW,

Therefore, be it resolved by the Council of the Aleut Community of St. Paul Island, and on behalf of the unorganized Aleut Community of St. George Island, that they *do not* endorse S. 1315 because it will kill our only source of income without providing any practical alternative industry to sustain our people and future on the islands; further, that they do not want to move or be moved off their islands.

The undersigned residents of the Aleut Community of St. Paul strongly endorse the above resolution and respectfully request the Honorable Senator Fred Harris of Oklahoma to withdraw S. 1315 for it is detrimental to our very livelihood. If S. 1315 is passed, it could mean the death of the largest Aleut Community in the world and we believe that this is not Mr. Harris' intention. We feel that if the Senator had adequate information of the Pribilofs, the Bill would not have been proposed.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed a bill (H.R. 7109) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 7109) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes, was read twice by its title and referred to the Committee on Aeronautical and Space Sciences.

THE MILITARY SELECTIVE SERVICE ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair now lays before the Senate the unfinished business, which the clerk will state by title.

The assistant legislative clerk read the bill (H.R. 6531) title, as follows:

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 ACTING PRESIDENT pro tempore. The pending question is on agreeing to the Hatfield amendment (No. 106) in the nature of a substitute for title I of the Schweiker amendment (No. 76), as modified, to H.R. 6531.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum and I ask unanimous consent that the time be equally charged against both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD of West Virginia. I ask unanimous consent that I may yield myself time, to be charged equally against both sides, for the purpose of calling up the nominations on the Executive Calendar.

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

EXECUTIVE SESSION

Mr. BYRD of West Virginia. I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

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

U.S. AIR FORCE

The assistant legislative clerk read the nomination of Maj. Gen. Gordon T. Gould, Jr., to be lieutenant general.

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

U.S. ARMY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. BYRD of West Virginia. I ask unanimous consent that the nominations be considered en bloc.

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

U.S. NAVY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. BYRD of West Virginia. I ask unanimous consent that the nominations be considered en bloc.

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

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The assistant legislative clerk proceeded to read sundry routine nominations in the Air Force, the Army, the Navy, and the Marine Corps which had been placed on the Secretary's desk.

Mr. BYRD of West Virginia. I ask unanimous consent that the nominations be considered en bloc.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

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

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

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

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 military active duty strengths for fiscal year 1972; and for other purposes.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. STENNIS. Mr. President, the committee has presented its main arguments in opposition to the pending amendment. I do not care to make any further remarks at this time. We have one or two other speakers whom I could have over here, I think, in a few minutes, but I think it is up to the proponents to proceed on their amendment, if they have any further argument.

The ACTING PRESIDENT pro tempore. What is the will of the Senate?

RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair, with the recess not to extend beyond 11:30 a.m. today.

The motion was agreed to; and (at 10:48 a.m.) the Senate took a recess, subject to the call of the Chair.

The Senate reconvened at 11:19 a.m., when called to order by the presiding officer (Mr. CHILES).

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.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield 15 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. BENTSEN. Mr. President, there has been debate in this body for some weeks now on the need for the military draft. There have been arguments advanced that it should be terminated by the end of this month, that such a termination would end the war in Vietnam, that such a termination would reassert congressional authority over military policies and that such a termination would restore confidence of the young in the Government.

There have been arguments advanced in favor of its extension. Basically, the argument is that without the draft, our commitments as a nation and as a world leader cannot be fulfilled.

We are now considering an amendment which would terminate the draft on July 1, just a few weeks hence. This would require that the Armed Forces fully meet their manpower needs solely through voluntary enlistments.

If I believed for one moment that the military could meet their manpower needs fully solely through volunteer enlistments, I would be in the forefront leading the charge for a volunteer army. I favor a volunteer army. And we can have such a volunteer military force.

Because I do believe the volunteer army is a goal we can reach, I believe that the termination of the draft on July 1, or within the next year, would be folly and do great damage to the ultimate adoption of a sound volunteer army concept. Killing the draft would be disastrous to the planning by the Army which has as its goal the volunteer army. The military must have the time to test various ideas, to work toward the volunteer army.

The argument that an immediate cutoff of the authority to draft manpower for military purposes would force the immediate adoption of the volunteer Army has been rejected at every point of its consideration of this legislation. I hope—and I predict—that it will be rejected again by the Senate today. We must not succumb to ends without means.

Strip away all of the strong feelings, all of the emotion, and all of the motives, understandable and desirable as these may be, and the hard fact remains: the military cannot, at the present time, without this legislation and without this draft meet its manpower needs solely through volunteer enlistments.

It cannot do so by July 1 of this year. Neither can it by July 1 of next year unless we in this body are willing to renege on this Nation's commitments—many of such commitments which this body has approved.

The Schweiker amendment recognizes the insurmountable problems with ending the draft immediately, and seeks to end it within one more year. Where that amendment fails, however, is in considering our needs through fiscal year 1973 and in providing the President continuing authority to meet those needs.

As some Senators may be aware, I strongly favor actions which bring back to the Congress the eroded authority which the Constitution gave to the legislative body, and I have introduced legislation that would strengthen the hand of Congress in commitment of troops. However, to involve that rationale in this current debate is distorting logic.

We have, in this instance, established troop ceilings—and that is something which has not been determined as a legislative figure by Congress in the past. That troop ceiling will be the legislative authority, whether it is by draft or under the volunteer concept.

We cannot say to the President: "We authorize an army of men, but we will not provide the means to raise that Army," until there is an adequate plan for the volunteer army.

The Schweiker amendment fails to consider our needs and the problem of planning for a volunteer army through 1973. The number of enlistments in 1968 and 1969 means that the Army must replace some 336,000 men in fiscal year 1973 if it is to maintain its enlisted end strength for that year of 716,000 men.

These figures are not guesswork or speculation. They are firm, established figures for the number of men who will be leaving the Army in 1973, and who must be replaced to reach the required level.

There is no way, under any formulated and tested plan, that the Army can maintain that strength without the draft. Under current pay rates, there are only 87,000 true volunteers entering the Army each year. The rest are drafted, or draft induced, according to the studies.

Even with the pay increase approved in this bill, that figure can be expected to increase only to approximately 113,000 in fiscal 1972. This would mean that the Army remains some 200,000 men short of its manpower requirements for 1973.

Mr. President, I submit that even those of us who favor a volunteer army cannot permit the strength of the military to deteriorate to that extent if this Nation is to remain secure.

I feel that every man in this body would, given the simple choice of draft or no draft without any other considerations, vote to end the draft tomorrow if it were practical to stop the draft. Obviously, there is serious doubt about the wisdom of ending it at the end of this month, and at the end of fiscal 1972, or we would not be debating it. Obviously, if we are to make an error, then we must err in the favor of the safe side.

Look ahead for just 1 year. Ask this question: if we sit here in this Chamber at this time next year, with another draft extension facing us in that election year, what will we do if the Army has not resolved all the problems of a volunteer Army? Will we, after having voted to end the draft in mid-1972, after we have led young men and their families throughout the country to believe the draft was ending then, would we vote to extend it again?

Look at the same proposition from the other direction. What if, as some now argue, we do not need the draft after mid-1972, that the Vietnam war is ended, that there are ample volunteers. If, indeed, those happy circumstances exist, then the choice will be a pleasant one—the draft can be ended in an election year. As a purely political matter, it would be easier and better for this Congress to giveth than to taketh away. It would be better to say at midyear next year: "The draft is no longer needed, look at the volunteers we have, so let us end it" than to say "Sorry, it did not work, we have to extend the draft another year in this election year." That is the choice with which we would be faced.

The point, Mr. President, is that none of us really know how the volunteer concept will work with the present attitude of the young toward military service. The Army has agreed to try. Let us give them the chance to plan, and to make it work. It is a worthy experiment, and we should take the risk, but that risk must be when the odds are in our favor. If the experiment fails when the need is less, when there is greater tranquillity, when the commitments are lessened, then the risk is much lower. If, then, we are wrong, it is not too critical to our security. If we end the draft, and we are wrong about the volunteer concept now, with the Vietnam conflict ending but not ended, with our prisoners of war still held in Hanoi, we are taking a big gamble indeed. If we are to have a truly volunteer army, it must have a timely beginning or its life may be a failure and its end premature.

The failure of volunteerism now, before it can be properly planned and tested, would have a particularly crippling effect on the combat units of the Army. Only 4 percent of the men assigned to these units actually volunteer for combat roles, and this carries over to the other services.

For instance, on the average, over 3,600 of the 8,600 first-term enlisted men on our Polaris nuclear missile carrying submarines would not be there if they were not draft-induced to volunteer.

In the Air Force, over 14,000 of the 25,000 first-term enlisted men manning our ICBM's and our long-range B–52 bombers and tankers were draft-induced to enlist.

These are the figures, by percentages or numbers, that have been draft-induced to volunteer and they would not be there to handle this very critical item of defense if they were not induced by the draft to enlist.

It can be seen, then, that a precipitate ending of the draft would have a critical impact on our defense forces, even our nuclear deterrent.

Let us look briefly at a couple of other

arguments we have heard here. It has been said that the Schweiker amendment does not mean terminating the draft at the end of 1972, but merely provides another review of the draft a year from now.

In fact, Mr. President, we are not talking about a 1-year extension, but, as a practical matter, a 6-month period of time before the Senate would again, in January, begin reviewing such legislation. Committee hearings would have to start at that time.

The "Project Volunteer" reforms we are expected to review would have hardly begun, and the pay raise would have been in effect for less than half a year. That is too short a time for true evaluation.

The Schweiker amendment, then, does not promise much in the way of substantive change or measurable improvement. It would carry over until next year the disjointed planning and the uncertainty caused by another fight over whether we should terminate the system that provides the majority of our military personnel.

That is a trade that is unacceptable for me, and it is one which I believe the majority of this body will not accept lightly.

Another argument we have heard on this amendment is that Congress should annually review the operations of the Selective Service System just as we review all other defense operations. This argument fails on several points, and an analogy best shows why.

The U.S. Government says to its citizens in two areas, give for the common good. It does it in the area of taxation, and it does it in the area of the draft.

True, taxation is more universal. But the point is the Government says give of your fortune, and give of your time and talents.

One is providing the authority for revenue for expenditures approved by Congress. The other provides the authority for the men to man the Armed Forces as approved by the Congress.

We annually review the budget requests of the various departments for funds, and examine the rate and type of taxes that will be levied. That is proper. We do not, however, have an annual review of the tax collecting agency's authority to levy taxes. Such an annual review of authority—not the level, but the authority—would raise havoc with the operations and raise doubts about the obligations of taxpayers.

The PRESIDING OFFICER. The Senator's 15 minutes have expired.

Mr. STENNIS. Mr. President, I yield the Senator 3 minutes.

Mr. BENTSEN. Mr. President, I submit that an annual review of the authority to induct has the same effect. We already have a means for establishing the force strength, and for limiting the number of men who are drafted in a year. This bill sets force levels, and it also establishes a ceiling of 150,000 on the number of men who can be drafted in 1973.

We will gain little, and lose much in raising annual doubts over continuing authority to meet the manpower needs which we ourselves have established for the armed services.

I have mentioned earlier the increased pressures and emotions invoked by this issue in an election year. If we are to extend the draft for 1 year, we face the same issue again next year. Tempered and meaningful debate is more difficult, and partisan considerations are increased.

This debate has been meaningful. It has been informative. The conclusion to it must be a positive stance taken in favor of our security, in favor of a program to permit comprehensive planning to end the draft and institute a volunteer army.

I believe this means the amendment should be rejected.

Mr. STENNIS. Mr. President, will the Senator yield quite briefly to me?

Mr. BENTSEN. I yield to the Senator from Mississippi.

Mr. STENNIS. The Senator has made a telling speech. He has made several fine points. He emphasized that we cannot change horses every time we get to a new stream, every 6 months or 12 months. It involves planning, getting the men, training the men, trying them out. Some of them do not remain, even after they are trained. Then comes the responsible positions they are given.

Second, the Senator mentioned that if we should wind up with the Schweiker amendment here—I say this in all deference—before the ink dried on the bill the President signed, we would have to open the hearings again and go all over the same facts, the same issues, and refight the same battle.

So if we are going to have stability and a chance for a volunteer army, we certainly must have 2 years.

I very much appreciate the Senator's fine speech.

Mr. BENTSEN. I thank the distinguished Senator from Mississippi.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, I yield 15 minutes to the Senator from Missouri (Mr. EAGLETON).

Mr. GRAVEL. Mr. President, would the Senator yield to me for a question or two?

Mr. EAGLETON. If the Senator from Oregon will yield the time to him.

Mr. GRAVEL. I am sure the Senator from Oregon would not object.

Mr. STENNIS. Mr. President, I yield 2 minutes to the Senator.

Mr. GRAVEL. I thank the Senator for his generosity.

I disagree with my colleague from Texas on this subject, but there are many areas in our mutual careers in which we agree. Certainly, I count him as one of my close personal friends in this body. If my colleague thinks this debate is informative, I hope it will continue for many months, so that it will become not only a little informative but very informative.

But the cataclysmic effect that my colleague indicates will happen if the draft expires is a view I do not share at all. I think July 1st will come and the Nation will be happier, and we will all be better off if the draft does not continue.

Further on the point of the cataclysmic effect, I wonder if my colleague would mind telling me what went on in the committee, since I am not a member of the committee and my colleague is, when the committee decided to cut the force levels by, essentially, 100,000, bringing them down from 2.5 million to 2.4 million.

The reason why I ask that question is that we have had ample testimony from the Senator from Oregon, who handled the figures very well, I thought, which indicated we would not experience that shortfall even by going to a volunteer army right now, even at the pay levels in effect now.

The point I am driving at is, why will there be a cataclysmic effect if we do not have the draft, where the effect will be, at the outside, 100,000. And why will we have a cataclysmic effect when the committee, in its wisdom, decided to cut the force by 100,000?

I would like to figure out the differentiation here, if my colleague can enlighten me.

Mr. BENTSEN. I think in the first instance that we are talking about a measured reduction. That was considered at length by the committee, and we felt that this was a reduction that was meaningful, but one that could be accomplished and one the amount of which we would know.

I think none of us really know the full effect of ending the draft. We can only project. We do know that history is not prologue in this situation; that today the attitude of the young toward the military service is quite a different thing from what it was back during World War II and earlier periods of time.

We do know, from surveys that have been made, that more than 50 percent of our enlisted military personnel feel they have been draft induced to volunteer. We do know that in the combat units, only 4 percent are really true volunteers. So when you take those figures into consideration, if we terminate the draft precipitately, only a few weeks hence, I feel we will have that kind of experience.

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

Mr. GRAVEL. Mr. President, I ask unanimous consent that I be permitted to yield myself 2 additional minutes of the time of the Senator from Oregon (Mr. HATFIELD).

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

Mr. GRAVEL. I respectfully disagree with my colleague, because the chairman of the committee is here, and I think the figures he gave us yesterday as to the motivations of those who enlist showed that the percentage of true volunteers is about one-third, and not 4 percent. I had been under some misunderstanding, which the chairman was kind enough to clear up by showing that of all the personnel in the military, one-third were draftees, one-third were draft-induced enlistees, and one-third were true volunteers.

That is quite different from the figures of which my colleague speaks.

Mr. BENTSEN. I think we are talking about first termers.

Mr. GRAVEL. Yes. My colleague from Mississippi was also talking about first termers, and that was the correction he made for me.

I just want to make the point that I do not see the difference in the deliberations of a small committee making a 100,000 reduction, when the result of the deliberations of this august body would be a similar 100,000 reduction. I would think there would be greater wisdom in the collective numbers of this body, as contrasted with the collective wisdom of the committee.

Mr. BENTSEN. Mr. President, will the distinguished Senator yield?

Mr. GRAVEL. I yield.

Mr. BENTSEN. I think the point is that that was a measurable reduction. But I think in this instance, this is a reduction that can only be estimated, and we would estimate that there would be a very substantial reduction in enlistees because of it.

If this is not a question that is in doubt, we would not be debating it to the length that we are today. And if we are going to err in this situation, I think we should err on the safe side and not on the dangerous side insofar as the security of our Nation is concerned.

Mr. GRAVEL. Would it be so dangerous? The draft rate this year is somewhere around 11,000, 12,000, or 13,000. So obviously it would take 6 months to a year to find out if there is a problem.

The PRESIDING OFFICER. The Senator's 2 additional minutes have expired.

Mr. GRAVEL. I ask for an additional minute from the time of the Senator from Oregon.

The PRESIDING OFFICER. Who yields time?

Mr. GRAVEL. On behalf of the Senator from Oregon (Mr. HATFIELD), I yield myself 1 additional minute.

The point is very simple. If something happened 6 months from now, where it was demonstrated that we did not have enough people coming in, could not the Senate, which will probably be in session 6 months from now, come in here and enact a draft instantaneously, if it so chose?

Mr. BENTSEN. By the same token, I say to the distinguished Senator that if we see volunteerism is working, can we not, by the same type of action, materially reduce the number of draftees?

Mr. GRAVEL. Like my colleague, I would like to err on a praiseworthy side. We have erred so long on the side of being bellicose, after having a draft in excess of 20 years, I would hope we might gamble on something new and fresh, and that is to put aside a great inequity.

Mr. STENNIS. Mr. President, I yield 15 minutes to the Senator from Missouri.

BLESSED ARE THE POOR, FOR THEY SHALL FIGHT OUR WARS

Mr. EAGLETON. Mr. President, under the rules of the Senate, a Senator speaking on the floor speaks to the President of the Senate.

Of course, he hopes those of his colleagues on the floor at the time of his remarks are listening. His eyes are usually lifted upward to the press gallery in hopes of favorable play by the men and women of the fourth estate. But ultimately he is addressing his remarks to the folks back home.

Today I address none of these. I direct the thrust of my remarks to but one segment of the U.S. Senate—the so-called doves: the 34 Senators still in the Senate who voted for the McGovern-Hatfield amendment last year; the new Senators who support that proposition this year; the Senators who opposed McGovern-Hatfield last year but have had a change of attitude as yet another agonizing year of the Indochina war has elapsed.

I address my remarks to my fellow doves because many of them in their rightful disillusionment over the Indochina agony view the termination of the draft as the best, perhaps the only mechanism to halt the war.

But ending the draft will not end this war, and it will not prevent future wars. All it will do is make this and future wars the business of the poor.

If we allow this to happen, Vietnam will be an even greater tragedy.

The revulsion and disillusionment that decent men feel in the wake of war have caused major errors in American public policy during the 20th century.

The blindly isolationist aftermath of World War I turned America against things foreign and military. Scapegoats, from domestic munitions makers to international bankers, were discovered and castigated as America turned inward, while much of the Western world slipped into a war that was eventually to consume our total national energy.

Desperately wanting to learn from the past after World War II, we learned the wrong lesson. Instead of learning moderation, we switched to the other extreme. With the same zeal and determination that marked America's withdrawal from the world only a decade before, we adopted a world view which demanded far-reaching, entangling alliances and an ever-growing commitment of resources to military might.

The Vietnam war now threatens to become the "new lesson"—"no more Vietnams" the new slogan—and the revulsion of our Vietnam experience and the new distortion that blurs rational discussion and obscures fundamental issues.

This is happening now, as the Senate debates the extension of the draft. Congress, thus far unwilling to end the Vietnam war for all Americans, is attempting to end the draft for some.

If, in the disillusionment of Vietnam, Congress approves a volunteer army in wartime, it will be saying to those who have not shared in America's abundance and opportunity: "We will allow you to go to war, to fight and die for national policies, and we will pay you well in the process."

We have already started down this road by voting a $6,000 combat enlistment bonus—more properly, blood money—which will not attract the sons of the affluent and middle class.

This is not the America that I want to see.

Let us not fool ourselves, Mr. President. An all-volunteer army will be a poor boys' army. It will be composed of young men from the lower end of the socio-economic scale who, because of lack of formal education, lack of training, lack of opportunity, and lack of money, accept military service as a means of economic survival.

In this era in which succeeding Presidents—Truman, Eisenhower, Kennedy, Johnson, and Nixon—have all expanded upon the theory of the Commander in Chief's power to the point where it is viewed in the White House as being almost totally without limits, an all-volunteer poor boys' army of 2,400,000 is an awesome juggernaut at one man's disposal or one man's whim.

Who will complain when a poor boys' army continues to fight in Vietnam or when, years later, in a different era, a different President, perceiving a different threat, sends an army of the well-paid poor to yet another foreign land to fight yet another mistaken war?

Certainly, poor mothers and fathers will complain. But, Mr. President, Congress has a rather immaculate record of not deeply concerning itself with the pleas of the poor. The poor are numerous, but the voices of the poor are seldom heard in the Halls of Congress.

What has been responsible for the change in public attitude toward the war in Asia?

Was it the voices from the inner city pleading, "Stop the killing"? No.

Was it the chorus of voices from small, improvished rural towns crying, "Spare our sons?" No.

The chorus of voices which changed our attitude on the war began as a barely audible chant on the college campuses and grew to a loud roar in the suburbs of affluent and middle America.

Congress listens to affluent America. Congress listens to middle America.

In the light of past congressional performance—and absent any new check on the unrestrained Commander in Chief power—the only leash this Nation can have on future military adventures is the pragmatic fact that Presidents and Congresses will be held accountable by affluent and middle America.

Both the President and Congress must know that the lives that are lost and the blood that is spilled will come not only from the vast plains of Kansas and the ghettos like Watts and Pruit-Igoe. It will also be the blood of Chevy Chase, Md., and Ladue, Mo., and Exeter and Groton.

The President and Congress read neatly typed letters from bank presidents, lawyers, and union leaders. They take campaign contributions from them, also. When these parents say "Stop the war," most elected officials listen.

Mr. President, we must not allow our Vietnam dissillusionment to obscure the question that goes to the heart of our society.

Congress should not be debating whether ending the draft will end the Vietnam war. Rather, Congress must decide how a democracy raises its military forces to carry out national policies.

The way we answer, or fail to answer, this question will say a lot about the fairness of American society. More important, it will determine what kind of society America is going to be.

The Schweiker amendment—the 1-year draft extension—is a middleground today, perhaps, but it is not a responsible answer. If it is adopted, Congress will simply be delaying the all-volunteer Army of the poor until next year.

We, as practicing politicians, all know that in June 1972—during the presiden-

tial primaries and on the eve of the first presidential campaign in which 18-year-olds can vote—the draft will not be extended.

Mr. President, I believe that America is not only the land of opportunity but also the land of obligation.

One of those obligations is to bear arms in time of war—even a foolish one. That obligation must be borne equally, across the board.

It is not simply the obligation of the ill tutored and the unwashed. It is also the obligation of those who have partaken more fully of the abundance of American life.

The opportunity to live and prosper in our democracy carries with it the companion obligation to fight and to incur the risk of death in war.

If the draft is ended, many around this country will genuinely shout with joy.

But, Mr. President, joyful shouts last only a brief while.

Years later—in a different war, with a different President, with a different "threat," either real or mistaken—a poor boys' army may be sent off to yet another foreign land by another Commander in Chief.

Affluent and Middle America will watch with silent amazement. Poor America will watch with sullen resignation to the fact that in this land of the free and home of the brave, it is the plight of the poor to do our Nation's fighting and dying.

The Bible tells us:

Blessed are the meek, for they shall inherit the earth.

Congress, by creating a poor boys' army, would write its own addendum to the Scriptures: "Blessed are the poor, for they shall fight our wars."

Mr. STENNIS. Mr. President, I thank the Senator for the time and considerable effort he has devoted to the preparation of his speech. It is a real contribution to this debate. He referred to this land as a land of opportunity and a land of obligation. If it ceases to be a land of obligation, it will cease to be a land of opportunity. It was a splendid speech.

Mr. EAGLETON. I thank the Senator from Mississippi.

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

Mr. EAGLETON. I yield.

The PRESIDING OFFICER. Who yields time?

Mr. EAGLETON. Mr. President, how much time do I have remaining of my original 15 minutes?

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

Mr. EAGLETON. I am here for 4 minutes.

Mr. GRAVEL. Perhaps someone will grant us additional time.

The Senator knows the high esteem in which I hold him, both personally and professionally, as a legislator.

I am constrained to say, on this point, that we find ourselves not only slightly divergent but 150 percent divergent.

Mr. EAGLETON. It is 180 degrees.

Mr. GRAVEL. Yes, 180 degrees. If we could go further, I believe we would find ourselves further apart.

Let me say, first, that the premise that a volunteer army would be a poor man's army is, in my mind, totally unacceptable and totally inaccurate, based upon the facts.

I think it is an interesting fact—I brought this up yesterday, and it was not disputed yesterday by the Senator from Massachusetts or any other Senator on the floor—that if anybody is under-represented in the Armed Forces of the United States, it is the poor people. They are represented last of all. Of course, we have to define what we mean by "poor people."

Under the draft, or under the military voluntarism that we have, one has to take an intelligence test to go into the service. In fact, in 1948, in order to discourage volunteers, they raised the intelligence quotient several times. But in this particular case, approximately 50 percent of the people who are subjected to the draft are not drafted, and the primary reasons why they are not drafted are the primary reasons why they are not taken in as volunteers.

The first reason, of course, is that they do not have the educational attainments or they do not have the necessary intelligence quotients to be accepted. Unfortunately, because of the nature of our society, most of those people are in the lowest economic area—the poor people, the very, very poor people.

The second reason for nonacceptance is health; a person cannot pass the physical. Guess who in our society has the lowest health level. The poor people. The reason why they have the lowest health level is that they do not have the proper health facilities that middle America has so well acquired.

The third reason why people are not accepted in the draft or in the volunteer army is for moral reasons, and the biggest moral reason of all is a criminal record. Unfortunately, here again we have a very high percentage of this among the poor people, for the very simple reason that society has not addressed itself adequately to that problem.

For my colleague to start on a premise that, one, we will have an army of poor people is fallacious.

The next point is, very simply, do we need the high manpower levels that my colleague speaks of? The next basic question is, do we need the levels that require the draft? I say not. I ask my colleague if it is his interpretation of the situation today that we need 3 million men as some military planners suggest?

I might say that it is interesting to note that in 1948, when the military establishment was trying to get Congress to institute a draft, we had 1.3 million men under arms. They said that we needed 2 million men under arms to be safe. Now we have a new generation of planners who say we need 2,500,000. The distinguished Armed Services Committee says that we need 2,400,000. I think it is open to conjecture.

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

Mr. HATFIELD. Mr. President, I yield an additional 15 minutes or whatever time is necessary.

Mr. GRAVEL. I thank the Senator, and I will pause at this point to allow my colleague to engage in colloquy on these points.

Mr. EAGLETON. I thank the Senator from Alaska, and I thank the Senator from Oregon for allowing such time as is necessary to make this colloquy possible.

In part, I can agree with what the Senator from Alaska has said, that part being the plight of the poor, the lack of educational opportunity for the poor, the lack of proper health care facilities for the poor, inadequate housing for the poor, the whole litany of deprivation that besets at 20 percent, of affluent America—the 20 percent of our people stricken by poverty in this land of plenty and opportunity. But that is all I can accept of the Senator's argument.

First, who will make up the all-volunteer army; will it be the boys at Exeter or will it be the boys from Cardozo, will it be the boys at Andover, or will it be the boys of Pruitt-Igoe. I think that answer is obvious.

I will quote briefly from a report by the director of personnel study and research in the Office of the Deputy Chief of Staff for Personnel which was placed in the June 3, 1971 RECORD by the distinguished Senator from Massachusetts (Mr. KENNEDY):

An increasing number of young enlisted volunteers will probably come from rural or property areas.

Going on to quote:

Compared with draft-motivated enlistees, the self-motivated enlistees were less well educated, came from lower socio-economic backgrounds and performed less adequately on ability tests.

Let me add, not from any report from the Pentagon, not from the Gates Commission report or the Marshall Commission report but rather from my own survey, my own in-person survey.

The Senator from Alaska, as does the Senator from Oregon, and do many other Senators, speaks on college campuses and at high schools not only at commencement time, as is now the case, but also throughout the year. I have done a lot of this in Missouri and elsewhere. I have spoken to high school students and at schools like the St. Louis Country Day School and at John Burroughs. I have also spoken to a middle-class school such as the Cleveland High School in St. Louis, at affluent colleges such as Amherst in Massachusetts, and at some middle-class and poor colleges like Graceland College in Iowa, the home State of the distinguished Senator from Iowa (Mr. HUGHES).

On each one of those occasions, I got to the question and answer period, the question of the draft came up as one would expect that it would. When explaining my position on the draft I asked the young people of the body of the students—in some instances its totality—"would anyone raise his hand who would consider a career as an enlisted man in the U.S. Army?"

Throughout all the high schools, in all the different States I visited, just one hand, and one only, was raised in the affirmative. He was a seventh grade stu-

dent at the St. Louis County Day School. He raised his hand, saying that he thought he might consider enlisting as a volunteer in the U.S. Army. No other hand was raised at any of the high schools or colleges I visited. No one else put his hand up, saying he wanted to make a career out of the Army. In spite of the pay incentives, the romance, and all the advertisements engendered by television, such as, "See Europe" courtesy of the U.S. Army, no one has fallen for it yet.

This leads me to believe that these are not isolated high schools or colleges. In all the numerous campus appearances that I made, only one hand—and one only—went up. I do not know whether some were too modest to raise their hands. Perhaps some of them were asleep, engendered by my kind of speechmaking. Only one hand went up in the affirmative.

I do not cite any Gallup poll, Quale poll, or Roper poll here. I cite the Eagleton poll, to show that there was only one volunteer out of the thousands and thousands of students I talked to from middle class and affluent America.

Mr. GRAVEL. May I ask my colleague, will he give us the balance of the Eagleton poll. Does it show, for instance, how many students he has requesting to go to our military academies? How many does the Senator have? How many does the Senator have under patronage at present, as I have, and other Senators have, requesting to go to the military academies?

Mr. EAGLETON. The Senator is now entering the apples and oranges field. We can get an abundant number to go to the military academies. But I am not talking about future generals, colonels, captains, or lieutenants. I am not talking about career officers in the U.S. Army. What the Senator from Alaska is talking about and what the Senator from Oregon is talking about are the gunbearers, the cannon folder, the guys that go over the top, the privates. The Senator is not talking about colonels.

Yes, we get requests to go to service academies, but I have not received one letter requesting that I get a fellow drafted into the Army as a private, and I doubt that I will ever receive one.

Mr. GRAVEL. I am sure the Senator gets letters protesting the draft, telling him we do not need the draft.

Mr. EAGLETON. Yes, I get reams of petitions from Andover saying, "We don't want to go."

I do not think Andover students want to go out to die. There is nothing happy about death. There is nothing beautiful about death.

Mr. GRAVEL. Why is it that——

Mr. EAGLETON. Why should it become the plight of just the poor who cannot speak politically and who are not listened to? Why is an Andover life or an Exeter life any more precious than the life of a Cardozo boy downtown here?

Mr. GRAVEL. If my colleague will permit me, it is not any more important. No one says it is any more important. Obviously, those who go to Exeter do not plan, normally, on a military career. Those who want to go to West Point or Annapolis plan ahead for that, and that is where many of them go. But when my colleague talks about the people who can get killed, sending them into combat, that is the problem. As a part of its performance, this body says, "You are going to get killed. We cannot get enough volunteers to do it."

We cannot get volunteers to do it out of the spirit of patriotism. There is no patriotism in this war. If this war had any substance to it, the psyche of the American people and many Members of this body would be such as to compel many of them to volunteer. I know that my colleague would volunteer. I would volunteer tomorrow if this country were under the threat of imminent invasion, because we are both still young enough to carry a gun.

Is it not a fact that in this Vietnam war not one Member of Congress has enlisted? Why? Because it is a senseless war, and one we do not have to fight. One of the ways that could contribute to it, not directly but indirectly, would be to do away with the draft. We do not need the draft. The draft will not have any effect on the Vietnam war immediately because we are not committing people there under the President's plan after December 1, or at the most, February.

I would like to pursue this colloquy with my colleague, because if we could gain him to our side, it would be a boon.

Mr. President, I ask unanimous consent at this time to suspend our time and have the Chair recognize the distinguished Senator from Rhode Island (Mr. PASTORE), who has been waiting patiently, and that the time be equally charged against both sides, since we are under a limitation of time for today, and my colleague and I will sit by patiently and then "have at it" some more, because I think this is a cleansing experience.

Mr. STENNIS. Mr. President, I would remind the Senate that time is under control under the unanimous-consent agreement. The time is about up now. I think we had better call for the regular order and, therefore, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRAVEL. Objection is heard to my unanimous-consent request, Mr. President?

The PRESIDING OFFICER. The Senator is correct.

Mr. STENNIS. Yes, Mr. President, I object. I yield 7 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island (Mr. PASTORE) is recognized for 7 minutes.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Presiding officer (Mr. CHILES) laid before the Senate a message from the President of the United States submitting the nomination of Maj. Gen. Glenn David Walker, [redacted], U.S. Army, to be assigned to a position of importance and responsibility, which was referred to the Committee on Armed Services.

PRESIDENT'S MESSAGE ON SUPPLY OF ENERGY AND CLEAN AIR—REFERENCE TO COMMITTEES

Mr. BYRD of West Virginia. Mr. President, I take 1 minute, and I use that minute on behalf of the Senator from Mississippi (Mr. STENNIS), to ask unanimous consent that the message from the President of the United States on supply of energy and clean air, since it involves the jurisdiction of the various committees, be referred to the following committees: Aeronautical and Space Sciences, Commerce, Interior and Insular Affairs, Public Works, and the Joint Committee on Atomic Energy.

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

(The message from the President of the United States is as follows:)

To the Congress of the United States:

For most of our history, a plentiful supply of energy is something the American people have taken very much for granted. In the past twenty years alone, we have been able to double our consumption of energy without exhausting the supply. But the assumption that sufficient energy will always be readily available has been brought sharply into question within the last year. The brownouts that have affected some areas of our country, the possible shortages of fuel that were threatened last fall, the sharp increases in certain fuel prices and our growing awareness of the environmental consequences of energy production have all demonstrated that we cannot take our energy supply for granted any longer.

A sufficient supply of clean energy is essential if we are to sustain healthy economic growth and improve the quality of our national life. I am therefore announcing today a broad range of actions to ensure an adequate supply of clean energy for the years ahead. Private industry, of course, will still play the major role in providing our energy, but government can do a great deal to help in meeting this challenge.

My program includes the following elements:

TO FACILITATE RESEARCH AND DEVELOPMENT FOR CLEAN ENERGY

—A commitment to complete the successful demonstration of the liquid metal fast breeder reactor by 1980.

—More than twice as much Federal support for sulfur oxide control demonstration projects in Fiscal Year 1972.

—An expanded program to convert coal into a clean gaseous fuel.

—Support for a variety of other energy research projects in fields such as fusion power, magnetohydrodynamic power cycles, and underground electric transmission.

TO MAKE AVAILABLE THE ENERGY RESOURCES ON FEDERAL LANDS

—Acceleration of oil and gas lease sales on the Outer Continental Shelf, along with stringent controls to protect the environment.

—A leasing program to develop our vast oil shale resources, provided that environmental questions can be satisfactorily resolved.

—Development of a geothermal leasing program beginning this fall.

TO ASSURE A TIMELY SUPPLY OF NUCLEAR FUELS

—Begin work to modernize and expand our uranium enrichment capacity.

TO USE OUR ENERGY MORE WISELY

—A New Federal Housing Administration standard requiring additional insulation in new federally insured homes.

—Development and publication of additional information on how consumers can use energy more efficiently.

—Other efforts to encourage energy conservation.

TO BALANCE ENVIRONMENTAL AND ENERGY NEEDS

—A system of long-range open planning of electric power plant sites and transmission line routes with approval by a State or regional agency before construction.

—An incentive charge to reduce sulfur oxide emissions and to support further research.

TO ORGANIZE FEDERAL EFFORTS MORE EFFECTIVELY

—A single structure within the Department of Natural Resources uniting all important energy resource development programs.

THE NATURE OF THE CURRENT PROBLEM

A major cause of our recent energy problems has been the sharp increase in demand that began about 1967. For decades, energy consumption had generally grown at a slower rate than the national output of goods and services. But in the last four years it has been growing at a faster pace and forecasts of energy demand a decade from now have been undergoing significant upward revisions.

This accelerated growth in demand results partly from the fact that energy has been relatively inexpensive in this Country. During the last decade, the prices of oil, coal, natural gas and electricity have increased at a much slower rate than consumer prices as a whole. Energy has been an attractive bargain in this country—and demand has responded accordingly.

In the years ahead, the needs of a growing economy will further stimulate this demand. And the new emphasis on environmental protection means that the demand for cleaner fuels will be especially acute. The primary cause of air pollution, for example, is the burning of fossil fuels in homes, in cars, in factories and in power plants. If we are to meet our new national air quality standards, it will be essential for us to use stack gas cleaning systems in our large power and other industrial plants and to use cleaner fuels in virtually all of our new residential, commercial and industrial facilities, and in some of our older facilities as well.

Together, these two factors—growing demand for energy and growing emphasis on cleaner fuels—will create an extraordinary pressure on our fuel supplies.

The task of providing sufficient clean energy is made especially difficult by the long lead times required to increase energy supply. To move from geological exploration to oil and gas well production now takes from 3 to 7 years. New coal mines typically require 3 to 5 years to reach the production stage and it takes 5 to 7 years to complete a large steam power plant. The development of the new technology required to minimize environmental damage can further delay the provision of additional energy. If we are to take full advantage of our enormous coal resources, for example, we will need mining systems that do not impair the health and safety of miners or degrade the landscape and combustion systems that do not emit harmful quantities of sulfur oxides, other noxious gases, and particulates into the atmosphere. But such systems may take several years to reach satisfactory performance. That is why our efforts to expand the supply of clean energy in America must immediately be stepped up.

1. RESEARCH AND DEVELOPMENT GOALS FOR CLEAN ENERGY

Our past research in this critical field has produced many promising leads. Now we must move quickly to demonstrate the best of these new concepts on a commercial scale. Industry should play the major role in this area, but government can help by providing technical leadership and by sharing a portion of the risk for costly demonstration plants. The time has now come for government and industry to commit themselves to a joint effort to achieve commercial scale demonstrations in the most crucial and most promising clean energy development areas—the fast breeder reactor, sulfur oxide control technology and coal gasification.

A. SULFUR OXIDE CONTROL TECHNOLOGY

A major bottleneck in our clean energy program is the fact that we cannot now burn coal or oil without discharging its sulfur content into the air. We need new technology which will make it possible to remove the sulfur before it is emitted to the air.

Working together, industry and government have developed a variety of approaches to this problem. However, the new air quality standards promulgated under the Clean Air Amendments of 1970 require an even more rapid development of a suitable range of stack gas cleaning techniques for removing sulfur oxides. I have therefore requested funds in my 1972 budget to permit the Environmental Protection Agency to devote an additional $15 million to this area, more than doubling the level of our previous efforts. This expansion means that a total of six different techniques can be demonstrated in partnership with industry during the next three or four years.

B. NUCLEAR BREEDER REACTOR

Our best hope today for meeting the Nation's growing demand for economical clean energy lies with the fast breeder reactor. Because of its highly efficient use of nuclear fuel, the breeder reactor could extend the life of our natural uranium fuel supply from decades to centuries, with far less impact on the environment than the power plants which are operating today.

For several years, the Atomic Energy Commission has placed the highest priority on developing the liquid metal fast breeder. Now this project is ready to move out of the laboratory and into the demonstration phase with a commercial size plant. But there still are major technical and financial obstacles to the construction of a demonstration plant of some 300 to 500 megawatts. I am therefore requesting an additional $27 million in Fiscal Year 1972 for the Atomic Energy Commission's liquid metal fast breeder reactor program—and for related technological and safety programs—so that the necessary engineering groundwork for demonstration plants can soon be laid.

What about the environmental impact of such plants? It is reassuring to know that the releases of radioactivity from current nuclear reactors are well within the national safety standards. Nevertheless, we will make every effort to see that these new breeder reactors emit even less radioactivity to the environment than the commercial light water reactors which are now in use.

I am therefore directing the Atomic Energy Commission to ensure that the new breeder plants be designed in a way which inherently prevents discharge to the environment from the plant's radioactive effluent systems. The Atomic Energy Commission should also take advantage of the increased efficiency of these breeder plants, designing them to minimize waste heat discharges. Thermal pollution from nuclear power plants can be materially reduced in the more efficient breeder reactors.

We have very high hopes that the breeder reactor will soon become a key element in the national fight against air and water pollution. In order further to inform the interested agencies and the public about the opportunities in this area, I have requested the early preparation and review by all appropriate agencies of a draft environmental impact statement for the breeder demonstration plant in accordance with Section 102 of the National Environmental Policy Act. This procedure will ensure compliance with all environmental quality standards before plant construction begins.

In a related area, it is also pertinent to observe that the safety record of civilian power reactors in this country is extraordinary in the history of technological advances. For more than a quarter century—since the first nuclear chain reaction took place—no member of the public has been injured by the failure of a reactor or by an accidental release of radioactivity. I am confident that this record can be maintained. The Atomic Energy Commission is giving top priority to safety considerations in the basic design of the breeder reactor and this design will also be subject to a thorough review by the independent Ad-

visory Committee on Reactor Safeguards, which will publish the results of its investigation.

I believe it important to the Nation that the commercial demonstration of a breeder reactor be completed by 1980. To help achieve that goal, I am requesting an additional $50 million in Federal funds for the demonstration plant. We expect industry—the utilities and manufacturers—to contribute the major share of the plant's total cost, since they have a large and obvious stake in this new technology. But we also recognize that only if government and industry work closely together can we maximize our progress in this vital field and thus introduce a new era in the production of energy for the people of our land.

C. COAL GASIFICATION

As we carry on our search for cleaner fuels, we think immediately of the cleanest fossil fuel—natural gas. But our reserves of natural gas are quite limited in comparison with our reserves of coal.

Fortunately, however, it is technically feasible to convert coal into a clean gas which can be transported through pipelines. The Department of the Interior has been working with the natural gas and coal industries on research to advance our coal gasification efforts and a number of possible methods for accomplishing this conversion are under development. A few, in fact, are now in the pilot plant stage.

We are determined to bring greater focus and urgency to this effort. We have therefore initiated a cooperative program with industry to expand the number of pilot plants, making it possible to test new methods more expeditiously so that the appropriate technology can soon be selected for a large-scale demonstration plant.

The Federal expenditure for this cooperative program will be expanded to $20 million a year. Industry has agreed to provide $10 million a year for this effort. In general, we expect that the Government will continue to finance the larger share of pilot plants and that industry will finance the larger share of the demonstration plants. But again, the important point is that both the Government and industry are now strongly committed to move ahead together as promptly as possible to make coal gasification a commercial reality.

D. OTHER RESEARCH AND DEVELOPMENT EFFORTS

The fast breeder reactor, sulfur oxide controls and coal gasification represent our highest priority research and development projects in the clean energy field. But they are not our only efforts. Other ongoing projects include:

—*Coal Mine Health and Safety Research.* In response to a growing concern for the health and safety of the men who mine the Nation's coal and in accordance with the Federal Coal Mine Health and Safety Act of 1969, the Bureau of Mines research effort has been increased from a level of $2 million in Fiscal Year 1969 to $30 million in Fiscal Year 1972.

—*Controlled Thermonuclear Fusion Research.* For nearly two decades the Government has been funding a sizeable research effort designed to harness the almost limitless energy of nuclear fusion for peaceful purposes. Recent progress suggests that the scientific feasibility of such projects may be demonstrated in the 1970s and we have therefore requested an additional $2 million to supplement the budget in this field for Fiscal Year 1972. We hope that work in this promising area will continue to be expanded as scientific progress justifies larger scale programs.

—*Coal Liquefaction.* In addition to its coal gasification work, the Department of the Interior has underway a major pilot plant program directed toward converting coal into cleaner liquid fuels.

—*Magnetohydrodynamic Power Cycles.* MHD is a new and more efficient method of converting coal and other fossil fuels into electric energy by burning the fuel and passing the combustion products through a magnetic field at very high temperatures. In partnership with the electric power industry, we have been working to develop this new system of electric power generation.

—*Underground Electric Transmission.* Objectives have been growing to the overhead placement of high voltage power lines, especially in areas of scenic beauty or near centers of population. Again in cooperation with industry, the Government is funding a research program to develop new and less expensive techniques for burying high voltage electric transmission lines.

—*Nuclear Reactor Safety and Supporting Technology.* The general research and development work for today's commercial nuclear reactors was completed several years ago, but we must continue to fund safety-related efforts in order to ensure the continuance of the excellent safety record in this field. An additional $3 million has recently been requested for this purpose to supplement the budget in Fiscal Year 1972.

—*Advanced Reactor Concepts.* The liquid metal fast breeder is the priority breeder reactor concept under development, but the Atomic Energy Commission is also supporting limited alternate reactor programs involving gas cooled reactors, molten salt reactors and light water breeders.

—*Solar Energy.* The sun offers an almost unlimited supply of energy if we can learn to use it economically. The National Aeronautics and Space Administration and the National Science Foundation are currently reexamining their efforts in this area and we expect to give greater attention to solar energy in the future.

The key to meeting our twin goals of supplying adequate energy and protecting the environment in the decades ahead will be a balanced and imaginative research and development program. I have therefore asked my Science Adviser, with the cooperation of the Council on Environmental Quality and the interested agencies, to make a detailed assessment of all of the technological opportunities in this area and to recommend additional projects which should receive priority attention.

2. MAKING AVAILABLE THE ENERGY RESOURCES OF FEDERAL LANDS

Over half of our Nation's remaining oil and gas resources, about 40 percent of our coal and uranium, 80 percent of our oil shale, and some 60 percent of our geothermal energy sources are now located on Federal lands. Programs to make these resources available to meet the growing energy requirements of the Nation are therefore essential if shortages are to be averted. Through appropriate leasing programs, the Government should be able to recover the fair market value of these resources, while requiring developers to comply with requirements that will adequately protect the environment.

To supplement the efforts already underway to develop the fuel resources of the lower 48 States and Alaska, I am announcing today the following new programs:

A. LEASING ON THE OUTER CONTINENTAL SHELF—AN ACCELERATED PROGRAM

The Outer Continental Shelf has proved to be a prolific source of oil and gas, but it has also been the source of troublesome oil spills in recent years. Our ability to tap the great potential of offshore areas has been seriously hampered by these environmental problems.

The Department of the Interior has significantly strengthened the environmental protection requirements controlling offshore drilling and we will continue to enforce these requirements very strictly. As a prerequisite to Federal lease sales, environmental assessments will be made in accordance with section 102 of the National Environmental Policy Act of 1969.

Within these clear limits, we will accelerate our efforts to utilize this rich source of fuel. In order to expand productive possibilities as rapidly as possible, the accelerated program should include the sale of new leases not only in the highly productive Gulf of Mexico, but also some other promising areas. I am therefore directing the Secretary of the Interior to increase the offerings of oil and gas leases and to publish a schedule for lease offerings on the Outer Continental Shelf during the next 5 years, beginning with a general lease sale and a drainage sale this year.

B. OIL SHALE—A PROGRAM FOR ORDERLY DEVELOPMENT

At a time when we are facing possible energy shortages, it is reassuring to know that there exists in the United States an untapped shale oil resource containing some 600 billion barrels in high grade deposits. At current consumption rates, this resource represents 150 years supply. About 80 billion barrels of this shale oil are particularly rich and well situated for early development. This huge resource of very low sulfur oil is located in the Rocky Mountain area, primarily on Federal land.

At present there is no commercial production of shale oil. A mixture of

problems—environmental, technical and economic—have combined to thwart past efforts at development.

I believe the time has come to begin the orderly formulation of a shale oil policy—not by any head-long rush toward development but rather by a well considered program in which both environmental protection and the recovery of a fair return to the Government are cardinal principles under which any leasing takes place. I am therefore requesting the Secretary of the Interior to expedite the development of an oil shale leasing program including the preparation of an environmental impact statement. If after reviewing this statement and comments he finds that environmental concerns can be satisfied, he shall then proceed with the detailed planning. This work would also involve the States of Wyoming, Colorado and Utah and the first test lease would be scheduled for next year.

C. GEOTHERMAL ENERGY

There is a vast quantity of heat stored in the earth itself. Where this energy source is close to the surface, as it is in the Western States, it can readily be tapped to generate electricity, to heat homes, and to meet other energy requirements. Again, this resource is located primarily on Federal lands.

Legislation enacted in recent months permits the Federal government, for the first time, to prepare for a leasing program in the field of geothermal energy. Classification of the lands involved is already underway in the Department of the Interior. I am requesting the Secretary of the Interior to expedite a final decision on whether the first competitive lease sale should be scheduled for this fall—taking into account, of course, his evaluation of the environmental impact statement.

3. NATURAL GAS SUPPLY

For the past 25 years, natural gas has supplied much of the increase in the energy supply of the United States. Now this relatively clean form of energy is in even greater demand to help satisfy air quality standards. Our present supply of natural gas is limited, however, and we are beginning to face shortages which could intensify as we move to implement the air quality standards. Additional supplies of gas will therefore be one of our most urgent energy needs in the next few years.

Federal efforts to augment the available supplies of natural gas include:

—Accelerated leasing on Federal lands to speed discovery and development of new natural gas fields.

—Moving ahead with a demonstration project to gasify coal.

—Recent actions by the Federal Power Commission providing greater incentives for industry to increase its search for new sources of natural gas and to commit its discoveries to the interstate market.

—Facilitating imports of both natural and liquefied gas from Canada and from other nations.

—Progress in nuclear stimulation experiments which seek to produce natural gas from tight geologic formations which cannot presently be utilized in ways which are economically and environmentally acceptable.

This administration is keenly aware of the need to take every reasonable action to enlarge the supply of clean gaseous fuels. We intend to take such action and we expect to get good results.

4. IMPORTS FROM CANADA

Over the years, the United States and Canada have steadily increased their trade in energy. The United States exports some coal to Canada, but the major items of trade are oil and gas which are surplus to Canadian needs but which find a ready market in the United States.

The time has come to develop further this mutually advantageous trading relationship. The United States is therefore prepared to move promptly to permit Canadian crude oil to enter this country, free of any quantitative restraints, upon agreement as to measures needed to prevent citizens of both our countries from being subjected to oil shortages, or threats of shortages. We are ready to proceed with negotiations and we look to an early conclusion.

5. TIMELY SUPPLIES OF NUCLEAR FUELS

The Nation's nuclear fuel supply is in a state of transition. Military needs are now relatively small but civilian needs are growing rapidly and will be our dominant need for nuclear fuel in the future. With the exception of uranium enrichment, the nuclear energy industry is now in private hands.

I expect that private enterprise will eventually assume the responsibility for uranium enrichment as well, but in the meantime the Government must carry out its responsibility to ensure that our enrichment capacity expands at a rate consistent with expected demands.

There is currently no shortage of enriched uranium or enriching capacity. In fact, the Atomic Energy Commission has substantial stocks of enriched uranium which have already been produced for later use. However, plant expansions are required so that we can meet the growing demands for nuclear fuel in the late 1970's—both in the United States and in other nations for which this country is now the principal supplier.

The most economical means presently available for expanding our capacity in this field appears to be the modernization of existing gaseous diffusion plants at Oak Ridge, Tennessee; Portsmouth, Ohio; and Paducah, Kentucky—through a Cascade Improvement Program. This program will take a number of years to complete and we therefore believe that it is prudent to initiate the program at this time rather than run the risk of shortages at a later date. I am therefore releasing $16 million to start the Cascade Improvement Program in Fiscal Year 1972. The pace of the improvement program will be tailored to fit the demands for enriched uranium in the United States and in other countries.

6. USING OUR ENERGY MORE WISELY

We need new sources of energy in this country, but we also need to use existing energy as efficiently as possible. I believe we can achieve the ends we desire—homes warm in winter and cool in summer, rapid transportation, plentiful energy for industrial production and home appliances—and still place less of a strain on our overtaxed resources.

Historically, we have converted fuels into electricity and have used other sources of energy with ever increasing efficiency. Recent data suggest, however, that this trend may be reversing—thus adding to the drain on available resources. We must get back on the road of increasing efficiency—both at the point of production and at the point of consumption, where the consumer himself can do a great deal to achieve considerable savings in his energy bills.

We believe that part of the answer lies in pricing energy on the basis of its full costs to society. One reason we use energy so lavishly today is that the price of energy does not include all of the social costs of producing it. The costs incurred in protecting the environment and the health and safety of workers, for example, are part of the real cost of producing energy—but they are not now all included in the price of the product. If they were added to that price, we could expect that some of the waste in the use of energy would be eliminated. At the same time, by expanding clean fuel supplies, we will be working to keep the overall cost of energy as low as possible.

It is also important that the individual consumer be fully aware of what his energy will cost if he buys a particular home or appliance. The efficiency of home heating or cooling systems and of other energy intensive equipment are determined by builders and manufacturers who may be concerned more with the initial cost of the equipment than with the operating costs which will come afterward. For example, better thermal insulation in a home or office building may save the consumer large sums in the long run—and conserve energy as well—but for the builder it merely represents an added expense.

To help meet one manifestation of this problem, I am directing the Secretary of Housing and Urban Development to issue revised standards for insulation applied in new federally insured homes. The new Federal Housing Administration standards will require sufficient insulation to reduce the maximum permissible heat loss by about one-third for a typical 1200 square foot home—and by even more for larger homes. It is estimated that the fuel savings which will result each year from the application of these new standards will, in an average climate, equal the cost of the additional insulation required.

While the Federal Government can take some actions to conserve energy through such regulations, the consumer who seeks the most for his energy dollar in the marketplace is the one who can have the most profound influence. I am therefore asking my Special Assistant for Consumer Affairs—in cooperation with industry and appropriate Government agencies—to gather and publish additional information in this field to help consumers focus on the operating costs as well as the initial cost of energy intensive equipment.

In addition, I would note that the Joint Board on Fuel Supply and Fuel Transport chaired by the Director of the Office of Emergency Preparedness is developing energy conservation measures for industry, government, and the general public to help reduce energy use in times of particular shortage and during pollution crises.

7. POWER PLANT SITING

If we are to meet growing demands for electricity in the years ahead, we cannot ignore the need for many new power plants. These plants and their associated transmission lines must be located and built so as to avoid major damage to the environment, but they must also be completed on time so as to avoid power shortages. These demands are difficult to reconcile—and often they are not reconciled well. In my judgment the lesson of the recent power shortages and of the continuing disputes over power plant siting and transmission line routes is that the existing institutions for making decisions in this area are not adequate for the job. In my Special Message to the Congress on the Environment last February, I proposed legislation which would help to alleviate these problems through longer range planning by the utilities and through the establishment of State or regional agencies to license new bulk power facilities prior to their construction.

Hearings are now being held by the Interstate and Foreign Commerce Committee of the House of Representatives concerning these proposals and other measures which would provide an open planning and decision-making capacity for dealing with these matters. Under the administration bill, long-range expansion plans would be presented by the utilities ten years before construction was scheduled to begin, individual alternative power plant sites would be identified five years ahead, and detailed design and location of specific plants and transmission lines would be considered two years in advance of construction. Public hearings would be held far enough ahead of construction so that they could influence the siting decision, helping to avoid environmental problems without causing undue construction delays. I urge the Congress to take prompt and favorable action on this important legislative proposal. At the same time steps will be taken to ensure that Federal licenses and permits are handled as expeditiously as possible.

8. THE ROLE OF THE SULFUR OXIDES EMISSIONS CHARGE

In my environmental message last February I also proposed the establishment of a sulfur oxides emissions charge. The emissions charge would have the effect of building the cost of sulfur oxide pollution into the price of energy. It would also provide a strong economic incentive for achieving the necessary performance to meet sulfur oxide standards.

The funds generated by the emissions charge would be used by the Federal Government to expand its programs to improve environmental quality, with special emphasis on the development of adequate supplies of clean energy.

9. GOVERNMENT REORGANIZATION—AN ENERGY ADMINISTRATION

But new programs alone will not be enough. We must also consider how we can make these programs do what we intend them to do. One important way of fostering effective performance is to place responsibility for energy questions in a single agency which can execute and modify policies in a comprehensive and unified manner.

The Nation has been without an integrated energy policy in the past. One reason for this situation is that energy responsibilities are fragmented among several agencies. Often authority is divided according to types and uses of energy. Coal, for example, is handled in one place, nuclear energy in another—but responsibility for considering the impact of one on the other is not assigned to any single authority. Nor is there any single agency responsible for developing new energy sources such as solar energy or new conversion systems such as the fuel cell. New concerns—such as conserving our fossil fuels for non-fuel uses—cannot receive the thorough and thoughtful attention they deserve under present arrangements.

The reason for all these deficiencies is that each existing program was set up to meet a specific problem of the past. As a result, our present structure is not equipped to handle the relationships between these problems and the emergence of new concerns.

The need to remedy these problems becomes more pressing every day. For example, the energy industries presently account for some 20 percent of our investment in new plant and equipment. This means that inefficiencies resulting from uncoordinated government programs can be very costly to our economy. It is also true that energy sources are becoming increasingly interchangeable. Coal can be converted to gas, for example, and even to synthetic crude oil. If the Government is to perform adequately in the energy field, then it must act through an agency which has sufficient strength and breadth of responsibility.

Accordingly, I have proposed that all of our important Federal energy resource development programs be consolidated within the new Department of Natural Resources.

The single energy authority which would thus be created would be better able to clarify, express, and execute Federal energy policy than any unit in our present structure. The establishment of this new entity would provide a focal point where energy policy in the executive branch could be harmonized and rationalized.

One of the major advantages of consolidating energy responsibilities would be the broader scope and greater balance this would give to research and development work in the energy field. The Atomic Energy Commission, for instance, has been successful in its mission of advancing civilian nuclear power, but this field is now intimately interrelated with coal, oil and gas, and Federal electric power programs with which the Atomic Energy Commission now has very little to do. We believe that the planning and funding of civilian nuclear energy activities should now be consolidated with other energy efforts in an agency charged with the mission of insuring that the total energy resources of the nation are effectively utilized. The Atomic Energy Commission would still remain intact, in order to execute the nuclear programs and any related energy research which may be appropriate as part of the overall energy program of the Department of Natural Resources.

Until such time as this new Department comes into being, I will continue to look to the Energy Subcommittee of the Domestic Council for leadership in analyzing and coordinating overall energy policy questions for the executive branch.

CONCLUSION

The program I have set forth today provides the basic ingredients for a new effort to meet our clean energy needs in the years ahead.

The success of this effort will require the cooperation of the Congress and of the State and local governments. It will also depend on the willingness of industry to meet its responsibilities in serving customers and in making necessary capital investments to meet anticipated growth. Consumers, too, will have a key role to play as they learn to conserve energy and as they come to understand that the cost of environmental protection must, to a major extent, be reflected in consumer prices.

I am confident that the various elements of our society will be able to work together to meet our clean energy needs. And I am confident that we can therefore continue to know the blessings of both a high-energy civilization and a beautiful and healthy environment.

RICHARD NIXON.

THE WHITE HOUSE, *June 4, 1971.*

PRESIDENT NIXON'S ENERGY MESSAGE

Mr. PASTORE. Mr. President, the Senate has just received from the President of the United States his message on the energy problem which confronts our country today and will confront us in the days to come.

I ask unanimous consent to have printed in the RECORD a fact sheet which accompanies the message from the President.

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

(See exhibit 1.)

Mr. PASTORE. Mr. President, I believe that this message is in the spirit and in the context of the highest form of Presidential responsibility. It reveals the exemplary quality of great leadership on the part of the President in recognizing this question and this problem of energy in our country today.

It was my good fortune to have been invited by the President of the United States to attend a Cabinet level meeting on April 13, 1971, a meeting that was attended by all members of the Cabinet together with representatives of the Atomic Energy Commission and Members of Congress.

I was a representative from the Senate,

together with the Senator from Tennessee (Mr. BAKER), Representative CHET HOLIFIELD and Representative JOHN ANDERSON, members of the Joint Committee on Atomic Energy from the House of Representatives, were also present.

We discussed in very exhaustive fashion some of the problems that confront us in this area. We suggested some of the possible solutions.

I want to point out that this was a bipartisan meeting. I talked with the President of the United States only this morning, just a short time ago, to compliment him on his message. He was very much interested in the Congress knowing and in the people knowing that this is a bipartisan effort.

And that is just what it is—bipartisan.

This message is all-inclusive. It will have far-reaching effects. It covers the matter of coal, the matter of oil, the matter of gas, and the matter of nuclear energy.

One thing that, of course, impresses me most of all in the message is that part that has to do with atomic energy, particularly our effort in the way of developing a prototype of a breeder reactor.

I do not know how many Members of the Senate are familiar with this process. If we are able to achieve a breeder reactor, that reactor will produce more fuel than it consumes. If we are able to bring that about in a way competitive with other fossil fuels and the consumption of fossil fuels, I think we will have an answer to the threat of brownouts and blackouts for all time to come.

The President of the United States has made this a goal. He has made it a national policy, as I read his statement. And I applaud him for it. I repeat that it is in line with the highest form of leadership on this very important subject.

The President has taken a very forward step in suggesting further research work along the lines of removing sulfur from coal and producing gas from coal. He has in mind the very probable shortage we will experience in natural gas within a very short time to come.

I might say at this juncture, Mr. President, that back in 1962—on March 17, 1962—President Kennedy directed the Atomic Energy Commission to make a very, very intensive study of the energy situation in this country. In November of that year, a comprehensive report was made. This, I think, should be must reading by every Member of the Congress.

That report brought out very clearly that by the turn of this century we will need seven times more energy that we are consuming today, because every 10 years—and perhaps less—we double our demand for energy. Here we are, the most industrial nation in the world. But if we are to maintain our primacy and industrial efficiency, we will have to develop this new source of energy. The only realistic alternative that is available to us is nuclear energy.

There has been some talk that we should develop thermonuclear energy, which is similar to the energy produced in the sun. When this process becomes a reality it can use salt water as a source of fuel. Our best information is that it might take 20, 30, or 40 years. We cannot wait until we get to that point, if ever. There is something we must do in the meantime. I daresay there are three nations in the world who are today experimenting with breeder reactors. They are approaching the point of realization. We are a little behind in this, although we are foremost in the peaceful uses of atomic energy.

If the splitting of the atom has any significance at all, at any time, it must be for peaceful purposes. If I thought for one moment that my responsibility on the Joint Committee on Atomic Energy would be solely and exclusively to develop bigger and better bombs, I would resign from that Joint Committee today.

There is only one thing that stimulates my enthusiasm in working on that committee. That is the development of the peaceful atom.

That peaceful purpose was emphasized in 1954 when we amended the law and I was the manager on the Senate floor of that particular amendment. I think we ought to pursue this purpose—and we can make progress. And I am so happy that the President of the United States has taken the leadership and has sent to the Congress a very comprehensive message. I applaud him for it.

I sincerely hope that the President will soon implement it with specific suggestions. I sincerely hope and pray that the Congress of the United States will support him in this. Surely I shall.

I repeat this is not a bipartisan endeavor. This is a nonpartisan all-American endeavor to achieve an alternate source of energy, to bring about a better solution to the pollution problem. I sincerely hope it will receive the support of all of my colleagues.

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

Mr. STENNIS. Mr. President, I yield 1 additional minute to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 1 additional minute.

Mr. PASTORE. Mr. President, I conclude by saying again that this is a most timely message. It is important to the people to all the country. It is the one answer that we have for blackouts and brownouts. It is the one answer we have for purification of the air in this testing time of ecology.

I thank my friend, the Senator from Mississippi, for giving me this time to make the statement, and I again applaud and compliment the President of the United States for his great leadership.

EXHIBIT 1

PRESIDENT'S ENERGY MESSAGE

FACT SHEET

Background

Last August the President formed a Committee of the Domestic Council to study the National Energy situation. This committee chaired by the Chairman of the Council of Economic Advisors, includes: the Secretary of State, the Secretary of the Interior, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, the President's Science Advisor, the Chairman of the Council of Environmental Quality, the Director of the Office of Emergency Preparedness, Chairman of the Federal Power Commission, Chairman of the Atomic Energy Commission, the Special Assistant to the President on Consumer Affairs, and the Director of the Office of Management and Budget.

The subcommittee first dealt with the short-term energy outlook and issued a report last September. During the past eight months the subcommittee has been studying the longer-term energy problems confronting the nation. Its deliberations pointed up the key problem of obtaining sufficient energy supply in a clean form to meet environmental concerns. The subcommittee considered a wide variety of possible federal actions to augment clean energy supplies and recently made its recommendations to the President.

Purpose

The energy supply problems of the 1970's are due primarily to the rapidly increasing demand for energy and the strong emphasis on environmental protection which limits the use of many traditional energy supplies. This message outlines the President's program of new initiatives and new commitments to help insure clean energy supplies to meet the nation's growing needs.

Action program

R. & D. FOR CLEAN ENERGY

Sulfur oxide control technology

An increase of $15 million for FY 72 making a total of $26 million available to develop and demonstrate, in partnership with industry, the technology for removing sulfur from the stack gases of power plants and industrial plants burning coal and oil.

Nuclear breeder reactor

A commitment to complete the successful demonstration of the liquid metal fast breeder reactor by 1980. To accomplish this, a supplemental request for $27 million in operating funds for the base program will be made for FY 72. An additional $50 million will be requested for the federal cash contribution to the jointly funded demonstration plant.

Coal gasification

An expanded cooperative pilot plant program totaling $30 million per year aimed at making coal gasification a commercial reality. The Office of Coal Research program would be expanded to $20 million, almost doubling its existing program, while industry has agreed to provide $10 million.

Ongoing research and development

The federal government is funding a broad range of other energy R&D such as coal mine health and safety, fusion power, magnetohydrodynamics and underground electric transmission.

LEASING ENERGY RESOURCES ON FEDERAL LANDS

Accelerated oil and gas leasing on the Outer Continental shelf

Directs the Secretary of the Interior to increase oil and gas lease offering on the Outer Continental Shelf both in the Gulf of Mexico and in other areas which appear promising, and to publish a five-year schedule starting with a general lease sale and a drainage sale this year. This accelerated leasing and production will be carried out under stringent controls to protect the environment.

Oil shale leasing and development

Requests the Secretary of the Interior to expedite development of an orderly oil shale leasing program. Environmental protection and recovery of a fair return to the government are fundamental concerns. If they can be satisfied, first test lease would be scheduled next year.

Geothermal energy

Requests the Secretary of the Interior to expedite the scheduling of a competitive lease sale this fall under recently enacted

legislation providing again that environmental concerns can be satisfied.

OTHER FEDERAL ACTIONS TO FOSTER CLEAN ENERGY SUPPLY

Natural gas

Relates the various actions taken in this message and previously to increase the supplies of clean gaseous fuels.

Imports from Canada

Indicates the willingness of the United States to remove quantitative restrictions on Canadian oil imports providing an agreement concerning the security of this supply can be negotiated with Canada.

Nuclear fuels

Announces the release of $16 million to begin the Cascade Improvement Program, a project to modernize and expand the present capacity of the gaseous diffusion plants which enrich the uranium fuel for nuclear power plants.

ENERGY UTILIZATION

Revised Federal Housing Administration insulation standards

Directs the Secretary of HUD to issue revised thermal insulation standards which will reduce the maximum permissible heat loss from new federally insured homes.

Improved consumer information

Requests the Special Assistant for Consumer Affairs to gather and publish information for consumers on energy intensive equipment to facilitate intelligent choices.

Energy conservation

Notes the development of emergency energy conservation measures for industry, government, and the general public by the Joint Board on Fuel Supply and Fuel Transport.

LEGISLATIVE PROPOSALS

Power plant siting

Calls upon Congress to take speedy action on the Administration's existing legislative proposal to improve the procedures for siting power plants and transmission lines. The procedures involve a system of long-range open planning and preconstruction approval by a state or regional agency.

Sulfur oxides emissions charge

Notes the sulfur oxides emissions charge proposed in the environmental message which would provide an incentive for the achievements of sulfur oxide standards and provide funds to develop clean energy supplies.

GOVERNMENT REORGANIZATION

An energy administration

Discusses the Department of Natural Resources which would contain a single structure uniting all important energy resource development programs. The planning and funding of civilian nuclear energy activities would be consolidated within the Department of Natural Resources, but the Atomic Energy Commission would remain intact to execute the nuclear programs and any related energy research.

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.

The PRESIDING OFFICER. Who yields time?

Mr. HATFIELD. Mr. President, I yield myself 15 minutes.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. HATFIELD. Mr. President, I would be happy to yield to the Senator from West Virginia for that purpose.

PRIVILEGE OF THE FLOOR

Mr. BYRD of West Virginia. Mr. President, because of the fact that the distinguished Senator from South Dakota (Mr. McGOVERN) is convalescing from a recent operation, he needs assistance on the floor today during the rollcall votes. I therefore ask unanimous consent that he be accompanied during the rollcall votes today by a member of his staff, Mr. John Holum.

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

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. HATFIELD. Mr. President, I do not think it is necessary for the benefit of those on the floor to go over in great detail the arguments we have used for the support of the pending amendment, that which would, in effect, not renew the induction power to the President and thereby bring the draft to a halt on June 30, 1971. I think that those of us who are present on the floor have heard each others' arguments for the last 3 days as they pertain to this subject, and those who are not here will not have a chance to read it in the RECORD until tomorrow anyway.

I think it is an interesting commentary on the way the Senate proceeds on an issue which is so vital and so important to so many young people and their families in this country today. Throughout this whole debate there has been a very clear distinction drawn between those who have relied very heavily upon emotion and upon opinions that are based upon polls taken in high schools with one hand raised with two hands raised, or three hands raised, supposedly passing for scientific polls or some kind of scientific data.

On the other hand, I think it has been very apparent in the record that those of us who have argued in support of this amendment have at least attempted and tried diligently to base our whole rationale and our entire argument on clearly established scientific data and information that has some validity to it other than just a mere personal opinion. I do not deny the role of personal opinion in any judgment. I think that is natural and it is all right. I respect the opinions of others. I respect those who disagree with me on certain issues and on this issue.

However, I say that Senators in passing on such an issue as this should look at the data, the statistics, and the evidence presented from an unemotional base and without the elements of fear and the other elements that have been used.

Let us take an example. We have been told we cannot put into jeopardy the great issue of national security; that this Nation cannot afford to be placed in that kind of position of jeopardy. The implication is that those of us who support this amendment are willing to put our national security into jeopardy. This is not the case.

The response is interesting that when we call upon those who use this argument to define "national security" and to define it in reasonable data and statistics.

As an example, the question is asked, "What is the accession rate necessary to maintain a sound manpower level to maintain the national security posture?" After a few days we are able to get together on one fundamental and vital statistic, and that is that we have been told by the Pentagon—and I must say that the chairman of the Committee on Armed Services, Mr. STENNIS, and I agree on one basic statistic—that it takes a 432,000 accession rate to maintain a 2.4 million standing military force, the recomendation of the Armed Services Committee.

With that one basic agreed foundation stone and unemotional statistic, what is the requirement we have as Senators to make certain that our Nation can have a 432,000 accession rate in fiscal year 1972?

The Pentagon tells us they expect if we had no draft after June 30, 1971, we could maintain that accession rate and have a shortfall of only 24,000 to 44,000. That is the range of the shortfall. In other words, that is the gap between the required level of 2.4 million men with an accession rate of 432,000. We would have a shortfall of 24,000 to 44,000. That is without a pay increase. If we implement a pay increase, obviously we are going to get far more volunteers than if we go out and try to get people to volunteer at the present pay level. At the present time, we have 43,000 military families on welfare. They have been able to be certified for welfare, because of their poverty status due to their inequitable pay scale, and they are getting welfare checks at the same time they are in the military. That figure has been in the range of 10,000 to 43,000.

The simple proposition is that if we had an equitable pay scale, and whether one is for the draft or against the draft, the Nation should provide its military personnel with an adequate pay scale, one that is comparable to civilian pay, it is obvious that we could fill that gap to meet that 2.4 million level. But if we want to be miserly and create an illusion of maintaining virtually a poor man's Army to give ourselves some therapeutic reaction or benefit, whatever it might be, and have no pay increase, we could still meet that 24,000 to 44,000, but we must have internal reforms in the military.

I stated yesterday and I will state again today that in the Journal of the Armed Forces General Forsythe said clearly there are 95,000 soldiers doing nothing but KP duty and mowing lawns. There are many more who are bartending in officers clubs and who are driving as chauffeurs for admirals and generals.

Those duties could be turned over from the military to civilians and those men who are trained for military duty could perform military functions. There is an obvious example of an instance where

we would not be endangering our national security by requiring an end to the draft on June 30.

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

Mr. HATFIELD. I am glad to yield to the Senator from Ohio.

Mr. SAXBE. Has the Senator considered the future of the reserve elements of the military services, and what would happen to them without the pressure of the draft?

Mr. HATFIELD. Yes, that was considered by a very excellent report of a task force of the Gates Commission, which I have studied carefully. It recognizes we could expect a 25-percent impact. Again, I think if one looks at the study he would find they recommended an increase in reserve pay so that they would receive the same kind of parallel increase that would attract a good solid reserve status.

Mr. SAXBE. Does the Senator believe that increasing the pay would induce people to serve in a unit in their hometowns?

Mr. HATFIELD. Yes, I believe so. As commander in chief of the Oregon National Guard for 8 years I was somewhat familiar with the attraction to the Reserve program, as represented by the National Guard, and I know the kind of attraction we had and the response we had, and it was excellent.

Mr. SAXBE. I served as a battalion commander of a unit when there was no draft pressure. I saw a decline not only in numbers, but also in quality of the men who served in that unit. There was no pressure for them to join and very little for them to attend. The pressure at the present time is toward a more efficient Reserve, and that is the tradition of the American military.

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

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

The PRESIDING OFFICER. The Senator has 26 minutes remaining.

Mr. HATFIELD. Mr. President, I yield myself 10 additional minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. HATFIELD. I yield to the Senator from Ohio.

Mr. SAXBE. The tradition of the Reserve units is one of our finest traditions. With regard to those who say, "Well, if we are invaded we will fight," it is obvious that unless a person is trained he is practically useless in a modern military organization. So if we are going to have a backlog of people who are motivated to defend their homes the emphasis must be on Reserve training.

At the present time it is estimated that in units I have personally contacted about 75 percent of the men are draft motivated. In other words, they would rather serve at home, take a 4-month training course and stay with their jobs and families than go away for 2 years' active duty and go to Vietnam.

If we are going to lose this cross-section of the community and turn it into a poor man's Reserve, as I can testify from firsthand experience, it will not be an effective deterrent for an invasion and I cannot help, but feel that if we fail to properly concern ourselves with the Reserve we are kidding ourselves as to what would be the effectiveness of any last ditch Reserve we have.

Mr. HATFIELD. I appreciate the Senator's concern and I respect his personal experience that he brings to us from one Reserve unit. But I can only say we have to weigh that against a very extensive report, with which I am sure the Senator is familiar, by Herman Boland, who was the chairman of a subcommittee of the Gates Commission. There we have an analysis of this matter in which it is stated that we can maintain an active, effective Reserve, and by the kinds of incentives we are talking about, as related to the regular military; that is, pay increases and other reforms. The conclusion is that we can achieve that goal and objective without the fears the Senator expresses. I do not contradict the Senator's own personal experience. I am saying we have to weigh that against this kind of evidence which becomes a judgment factor.

Mr. President, I would like to address myself briefly to the question of a black and poor people's army. We have had great lamentations on the floor about turning our Army into a poor people's army and a black man's army. Let us remember that 50 percent more blacks are being rejected under the draft than whites. We find rejections of the poor because of their inadequate diet, because of their lack of opportunity for education, because of deficiencies which are characteristic of the poor, black or white. So today we are rejecting an overproportion of the poor even for the draft.

If we are going to maintain the middle-class characteristic of the military by raising the pay and by taking people out of welfare, we will find a better chance of attracting people from the middle-class groups by having a volunteer army. But, more importantly, why should we who are from the white middle class attempt to speak for the black and the poor today, when not one black leadership and not one poor leadership supports the continuation of the draft? Cesare Chavez, representing the Spanish-speaking minority, Congressman BADILLO, representing the Puerto Rican minority, the black caucus of the House of Representatives, Mrs. Martin Luther King, Dick Gregory, Roy Wilkins, and on and on—not one of those people or representatives of the poor or the black supports the continuation of the draft, and they certainly represent the concerns of their own people.

I think it is far better evidence to take their support or their viewpoint than it is for us more or less to presume to speak for them and to pontificate about the possibility of a poor people's army or a black man's army when the black and the poor themselves are opposed to the draft.

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

Mr. HATFIELD. Mr. President, I yield myself 5 minutes.

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

Mr. HATFIELD. I yield.

Mr. FULBRIGHT. The day before yesterday the Senator referred to the case of Orlando versus Laird. I ask unanimous consent that a photostatic transcript of that decision be placed in the RECORD at this point.

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

DECISION

[U.S. Court of Appeals for the Second Circuit Nos. 477 and 478—September Term, 1970.]

(Argued March 3, 1971, decided April 20, 1971.)

Docket Nos. 35270 and 35535

Salvatore Orlando, plaintiff-Appellant, v. Melvin Laird, individually and as Secretary of Defense of the United States; and Stanley R. Resor, individually and as Secretary of the Army of the United States, Defendants-Appellees.

Malcolm A. Berk, Plaintiff-Appellant, v. Melvin Laird, individually, and as Secretary of Defense of the United States, Stanley R. Resor, individually, and as Secretary of the Army of the United States, and Col. T. F. Spencer, individually, and as Chief of Staff, United States Army Engineers Center, Fort Belvoir, Defendants-Appellees.

Before: Lumbard, *Chief Judge*, Kaufman and Anderson, *Circuit Judges*.

Appeal by plaintiff Berk from summary judgment in favor of the defendants and dismissal of his action in the United States District Court for the Eastern District of New York, Orrin G. Judd, *Judge*, and appeal by plaintiff Orlando from denial of his petition for a preliminary injunction in the United States District Court for the Eastern District of New York, John F. Dooling, Jr., *Judge*, in actions in which both plaintiffs challenged the constitutional sufficiency of the authority of the executive branch to wage war in Vietnam. Affirmed.

Leon Friedman, Esq., New York Civil Liberties Union, N.Y., N.Y. (Burt Neuborne, Esq., Kunstler, Kunstler & Hyman, Norman Dorsen, Esq., and Kay Ellen Hayes, Esq., New York, N.Y., on the brief), *for Plaintiff-Appellant Orlando*.

Norman Dorsen, Esq., N.Y.U. School of Law, N.Y., N.Y. (Leon Friedman, Esq., Burt Neuborne, Esq., New York Civil Liberties Union, Theodore C. Sorensen, Esq., Kay Ellen Hayes, Esq., and Marc Luxemberg, Esq., New York, N.Y., on the brief), *for Plaintiff-Appellant Berk*.

Edward R. Neaher, United States Attorney, Eastern District of New York (Robert A. Morse, Chief Assistant U.S. Att'y, David G. Trager, Esq., Edward R. Korman, Esq., and James D. Porter, Jr., Esq., Assistant U.S. Attorneys, Eastern District of New York, on the brief), *for Defendants-Appellees*.

Anderson, *Circuit Judge:*

Shortly, after receiving orders to report for transfer to Vietnam, Pfc. Malcolm A. Berk and Sp. E5 Salvatore Orlando, enlistees in the United States Army, commenced separate actions in June, 1970, seeking to enjoin the Secretary of Defense, the Secretary of the Army and the commanding officers, who signed their deployment orders, from enforcing them. The plaintiffs-appellants contended that these executive officers exceeded their constitutional authority by ordering them to participate in a war not properly authorized by Congress.

In Orlando's case the district court held in abeyance his motion for a preliminary injunction pending disposition in this court of Berk's expedited appeal from a denial of the same preliminary relief. On June 19, 1970 we affirmed the denial of a preliminary injunction in *Berk* v. *Laird*, 429 F.2d 302 (2 Cir 1970), but held that Berk's claim that orders to fight must be authorized by joint executive-legislative action was justiciable. The case was remanded for a hearing on his application for a permanent injunction. We

held that the war declaring power of Congress, enumerated in Article I, section 8, of the Constitution, contains a "discoverable standard calling for *some* mutual participation by Congress," and directed that Berk be given an opportunity "to provide a method for resolving the question of when specified joint legislative-executive action is sufficient to authorize various levels of military activity," and thereby escape application of the political question doctrine to his claim that congressional participation has been in this instance, insufficient.

After a hearing on June 23, 1970, Judge Dooling in the district court denied Orlando's motion for a preliminary injunction on the ground that his deployment orders were constitutionally authorized, because Congress, by "appropriating the nation's treasure and conscripting its manpower," had "furnished forth the sinew of war" and because "the reality of the collaborative action of the executive and the legislature required by the Constitution has been present from the earliest stages." *Orlando* v. *Laird*, ——— F. Supp. ———, ——— (E.D.N.Y. 1970).

On remand of Berk's action, Judge Judd of the district court granted the appellees' motion for summary judgment. Finding that there had been joint action by the President and Congress, he ruled that the method of congressional collaboration was a political question. *Berk* v. *Laird*, —— F. Supp. ——, —— (E.D.N.Y. 1970).

The appellants contend that the respective rulings of the district court that congressional authorization could be expressed through appropriations and other supporting legislation misconstrue the war declaring clause, and alternatively, that congressional enactments relating to Vietnam were incorrectly interpreted.

It is the appellants' position that the sufficiency of congressional authorization is a matter within judicial competence because that question can be resolved by "judicially discoverable and manageable standards" dictated by the congressional power "to declare War." See *Baker* v. *Carr*, 369 U.S. 186, 217 (1962); *Powell* v. *McCormack*, 395 U.S. 486 (1969). They interpret the constitutional provision to require an express and explicit congressional authorization of the Vietnam hostilities though not necessarily in the words, "We declare that the United States of America is at war with North Vietnam." In support of this construction they point out that the original intent of the clause was to place responsibility for the initiation of war upon the body most responsive to popular will and argue that historical developments have not altered the need for significant congressional participation in such commitments of national resources. They further assert that, without a requirement of express and explicit congressional authorization, developments committing the nation to war, as a *fait accompli*, became the inevitable adjuncts of presidential direction of foreign policy, and, because military appropriations and other war-implementing enactments lack an explicit authorization of particular hostilities, they cannot, as a matter of law, be considered sufficient.

Alternatively, appellants would have this court find that, because the President requested accelerating defense appropriations and extensions of the conscription laws after the war was well under way, Congress was, in effect, placed in a strait jacket and could not freely decide whether or not to enact this legislation, but rather was compelled to do so. For this reason appellants claim that such enactments cannot, as a factual matter, be considered sufficient congressional approval or ratification.

The Government on the other hand takes the position that the suits concern a nonjusticiable political question; that the military action in South Vietnam was authorized by Congress in the "Joint Resolution to Promote the Maintenance of Internal Peace and Security in Southeast Asia"[1] (the Tonkin Gulf Resolution) considered in connection with the Seato Treaty; and that the military action was authorized and ratified by congressional appropriations expressly designated for use in support of the military operations in Vietnam.

We held in the first Berk opinion that the constitutional delegation of the war-declaring power to the Congress contains a discoverable and manageable standard imposing on the Congress a duty of mutual participation in the prosecution of war. Judicial scrutiny of that duty, therefore, is not foreclosed by the political question doctrine. *Baker* v. *Carr, supra; Powell* v. *McCormack, supra.* As we see it, the test is whether there is any action by the Congress sufficient to authorize or ratify the military activity in question. The evidentiary materials produced at the hearings in the district court clearly disclose that this test is satisfied.

The Congress and the Executive have taken mutual and joint action in the prosecution and support of military operations in Southeast Asia from the beginning of those operations. The Tonkin Gulf Resolution, enacted August 10, 1964 (repealed December 31, 1970) was passed at the request of President Johnson and, though occasioned by specific naval incidents in the Gulf of Tonkin, was expressed in broad language which clearly showed the state of mind of the Congress and its intention fully to implement and support the military and naval actions taken by and planned to be taken by the President at that time in Southeast Asia, and as might be required in the future "to prevent further aggression." Congress has ratified the executive's initiatives by appropriating billions of dollars to carry out military operations in Southeast Asia[2] and by extending the Military Selective Service Act with full knowledge that persons conscripted under that Act had been, and would continue to be, sent to Vietnam. Moreover, it specifically conscripted manpower to fill "the substantial induction calls necessitated by the current Vietnam buildup."[3]

There is, therefore, no lack of clear evidence to support a conclusion that there was an abundance of continuing mutual participation in the prosecution of the war. Both branches collaborated in the endeavor, and neither could long maintain such a war without the concurrence and cooperation of the other.

Although appellants do not contend that Congress can exercise its war-declaring power only through a formal declaration, they argue that congressional authorization cannot, as a matter of law, be inferred from military appropriations or other war-implementing legislation that does not contain an express and explicit authorization for the making of war by the President. Putting aside for a moment the explicit authorization of the Tonkin Gulf Resolution, "we disagree with appellants' interpretation of the declaration clause for neither the language nor the purpose underlying that provision prohibits an inference of the fact of authorization from such legislative action as we have in this instance. The framers' intent to vest the war power in Congress is in no way defeated by permitting an inference of authorization from legislative action furnishing the manpower and materials of war for the protracted military operation in Southeast Asia."

The choice, for example, between an explicit declaration on the one hand and a resolution and war-implementing legislation, on the other, as the medium for expression of congressional consent involves "the exercise of a discretion demonstrably committed to the . . . legislature," *Baker* v. *Carr, supra* at 211, and therefore, invokes the political question doctrine.

Such a choice involves an important area of decision making in which, through mutual influence and reciprocal action between the President and the Congress, policies governing the relationship between this country and other parts of the world are formulated in the best interests of the United States. If there can be nothing more than minor military operations conducted under any circumstances, short of an express and explicit declaration of war by Congress, then extended military operations could not be conducted even though both the Congress and the President were agreed that they were necessary and were also agreed that a formal declaration of war would place the nation in a posture in its international relations which would be against its best interests. For the judicial branch to enunciate and enforce such a standard would be not only extremely unwise but also would constitute a deep invasion of the political question domain. As the Government says, ". . . decisions regarding the form and substance of congressional enactments authorizing hostilities are determined by highly complex considerations of diplomacy, foreign policy and military strategy inappropriate to judicial inquiry." It would, indeed, destroy the flexibility of action which the executive and legislative branches must have in dealing with other sovereigns. "What has been said and done by both the President and the Congress in their collaborative conduct of the military operations in Vietnam implies a consensus on the advisability of not making a formal declaration of war because it would be contrary to the interests of the United States to do so." The making of a policy decision of that kind is clearly within the constitutional domain of those two branches and is just as clearly not within the competency or power of the judiciary.

Beyond determining that there has been some mutual participation between the Congress and the President, which unquestionably exists here, with action by the Congress sufficient to authorize or ratify the military activity at issue, it is clear that the constitutional propriety of the means by which Congress has chosen to ratify and approve the protracted military operations in Southeast Asia is a political question. The form which congressional authorization should take is one of policy, committed to the discretion of the Congress and outside the power and competency of the judiciary, because there are no intelligible and objectively manageable standards by which to judge such actions. *Baker* v. *Carr, supra,* at 217; *Powell* v. *McCormack, supra,* at 518.

The judgments of the district court are affirmed.

Kaufman, Circuit Judge (concurring):

In light of the adoption by Congress of the Tonkin Gulf Resolution, and the clear evidence of continuing and distinctly expressed participation by the legislative branch in the prosecution of the war, I agree that the judgments below must be affirmed.

FOOTNOTES

[1] The two district judges differed over the significance of the Tonkin Gulf Resolution, Pub. Law 88-408, 78 Stat. 384, August 10, 1964, in the context of the entire course of the congressional action which related to Vietnam. Judge Judd relied in part on the Resolution as supplying the requisite congressional authorization; Judge Dooling found that its importance lay in its practical effect on the presidential initiative rather than its constitutional meaning.

Although the Senate repealed the Resolution on June 24, 1970, it remained in effect at the time appellants' deployment orders issued. Cong. Record S. 9670 (June 24, 1970). The repeal was based on the proposition that the Resolution was no longer necessary and amounted to no more than a gesture on the part of the Congress at the time the executive had taken substantial steps to unwind

the conflict, when the principal issue was the speed of deceleration and termination of the war.

[2] In response to the demands of the military operations the executive during the 1960s ordered more and more men and material into the war zone; and congressional appropriations have been commensurate with each new level of fighting. Until 1965, defense appropriations had not earmarked funds for Vietnam. In May of that year President Johnson asked Congress for an emergency supplemental appropriation "to provide our forces [then numbering 35,000] with the best and most modern supplies and equipment." 111 Cong. Rec. 9283 (May 4, 1965). Congress appropriated $700 million for use "upon determination by the President that such action is necessary in connection with military activities in Southeast Asia." Pub. L. 89–18, 79 Stat. 109 (1965). Appropriation acts in each subsequent year explicitly authorized expenditures for men and material sent to Vietnam. The 1967 appropriations act, for example, declared Congress' "firm intention top provide all necessary support for members of the Armed Forces of the United States fighting in Vietnam" and supported "the efforts being made by the President of the United States . . . to prevent an expansion of the war in Vietnam and to bring that conflict to an end through a negotiated settlement . . . ." Pub. L. 90–5, 81 Stat. 5 (1967).

The district court opinion in *Berk* v. *Laird*, —— F. Supp. —— (E.D.N.Y. 1970), sets out relevant portions of each of these military appropriation acts and discusses their legislative history.

[3] In H. Rep. No. 267, 90th Cong., 1st Sess. 38 (1967), in addition to extending the conscription mechanism, Congress continued a suspension of the permanent ceiling on the active duty strength of the Armed Forces, fixed at 2 million men, and replaced it with a secondary ceiling of 5 million. The House Report recommending extension of the draft concluded that the permanent manpower limitations "are much lower than the currently required strength." The Report referred to President Johnson's selective service message which said ". . . that without the draft we cannot realistically expect to meet our present commitments or the requirements we can now foresee and that volunteers alone could be expected to man a force of little more than 2.0 million. The present number of personnel on active duty is about 3.3 million and, it is scheduled to reach almost 3.5 million by June, 1968 if the present conflict is not concluded by then." H. Rep. No. 267, 90th Cong., 1st Sess. 38, 41 (1967).

Mr. FULBRIGHT. It was the first time my attention was called to that case, which, it seems to me, is extremely significant. As I indicated the other day, as a long-time principle, I was not convinced that a purely voluntary professional army was in the long-term interests of the country. I had until this matter was brought up, tentatively decided to vote for an extension of the draft. But I think this case is extremely significant. At least, it is to me. It is the first time such a decision has been brought to my attention. I think this is the first time the court has held as it did in this case, and I read one paragraph:

> Congress has ratified the executive's intiatives by appropriating billions of dollars to carry out military operations in Southeast Asia and by extending the Military Selective Service Act with full knowledge that persons conscripted under that Act had been, and would continue to be, sent to Vietnam. Moreover, it specifically conscripted manpower to fill "the substantial induction calls necessitated by the current Vietnam buildup."

A little further:

> We disagree with appellants' interpretation of the declaration clause for neither the language nor the purpose underlying that provision prohibits an inference of the fact of authorization from such legislative action as we have in this instance. The framers' intent to vest the war power in Congress is in no way defeated by permitting an inference of authorization from legislative action furnishing the manpower and materials of war for the protracted military operation in Southeast Asia.

And so on.

What this means is that if I vote to extend the draft, under the present circumstances of the war in Vietnam, I am thereby endorsing the carrying on of that war. This has really caused me grave concern these last 2 days, since I got the full copy of the decision which I have inserted into the RECORD.

I am bound to say I do not like to think that by voting for the draft, which we have had on many occasions prior to the Vietnamese war, the court would infer from that action that I am thereby endorsing the policy which we are now following in Vietnam.

That inference is utterly inconsistent with what I and others have been trying to do in attempting to assure that the warmaking power resides in the Congress. I had never dreamed of not voting money for the Defense Department, which is a general appropriation. We all know we have to have a Defense Department, and I certainly am not going to vote to have no Defense Department. But in this case, we do not need the draft for this specific purpose. We have had the draft, in times past, when I did approve of the policy which required it.

But with this kind of interpretation by the Court, I find it very difficult to reconcile a vote for extension of the draft at this time. That does not mean that at some future time, and under different circumstances, I would not vote for the draft. I am inclined to think that the infusion of civilian manpower into the Armed Forces is a good thing and consistent with the democratic process.

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

Who yields time?

Mr. HATFIELD. Mr. President, I yield 5 minutes.

Mr. STENNIS. Mr. President, a parliamentary inqury.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. How much time remains? It is not a question of how much time we have left, but there is just so much time on the board, if I may ask.

The PRESIDING OFFICER. The Senator from Oregon has 16 minutes. The Senator from Mississippi has 7 minutes.

Mr. HATFIELD. I yield 5 minutes more from my time.

Mr. FULBRIGHT. I shall not take much time. I wanted this explanation in the RECORD. In effect, in this case, the question raised was whether this was a justiciable question, but the court said, yes, this is a legitimate exercise of congressional authorization and endorsement of the Executive's prosecution of the war in Vietnam.

I have said to the Senator from Mississippi that, over the long term, as a matter of principle, I am not sold on a professional army, but I am also not sold on the war in Vietnam, as the Senator knows. I do not like to cast a vote that, in the words of the court, looks like an endorsement of that war.

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

Mr. FULBRIGHT. I yield.

Mr. STENNIS. By the way, that is not a Supreme Court decision; it is a Court of Appeals decision.

Mr. FULBRIGHT. The Court of Appeals of the Second Circuit.

Mr. STENNIS. With all deference to the Court, that is a mere dictum, I have to say—an incidental thought there—because this is a manpower bill for all of our forces, as the Senator knows, and we could not possibly have anything except a remnant of the services, particularly in this sudden transition, unless we could pass the bill.

I appreciate greatly the Senator's sentiment. I have bottomed my argument on the point that this is not manpower just for the war—as some persons think it is—but the main thrust is for our defense here at home.

Mr. FULBRIGHT. But is not the Senator disturbed about this interpretation that when we vote for this measure, we are in effect endorsing and authorizing the war? Why did we repeal the Gulf of Tonkin resolution? This raises a very serious constitutional question about which the Senator from Mississippi and I were in complete agreement, and I refer to the commitment resolution, dealing with the role of Congress in taking this country into a war. The Senator, I believe, is as concerned about that as I am, and I think this puts a very serious light on it.

I do not think there is anything as important to the country as the cessation of this war at the earliest possible time. I have already committed myself publicly to support the Hatfield-McGovern amendment, which is a direct attack upon this issue through cutting off appropriations.

It would seem to me that if the opinion of this court, which is a circuit court of appeals, is the doctrine that it be followed, I would find myself embarrassed if I were to vote for the extension of the draft under the circumstances.

Has the Senator from Mississippi read this entire case, by the way? I have put it in the RECORD.

Mr. STENNIS. Mr. President, if the Senator will yield, I know of it. But the court did not point out, now, how we could maintain our services, our ICBM's, our Polaris submarines, our nuclear carriers, without manpower of some kind. When you vote for a bill, there are a lot of ingredients in it, and for the Court to single out that this vote is an endorsement of the war, it seems to me, misses the mark and is too broad by any standard.

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

Mr. FULBRIGHT. I am really at the sufferance of the Senator from Oregon. He is yielding time to me.

Mr. HATFIELD. I have yielded time for the colloquy, whatever is needed.

Mr. FULBRIGHT. Very well; I yield.

Mr. GRAVEL. This is on the point of the colloquy as to the requirements for strategic forces. I placed in the RECORD yesterday a table which I received from the Department of Defense, which shows that our total strategic establishment in this country amounts to 134,000 troops. If this super Nation cannot get that many people on a volunteer basis, we are really in trouble.

I address myself only to that point raised by the Senator from Mississippi.

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

Mr. FULBRIGHT. Could I ask a question of the Senator from Mississippi?

Mr. HATFIELD. I yield the Senator from Arkansas 5 minutes for that purpose.

Mr. FULBRIGHT. What would be the Senator's attitude toward an amendment to the effect that a manpower bill is not to be construed as an endorsement of any particular war? That, so far as such a legislative act can be interpreted, in this case extending the drafting of men for the army, is not to be interpreted as this court apparently did interpret it.

Mr. STENNIS. Mr. President, I do not know that we could cover a point like that by legislative mandate. It is an argumentative matter, as the court argued it was, and I argued it was not.

To be frank, I do not think it is proper subject matter for an amendment, but it is a matter of commonsense that we would be left defenseless if we had to literally follow the court's reasoning. And I think we had better leave it on that ground.

Mr. FULBRIGHT. Is that the equivalent of the Senator saying the court was wrong in the way it interpreted the matter?

Mr. STENNIS. With all deference, yes.

Mr. FULBRIGHT. I appreciate that statement, and I also think I agree with the Senator. This question of dealing with a constitutional question by legislative act is always rather difficult. However, the courts do use their powers of interpretation and inference in saying that such and such is the inference that Congress intended; and they use these measures, in effect, to read Congress' mind, or to infer that this is what Congress had in mind.

I certainly want to make it clear that I did not have that in mind when I have supported draft bills in the past. It never occurred to me that that support was related to an endorsement of a specific conflict.

I have the same feeling about appropriations. I agree with the Senator from Mississippi that we have to have a military establishment, but I do not like this idea that thereby we endorse everything the Military Establishment does, or every policy of the President. This seems to me to be a distortion of the constitutional provision of the war powers. It strikes me that way and I wanted to put that into the RECORD, so that at least it can be considered further.

Mr. STENNIS. I thank the Senator.

Had the Senator from Oregon finished?

Mr. HATFIELD. May I finish my remarks?

Mr. STENNIS. Oh, certainly.

Mr. BYRD of West Virginia. Mr. President, would the Senator from Oregon ask for the yeas and nays at this point?

Mr. HATFIELD. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. HATFIELD. Mr. President, what is the time factor at this point?

The PRESIDING OFFICER. Two minutes of the 5 minutes the Senator yielded are remaining; and the Senator has 6 more minutes after that.

Mr. HATFIELD. I yield myself 5 minutes.

Mr. President, to complete the point I was making about a poor man's or black man's army, I think people who argue this are caught in their own trap, because if they are against poverty as such, they would have to favor equitable pay for military personnel, and if equitable pay for military personnel is forthcoming, then the need for the draft no longer exists.

So utilizing the draft to keep the military a middle class type of organization really is impossible, when one looks at the fact that the Pentagon itself has said that since 1965, we have had a constant of 2.1 million true volunteers, even when we had a manpower level of 3.5 million.

Taking the Senate Armed Services Committee's recommended level of 2.4 million, that would mean that we would have to attract but 300,000.

Going back again to both the Gates Commission and the Pentagon's most recent figures, in which they claim the greatest number they could predict as a short fall for a 2.4 million level would be 24,000 to 44,000, I think it is obvious that an equitable pay scale would attract that additional number.

Last, as we look at the draft, I think we have to realize it is a very expensive type of system to maintain for military procurement. It could not meet emergencies. It did not meet the emergency of either Korea, the Berlin airlift, or Vietnam. We have to maintain the standard and the kind of quality of manpower necessary for our military defenses of this country. We can do so under a strictly volunteer organization.

At this point, I ask unanimous consent to have printed in the RECORD study I of the Gates Commission, entitled "The Supply of Volunteers to the Military Services," which shows that the quality would increase under a volunteer service.

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

STUDY 1. THE SUPPLY OF VOLUNTEERS TO THE MILITARY SERVICES

(By Harry J. Gilman)

BACKGROUND

The letter of transmittal of (Volume I) begins with the statement that "We unanimously believe that the nation's interests will be better served by an all-volunteer force, supported by an effective stand-by draft, than by a mixed force of volunteers and conscripts; that steps should be taken promptly to move in this direction; and that the first indispensable step is to remove the present inequity in the pay of men serving their first term in the armed forces." Underlying this and other statements throughout the Commission's report is the acceptance of the general proposition that the recommended improvements in military pay and in other conditions of service will induce an increase in the number of volunteers for military service sufficient to replace those who are currently either inducted or are induced to volunteer only because of the existence of the draft. The studies included Part II of this volume form, *collectively*, the *underlying bases* for many of the staff's estimates and the Commission's recommendations. In particular, these studies examine the relationship between changes in military pay and the flow of initial enlistments, that between changes in military pay and the retention of military personnel, and the effect of the draft on current enlistments and reenlistments.

The terms "collectively" and "underlying bases" were used in the last paragraph to emphasize the fact that the recommended pay increases for military personnel, particularly for those in their first term of service, were based more on the collective conclusions of these studies than on specific estimates derived in them. In general, the studies were too diverse in methods and results and their data base too imperfect to enable the Commission's staff to directly use the individual estimates derived. When specific estimates were used, such as the reenlistment elasticities of supply, they were either the lowest ones or those that were statistically most reliable.

SOME MEASUREMENT AND DATA PROBLEMS

The magnitude of the increase in military pay required to provide an all-volunteer force of a given size depends, 1) on the total military manpower needs in the absence of the draft, 2) on the number of men (and women) that would have been attracted into, and retained by, the military under current levels of military pay and other conditions of service but in the absence of the draft, and 3) on the type and magnitude of the relationship between increments in the levels of military pay (relative to civilian earnings) and initial voluntary enlistments or retention of personnel by the military services. This paper is concerned principally with the derivation of the estimates for items 2) and 3) above.[1]

THE NUMBER OF TRUE VOLUNTEERS IN THE ABSENCE OF THE DRAFT

If the draft is eliminated, the annual manpower deficit that would result is the difference between annual accession requirements, and the number of true volunteers forthcoming given present monetary and non-monetary conditions of service. The size of this deficit is of crucial importance in the estimation of the military pay increase required for its elimination. Other things equal, the larger the number of true volunteers under current levels of pay, the smaller will be the manpower deficit in the absence of the draft and, consequently, the smaller will be the pay increase and the concomitant budgetary outays required for its elimination.

Unfortunately, we do not know the exact number of true volunteers in the current forces, because many who have volunteered did so only under the threat of the draft. We are even more uncertain about the number that would have been in the military services

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in the absence of the draft under current levels of military pay. Moreover, our ability to estimate the number of true volunteers indirectly is attenuated because the data base for this measure is the current military force or the forces in existence during several years preceding Vietnam. The draft has affected both our ability to identify the number of true volunteers among those in their initial term of service and our ability to measure the number of potential voluntary careerists in the absence of the draft. We shall discuss the second problem, the less important of the two problems, first.

THE SIZE OF THE VOLUNTARY CAREER FORCE

It seems reasonable to identify the individuals who are serving in the military beyond their initial tour of duty (the careerists) as "true volunteers." However, the number of such individuals observed in the current forces understates the parallel number that would have been observed in the absence of the draft. This is true because the retention of initial entrants is likely to be higher from among those who are serving on a fully voluntary basis than from among those who are induced to enter the military by the draft. Preliminary evidence for this proposition is found in the observed differences in the retention rates for inductees and enlistees within the enlisted force, and in the differences in retention rates among subgroups of the officer population classified by their method of entry and length or degree of initial commitment to a military career.

Using essentially the same method of estimation, all three of our reenlistment studies (Nelson's study of Army reenlistments, Wilburn's study of Air Force re-enlistments, and Grubert's and Weiher's study of Navy and Marine Corps reenlistment) attempted to isolate and measure the effect of the draft on first term-re-enlistment rates. Based on the measured relationship between the re-enlistment rates among sub-groups of the first term population and their estimated proportions of true volunteers, they concluded that the 1968 initial retention rates would have been higher in the absence of the draft than they were under the draft by about 39% for the Army, 47% for the Air Force, 25 and 20% for the Navy and Marine Corps, respectively. These findings suggest that in the absence of the draft the respective 1968 adjusted first term re-enlistment rates would have been about 24.3% for the Army, 27% for the Air Force, 24.6 and 16.8% for the Navy and Marine Corps. These were, in fact, the rates used in our study to derive the voluntary losses and the corresponding replacement needs at the end of the initial term of service, after the elimination of the draft.

Grubert and Weiher argue in their paper that their own and the other estimates of the effect of the draft on retention are on the high side. Nelson, on the other hand, has shown that at least for the Army the estimates derived in this manner are statistically more reliable than are those based on any other assumption about the draft's impact on retention. In any event, if we have overestimated the expected percentage increase in retention from the mere elimination of the draft, we have applied these percentage increases to the retention rates prevailing in 1968 which were practically the lowest on record.

For example, the average adjusted first-term re-enlistment rates for the 5-year period preceding Vietnam (FY1961–FY1965) were 23.2 percent for the Army, 29.7 percent for the Air Force, and 23.3 and 16.8 percent for the Navy and Marine Corps. These rates are considerably higher than the 17.5, 18.4, 19.7 and 14 percent, respectively, which we used for our base. In fact, our estimated rates for the post-draft period are approximately equal to those that prevailed in the pre-Vietnam period under the then current conditions of the draft. Consequently, our esitmates of the retention rates for the post-draft period are likely to be on the conservative, not on the liberal, side.

THE NUMBER OF TRUE VOLUNTEERS IN THE FIRST-TERM FORCES

If the draft has forced some men to serve in the military under conditions that would have been unacceptable to them otherwise, its elimination will reduce the size of the first-term forces. That is, it will reduce the number of individuals who are serving their initial obligated tour of duty, particularly in the Army. The expected reduction in initial enlistments has a larger effect on the manpower deficit than the expected increase in career personnel resulting from higher first-term re-enlistments.

The importance of this estimate in the derivation of the pay increases required for all voluntary forces is nowhere better illustrated than in two previous studies of the draft. Both of these studies attempted to estimate the pay increments and budgetary outlays required to maintain a voluntary force of 2.65 million men. Their conclusions differed significantly, in part, because they were based on different assumptions about the proportion of true volunteers in the pre-Vietnam first-term forces.[2]

The difficulties faced in estimating the number of true volunteers among those serving their initial tour of duty were no less serious in this study than were those faced in the earlier studies. In fact, the same data sources and with some minor modifications the same two methods of estimating were used in all. All were able to mesaure directly the number of first termers that are classified as "inductees" or "regular enlistees." Unfortunately these two categories do not distinguish "true volunteers" from "draft-induced" volunteers, hence do not provide the direct estimate of true volunteers required in this study.

Like the authors of the earlier studies, we were convinced that the so-called "regular enlistees" contained a mixture of both true volunteers and draft-induced volunteers. Unlike them, however, we were unwilling to assume that no inductee would have volunteered in the absence of the draft. This is simply not true. Indeed, there is a category of inductees that is officially called "voluntary inductees." Even some of the other inductees would have volunteered in the absence of the draft. They currently wait to be drafted for a variety of reasons, one of which is that the draft enables them to try out military services for an initial period of 2 years rather than the 3 or 4 years previously demanded of enlistees. This category also includes many of the socially disadvantaged who were denied entry as regular enlistees because of their inability to meet the higher standards often demanded of enlistees by the preferred service. These higher standards were themselves the result of the fact that in the presence of the draft the favored services could choose from an excess supply of volunteers, whom they will admit into their ranks. Our problem is therefore a two-fold one. to identify the true volunteers within the ranks of both the "regular enlistees" and "inductees."

The available estimates of the number of true volunteers among the regular enlistees are derived from either (1) the observed relationship between changes in the rate of inductions or in the rate of call-ups for pre-induction examinations and the enlistment rate, or (2) from the responses of first-termers to survey questionnaires. We shall call these two methods the "observation" and "survey" methods, respectively.

The various forms of the observation method are all designed to measure the unique impact of the draft on initial enlistments through the observed relationship between changes in the probability of being drafted and changes in the rate of enlistments, holding other things constant. It should be noted that generally this method provides a lower estimate of the impact of the draft and, consequently, a higher estimate of the number of true volunteers among the first-term regular enlistees than does the survey method. If we accepted the results of the observation method, the post-draft manpower deficit would be fairly small even for the 2.5 million men forces, and the task of its elimination would be minimal.

However, these estimates are not too reliable. This is true in part because all of these studies (Fechter's and Cook's studies in this volume as well as Fisher's earlier study) used quarterly observations. But quarterly changes in induction or pre-induction call-ups vary more often in response to the changes in enlistments rather than the reverse. Variations in the induction rate are therefore unlikely to reflect correctly the long-term changes in the probabilities of being drafted.[3] Indeed, Fechter points out in his paper that his estimate of the so-called draft pressure variable is highly unstable, depending, among other things, on the number and type of other variables included in his estimating equation.

In addition, these estimates are derived in effect for the average amount of draft pressure prevailing between 1957 and 1968. Extrapolation of such an estimate to the zero draft situation is extremely hazardous.

In our study, we used the more conservative estimate derived from Department of Defense surveys of first-term personnel. In these surveys the individuals were asked whether they would have enlisted in the absence of the draft. The proportion of respondents who answered "yes" and "probably yes" as opposed to those who answered "no" and "probably no" was used as an estimate of the proportion of true voluntary enlistments. However, as can be seen from the data in Table II.1.1, even the survey results vary depending upon which sub-groups of the first-term forces are deemed as the appropriate base for our inquiry.

The studies in Table II.1.1 ignored the percentage of true volunteers amongst the Army inductees and used the estimated percentage for the regular enlistees which were based on the responses of all first-termers (A). Of course, the survey results are at best highly subjective. But if they are going to be used, they should be used in a consistent manner and in a way which improves their reliability. It may be argued, for instance, that using the whole first term population biases the results downwards. This is true for two reasons. One, the cohorts of those entering in early years, say in 1959 or 1960, who are still classified as first termers have been depleted, through early re-enlistments, disproportionately of those who favor military careers. As a consequence, those still in their first term are not representative of the initial entrants. Two, the further away the individual is from his date of entry, the less reliable are his responses as to why he entered in the first place. Moreover, since such individuals are close to their re-enlistment decisions, their responses may reflect more their feelings about a military career than their feelings about a single term of service. For both of these reasons, it seems more appropriate to base one's estimate on the responses of those in their initial year of service (B).

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TABLE II-1.1.—ESTIMATED PERCENTAGES OF TRUE VOLUNTEERS, BY SERVICE 1964 SURVEY DATA

Type of respondent	Army		Navy	Marine Corps	Air Force
	Regular enlistees	Inductees			
(a) All 1st-termers	57.1	14.4	68.7	69.4	57.0
(b) 1st-termers in their 1st year of service	64.8	14.9	69.9	73.3	59.5
(c) Mental groups I–III respondents. All years of service	56.7	12.0	68.0	68.0	56.4
(d) Mental groups I–III respondents, with 0 to 18 months of service	60.7	12.3	69.3	69.0	58.5
(e) Estimates used in this study	56.6	12.3	63.4	69.9	56.6

Since we were also interested in maintaining approximately the current levels of quality, the relevant estimates would be approximately those recorded in (D). The actual estimates used in our study are based on a compromise. These are shown in (E) of Table II.1.1.

Table II.1.2 shows the estimates of the extent of voluntarism in the pre-Vietnam and in the more recent military forces. These estimates are based on the percentage of the first-term volunteers recorded in (B) of Table II.1.1 rather than on the ones used in our study (those recorded in (E) of Table II.1.1.).

TABLE II-1.2.—NUMBER OF VOLUNTEERS IN PRE-VIETNAM AND VIETNAM ACTIVE DUTY FORCES [1]

[In thousands]

	All services combined			Army only		
	Total	Officers	Enlisted	Total	Officers	Enlisted
JUNE 30, 1965						
All 1st-term personnel [2]	1,357	92	1,265	560	31	529
Other personnel	1,286	247	1,040	407	81	326
Total active-duty personnel	2,644	339	2,305	967	112	855
Numbers of true volunteers in 1st-term forces [3]	768	54	714	245	18	227
Total number of volunteers [4]	2,054	301	1,754	652	99	553
Percentage of volunteers in the total active-duty forces	77.7	88.7	76.1	67.4	88.0	64.7
JUNE 30, 1967						
All 1st-term personnel [2]	2,100	126	1,974	1,022	53	968
Other personnel	1,265	259	1,006	418	90	328
Total active-duty personnel	3,365	384	2,981	1,440	144	1,297
Numbers of true volunteers in 1st-term forces [3]	819	53	766	291	22	269
Total number of volunteers [4]	2,084	312	1,772	710	112	598
Percentage of volunteers in the total active-duty forces	61.9	81.1	59.5	49.3	78.2	46.1

[1] These figures were reproduced from table 5–1 of the Commission's report.

[2] 1st-term personnel have been defined as those serving their initial obligated tour of duty. In the case of officers, they include regular officers in all branches in their 1st 4 years of service and nonregular officers serving their 1st 2 years in the Army and Marine Corps, their 1st 3 years in the Navy, and 4 years in the Air Force. In the case of enlisted men, 1st-term regular personnel include those in the 1st 3 years of service in the Army, 3½ years in the Navy, and 4 years in the Marine Corps and Air Force. Nonregular 1st-term enlisted personnel are those serving in their 1st 2 years in all branches of the military.

[3] The number of volunteers in the 1st-term forces was estimated with the aid of attitude surveys conducted by the Department of Defense. In these surveys, taken in 1964 and 1968, 1st-term personnel were asked whether they would have enlisted in the absence of a draft. The proportion of respondents who answered "yes" and "probably yes" as opposed to "no" and "probably no" who entered in the year of the survey was applied to the 1st-term force. The data for 1965 have been adjusted with the factors from the 1964 survey, while those for 1967 were adjusted on the basis of the 1968 survey.

[4] This number is the sum of all those beyond their initial service obligation plus the fraction of true volunteers in the 1st-term forces.

If we subtract the figures in line 5 of Table II.1.2 from the total manpower requirements, line 1, we derive an estimate of the manpower deficits expected from the elimination of the draft. If these figures are anywhere near correct, manpower deficits will be fairly small for the forces up to 2.5 million men. Indeed, in the case of the officers, the deficits can be eliminated by increasing the flow of annual voluntary enlistments by about 3,000 men per year.

THE IMPACT OF PAY ON ENLISTMENTS AND REENLISTMENTS

For any given manpower deficit, the size of the military pay increase required for the all-voluntary forces will depend on the type and strength of the relationship between the changes in the levels of military pay and the corresponding changes in both initial enlistments and re-enlistments. The second task of this study is, therefore, to derive a quantitative measure of the relationships between changes in the levels of military pay and initial enlistments or re-enlistments. In economic terms, our task is to estimate the elasticity of supply which is a measure of the percentage response in enlistment or re-enlistment rates to a given percentage change in military earnings.[4]

If the manpower deficit after the elimination of the draft is fairly large, a second aspect of this measure becomes important, namely that of the constancy of the elasticity throughout the range relevant for the elimination of the deficit.

In essence, all of the supply studies in Part II of this volume begin with an economic model which predicts that the level of military pay required is positively related to the force size demanded by the military,[5] in this case on the size of the manpower deficit after the elimination of the draft. The basis for this prediction is the recognition of the inherent differences among individuals in their preferences for the set of non-monetary conditions that characterizes military life, as opposed to the set of both monetary and non-monetary conditions in the civilian sector of the economy.

Given these differences in individual preferences for, or commitment to military service, there will be parallel differences in pay that will compensate them for these non-monetary conditions of service. Consequently, if the military services desired to attract or retain only a small fraction of the relevant populations, it could attract those few individuals who have the strongest preference for, or commitment to, such service. Those individuals could presumably be attracted at relatively low levels of military pay. As requirements for personnel grow, the military must induce those individuals to choose military life who have increasingly weaker preference for such life (stronger preference for civilian life). Those individuals will presumably choose the military only if they are compensated for their lower preferences for the set of non-monetary conditions that characterize military life.

The preceding statement of the relationship between military pay and enlistment or re-enlistments can be tested empirically by fitting a line to a set of successive points, each of which represents a pair of observed values of military pay (M_P) and the concomitant enlistment or re-enlistment rate (E_r). The statement postulates that such a line will be upward sloping, or that the elasticity of supply will be positive.

However, the empirical investigator of this relationship must take account of the fact that the postulated positive relationship between military pay and enlistment or re-listment rates is conditional upon things other than military pay being held constant. In particular, it assumes that when military pay has been increased the civilian working conditions, civilian pay, or schooling costs have remained the same; that the non-monetary conditions of military service have remained the same; and that the preference distribution among individuals for military activities vis-a-vis the civilian alternatives have remained the same. Changes in any of these conditions could cause the new data to suggest the reverse relationship between changes in military pay and changes in enlistment or re-enlistment rates.

For example, if military pay increased by the same proportion and at the same time as did the alternative civilian earnings, the relative desirability of the two activities should remain about the same. Under these conditions, increased military pay could be expected to have little, if any, effect on enlistments. For this reason, the postulated relationship applies to the ratio of military pay to civilian pay (M_P/C_P). Increases in military pay are thus intended to show only the increases in military relative to civilian pay. If in the process of the relative increase in military pay neither the preference distribution nor the conditions of service have changed, the increase in enlistments could be expected to follow the pay raise.

Similarly, changes in either the preferences or the relative conditions of service could either negate or strengthen the effect upon enlistments of a given pay raise. For instance, a lack of commitment to a particular war effort or a worsening of the conditions of service, such as an increase in the degree of risk, an increase in the proportion of time spent away from home, or an increase in the hours of work, would be expected to decrease the supply, i.e., shift the supply curve downward so that at each level of relative military pay the enlistment rate would be smaller. The opposite effect would follow an improvement in the non-monetary conditions of military service or an increase in the preference for military activities vis-a-vis civilian employment. An increase in patriotism, for instance, could be expected to shift the supply line to the right. In this case higher enlistment rates would be observed at each level of pay.

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Whether the function is linear or non-linear in the relevant range is also a question of importance to the estimator of the budgetary outlays necessary to provide all voluntary forces. But as we stated earlier, this question becomes important only when the manpower deficit expected from the elimination of the draft is very large. This is true because the answer to this question depends on the nature of the distribution of the tastes for military life within the relevant population pool, say the 17–20 age group. If the number necessary to make up this deficit is fairly small, it is likely to be filled from the ranks of those whose tastes for military service are fairly homogeneous. We may expect to observe a significantly declining elasticity only when the deficit is large because only then do the military services have to call on individuals whose tastes may be significantly different from those that preceded them into the military on a voluntary basis.

In our case, the deficit for the officer component of the 2.5 million men force is extremely small (see Table II.1.2). Even the deficit in the enlisted component of that force can be eliminated by increasing the annual flow of volunteers from the 17–20 population from about 3.8% to about 5.3%. Almost independent of the shape of the function, the elasticity of supply should be fairly constant over this small portion of the curve.

In any event, both Fechter and Gray fitted a number of functions, including linear, log-linear, log-complement, and logit functions, to their respective data. Over the range of data available to them, their tests for goodness of fit were unable to discriminate amongst the functions. The choice of functional form was, therefore, often related to the author's preference or to ease of manipulation. Based on the results (or lack of results) of the tests for the goodness of fit as well as on the factors mentioned above, our own study adopted the constant elasticity of supply function.[6]

In general, the estimating equations used in these studies are some variant of the form.

$$\ln E_r = a_0 + a_1 \ln \frac{M_p}{C_p} + a_2 \ln DP + \ldots + \epsilon$$

where $\ln E_r = \ln \frac{E}{P}$ = the natural logarithm of either the enlistment rate or the reenlistment rate,

M_p = expected military earnings during the period of the contract,

C_p = expected alternative civilian earnings during the same period,

DP = some measure of draft pressure or its complement.

Among the variables not included in this general equation are the unemployment rate and others which are thought to exercise independent effects on the enlistment rate. All of these other variables are entered in the estimating equations in order to minimize the interference from, or to account for, the impact of forces other than pay, thereby hoping to isolate the relationship between pay and enlistment or re-enlistment rates. Unfortunately, complete isolation of the pay effect is almost impossible to achieve. Mostly, of course, this is a failure of the data rather than the method, for neither the civilian pay and population figures nor the military pay and enlistment or re-enlistment data nor any of the other data are available in sufficient detail or have been generated under sufficiently stable conditions to permit such isolation.

The pairs of observations (M_p/C_p, E_r), are based either on the changes in the pay ratio and the enlistment rates over time (secular data) or on the observed differences in the ratios of military to civilian pay and the enlistment or re-enlistment rates among different subgroups of the relevant populations, at a single instant in time (cross-section data). The studies of Fechter, Cook, and Cook and White for enlisted men are all based on the former method as is the study of Altman and Barro of Freshmen ROTC enrollment rates. Gray's study of enlisted accessions, and all of the re-enlistment studies (Nelson's, Wilburn's, and Grubert's and Weiher's) employ the cross-section method of estimation.

McCulloch's study also employs the cross-section method but he uses a different approach from all of the others in this volume. He bases his estimates on the differences in the ratio of careerists to their respective civilian cohorts (differences in stock ratios) rather than on the differences in enlistment or re-enlistment rates (flow ratios). Because his observations are likely to be biased and probably less accurate than are those in the other studies, his findings are somewhat less reliable.[7]

In general, we suspect that in the enlisted accession studies, the dependent variable (E/p) the enlistment rate, is cleaner in the time series than in the cross-section studies but that the reverse is true for the independent variable (M_p/C_p), relative military pay. With the possible exception of Gray's more detailed study of Navy enlistments, both the numerator and the denominator of the dependent variable require too many adjustments based on imperfect information for use in the cross-section studies.

The quarterly observations on the pay variable used in the time series studies are also imprecise, but even if they had been more precise, it would still be difficult to interpret their meaning and their impact on enlistments. We simply do not know enough about how individuals respond to expected pay raises. For instance, a given pay raise might have been anticipated, in which case the increase in enlistments would start prior to the actual pay raise. In this event the observed change in enlistments following a pay raise would understate the effect of the pay raise on the enlistment rate; thus understate the elasticity of supply. The smoothing of the pay series performed in these studies probably helps, but we do not know how much it helps.

The military pay figures in the cross-section studies do not suffer from this particular shortcoming, but they either include or exclude components of pay which are received in-kind, or are deferred. Those items that are included have had their money value determined on the basis of their estimated costs rather than on the basis of their value to the military personnel. If these two values differ significantly, and they probably do differ, and the various sub-groups used in the analysis receive different amounts of income-in-kind, the cross-section elasticities will be difficult to interpret.[8] In addition, we have only meager information about the differences in civilian earnings among subgroups classified by type of prior military experience.

Because of some of the data and measurement problems discussed above, this study used an elasticity of supply for initial entrants of 1.25 rather than those reported in the respective studies. We feel that this elasticity is on the low side both because it is lower than the vast majority of the statistically significant estimates reported in the respective studies and because most of the remaining identifiable biases are on the negative side.

This elasticity is higher than the ones reported in the earlier studies by Fisher and by Altman and Fechter.[9] But this difference is due partly to the difference in the functional forms employed and partly to the improved quality of our data. Also, Altman and Fechter used in their earlier study estimates of the civilian population pool which biased their elasticity downward. By excluding those in school from the denominator of the dependent variable, they raised the enlistment rate of the high income regions by a greater amount than those from the low income regions, thereby lowering the elasticity. We find no acceptable reason for their exclusion: particularly when we observe that college graduates, a more exclusive group than all full-time students, are the principal source of supply of officer personnel, at higher levels of pay, of course.

Finally, Altman and Fechter used both full-time civilian income in the pay ratio and the unemployment rate as separate variables in their estimating equation. Aside from its negative impact on the size of the relative pay elasticity, the size of the unemployment coefficient is impossible to interpret. At pay elasticities in the neighborhood of .8, it shows for instance, that a decrease in the overall unemployment rate from 5.5 to 4.0 percent, or an increase in the average civilian earnings of about 1.5 percent, would require an offsetting increase in military pay of about 50 percent.[10] Since the incidence of unemployment among the young is widely distributed and is generally of short duration, these results are simply unacceptable. In the studies reported in this volume the full-time civilian earnings were adjusted for unemployment. In the equations where both adjusted civilian earnings and unemployment were used as independent variables, the coefficient of unemployment was generally statistically insignificant (See in particular the studies of Fechter and Cook).

The estimates of re-enlistment elasticities used in this study were 2.43, 2.14, 2.00 and 2.36 for the Army, Navy, Marine Corps and Air Force respectively. These were among the lowest relative pay elasticities estimated by Nelson, Grubert and Weiher, and by Wilburn.

THE IMPACT OF PAY ON QUALITY

Some of the military manpower planners readily accepted the proposition that significant pay increases, particularly when linked to changes in some of the current military manpower management practices, would increase the flow of volunteers sufficiently to man the current or smaller forces on an all-voluntary basis. Their concern centered instead on the quality of volunteers attracted with increased pay. Two of the studies in this volume provide at least partial answers to this question. But because of the data problems in these studies we adopted a somewhat more conservative approach than the one required on the basis of the results of these studies.

In considering the problem of quality, it must be kept in mind that the quality characteristics which are currently used to discriminate among applicants or among inductees are those which reflect either moral, physical, or mental qualities. The last characteristic is usually measured by the individual's AFQT score. Insofar as a higher AFQT score reflects greater learning ability and therefore, improved performance, length of service or experience is probably a good substitute for this particular quality dimension. Since it is quite clear that the average length of service will be higher in the all-voluntary forces than in the current force, the effects of reductions, if any, in the average level of AFQT will be at least partly offset by the increase in the average length of service.

But will the average AFQT fall? The two

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RAND studies suggest that the opposite will occur, but their results are somewhat difficult to interpret. Using essentially the same data that was used by Cook in his study of Air Force accessions, Cook and White attempt to estimate the impact of an increase in relative pay, on the average level of quality of Air Force enlistments. They conclude that, other things the same, a 1% increase in relative pay will increase their index of average quality by about 0.52%. Given the size of our recommended pay increase, this estimate suggests that the average level quality of entrants should increase by about 17.5% (on the index of AFQT scores).

Unfortunately, the pay variable used in that study was the average level of Air Force pay (again quarterly observations) whose movements may not reflect accurately the changes in the expected levels of pay by the different mental groups.

Other findings pointing in the direction of an increase in quality are found in the results of Cook's accessions study. In that study he estimates separate regressions for the entrants from all mental groups combined, for entrants from mental groups I to III, I to II and I, respectively. His corresponding relative pay elasticities are 2.19, 2 23, 2.15, and 2.36. In other words, a 10% increase in relative pay will induce a 23.6% increase in the enlistment rate of those in the highest mental groups but only a 21.9% increase in overall enlistments. Here again the same pay variables were used for all regressions.

In addition, in both of these studies the effects of pay on quality are derived from data generated in the presence of the draft. It is conceivable that these effects would be different in the zero draft situation.

A somewhat different type of evidence is cited by Grubert and Weiher. They relate relative changes in reenlistment rates by military occupations to the size of the variable re-enlistment bonus. Since the size of the bonus is highly correlated with quality, their results imply a high elasticity for high quality personnel, when the pay increase is directed toward such personnel.

The approach followed in this study was to estimate the proportion of true volunteers among those from mental groups I–III only. We then provided a pay increase which was sufficient, we felt, to insure the services a voluntary input which included no more than 20% of those in mental group IV. As a further safety device we provided special pay (proficiency pay) to higher quality first-termers, to those in the more critical occupations.

SUMMARY AND CONCLUSION

Most of the discussion in this paper has centered around the 3 principal supply questions raised in our study. These are: 1) What is the degree of voluntarism under current levels of pay, and by implication what will be the manpower deficit once the draft authority is terminated without improvements in either the monetary or non-monetary conditions of service? 2) How and to what degree (in elasticity terms) will enlistments or re-enlistments respond to increases in military pay and by implication what will be the added budgetary outlays required for the elimination of the deficit? 3) What will be the impact of increased pay on a particular dimension of quality relevant for performance?

While most of the studies examined here are fairly general, the arguments in this paper have had particular applicability to military forces approximating in size (somewhat lower than) the standing forces in the pre-Vietnam period. For these forces the deficits, even the enlisted deficits, will be fairly small, and if our elasticity estimates are anywhere near the mark the task of eliminating these estimates should be easy. In spite of the data problems, we feel fairly confident that our estimates are on the conservative side.

We also estimated the pay increase required for an all voluntary force of 3 million men. But since the manpower deficits are larger for this force, the constant elasticity assumption may have less validity for this than for the smaller forces examined. We did not estimate the pay increases required for smaller than the 2.5 million men forces since the Commission members felt that the increases required for that force should also be extended to the men in the smaller forces. This decision was based on equity rather than supply considerations.

The pay increases necessary to maintain a stable force of 2.5 million varied from service to service, depending on their expected manpower deficits. Since the Army had the largest deficit and could be expected to have the severest problem in its elimination, we estimated our pay increase on the basis of the Army's deficit. Consequently, the other three military services will probably experience excess supply. This is not the most efficient allocation of the extra pay but we were constrained by the institutional requirement of maintaining a single pay table for the four military services.

Except for some minor smoothing, Table II.1.3, contains the basic pay scales which incorporate the pay increases required for voluntary forces up to and including 2.5 million men. Of course, the pay rates in this table were recommended to take effect on July 1, 1970. Long delays in the implementation of these rates will require additional across-the-board increases proportionate to the interim increases in civilian pay.

TABLE II–1.3.—PROPOSED MONTHLY RATES OF BASIC PAY FOR MILITARY PERSONNEL, EFFECTIVE JULY 1, 1970

[In dollars]

Rank	Pay grade	Cumulative years of service: 2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26 (maximum)
General—admiral	O–10 [1]	1,956.90	2,025.59	2,025.59	2,025.59	2,025.59	2,103.30	2,103.30	2,264.70	2,264.70	2,426.70	2,426.70	2,588.70	2,588.70	2,750.40
Lieutenant general—vice admiral	O–9	1,734.30	1,779.90	1,818.00	1,818.00	1,818.00	1,863.90	1,863.90	1,941.30	1,941.30	2,103.30	2,103.30	2,264.70	2,264.70	2,426.70
Major general—rear admiral (UH)	O–8	1,570.80	1,617.90	1,656.60	1,656.60	1,656.60	1,779.90	1,779.90	1,863.90	1,863.90	1,941.30	2,025.90	2,103.30	2,188.20	2,188.20
Brigadier general—rear admiral (LH) commodore	O–7	1,305.00	1,394.10	1,394.10	1,394.10	1,456.20	1,456.20	1,540.80	1,540.80	1,617.90	1,779.90	1,902.30	1,902.30	1,902.30	1,902.30
Colonel—captain	O–6	967.20	1,063.20	1,132.50	1,132.50	1,132.50	1,132.50	1,132.50	1,132.50	1,170.90	1,356.00	1,425.30	1,456.20	1,540.80	1,671.30
Lieutenant colonel—commander	O–5	872.40	909.00	971.10	971.10	971.10	971.10	1,001.10	1,054.50	1,125.00	1,209.30	1,278.60	1,317.00	1,363.50	1,363.50
Major—lieutenant commander	O–4	782.40	822.00	847.50	847.50	862.50	901.20	962.40	1,016.70	1,063.20	1,109.40	1,140.30	1,140.30	1,140.30	1,140.30
Captain—lieutenant	O–3	702.60	733.70	749.80	801.60	839.70	870.00	916.80	962.40	985.80	985.80	985.80	985.80	985.80	985.80
1st lieutenant—lieutenant (jg)	O–2	642.60	672.80	693.30	716.40	731.40	731.40	731.40							
2d lieutenant—ensign	O–1	567.60	601.30	623.30	623.30	623.30	623.30	623.30							
Aviation cadets [2]															
Captain—lieutenant	O–3E				801.60	839.70	870.00	916.80	962.40	[1] 1,001.10					
1st lieutenant—lieutenant (j.g.)	O–2E				716.40	731.40	754.50	793.80	824.70	[1] 847.50					
2d lieutenant—ensign	O–1E				623.30	647.30	669.30	689.30	710.50	[1] 732.50					

[1] Basic pay for pay grade O–10 is $3,000 regardless of years of service, when they are serving as: (a) Chairman of the Joint Chiefs of Staff; (b) Chief of Staff of the Army; (c) Chief of Naval Operations; (d) Commandant of the Marine Corps and (e) Chief of Staff of the Air Force.

[2] Aviation cadets are entitled to monthly basic pay of 50 percent of the rate which applies to officers O–1 with 2 or less years' service.

Rank	Pay grade	Cumulative years of service: 2 or less	Over 2	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
Chief warrant officer	W–4	$617.40	$662.40	$677.70	$708.30	$739.50	$770.10	$824.70	$862.50	$893.40	$916.80	$947.40	$978.60	[1] $1,054.50
Do	W–3	561.30	609.00	616.50	624.00	669.60	708.30	731.40	754.50	777.30	801.60	832.20	862.50	[1] 893.40
Do	W–2	504.40	534.40	547.20	577.20	609.00	632.10	654.90	677.70	701.10	723.90	747.00	[1] 777.30	
Warrant officer	W–1	449.40	479.40	508.80	531.60	554.70	577.20	600.90	624.00	647.10	669.60	[1] 693.30		

[1] Maximum.

TABLE II–1.3.—PROPOSED MONTHLY RATES OF BASIC PAY FOR MILITARY PERSONNEL, EFFECTIVE JULY 1, 1970—Continued

Pay grade	Cumulative years of service														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E–9							701.40	717.60	734.10	750.30	767.10	782.10	823.50	903.60	903.60
E–8						558.60	605.10	621.00	637.50	653.70	669.30	685.80	726.30	807.00	807.00
E–7	413.20	443.40	459.90	476.10	492.30	507.90	524.10	540.90	564.90	580.80	597.00	605.10	645.60	726.30	726.30
E–6	381.10	400.20	416.00	429.40	445.20	461.00	476.60	492.30	507.90	524.10	[1] 532.50				
E–5	351.10	368.70	382.90	397.50	413.30	428.90	444.50	460.50	[1] 468.50						
E–4	327.10	343.50	359.50	375.50	390.30	[1] 398.70									
E–3	312.30	327.50	340.80	355.80	[1] 363.80										
E–2	297.10	312.00	[1] 327.80												
E–1 (4 months or over)	288.10	[1] 302.50													
E–1 (under 4 months)	279.30														

[1] Maximum.

FOOTNOTES

[1] Since the determinants of force size requirements and their annual replacement needs (item 1) are examined in detail in Part I of this volume, they will not be discussed in this paper. An all-volunteer force would probably require fewer men than a partly conscripted force of equal military effectiveness. This is true, in part, because volunteers tend to sign up for longer terms and tend to re-enlist in larger numbers than do conscripts. Consequently, the force size requirements are themselves a function of the proportion of true volunteers in the force and consequently are influenced by the factors which determine the supply of volunteers to the military services.

[2] Fisher estimated that had the draft been eliminated annual enlistments would have declined by about 24%. See Anthony C. Fisher, "The Cost of the Draft and the Cost of Ending the Draft", *American Economic Review*, June 1969, 59, 239–254. Using a different estimating approach, Altman and Fechter concluded that the pre-Vietnam regular first-term enlisted forces would have declined by 38% while first-term officers forces would have fallen by about 42%. See S. H. Altman and A. E. Fechter, "The Supply of Military Personnel in the Absence of a Draft," *American Economic Review* Proceedings, May 1967, 57, 14–13. Both of these studies assume that all individuals who were inducted would not have been present without the draft. Oi, using the same data base as Altman and Fechter estimates the identical reductions in the first-term forces. See Walter Y. Oi, *ibid*, 39–62.

[3] Fisher, *op cit.*, used the changes in the accession rate rather than the induction rate. Accessions include both those who entered the services as inductees and those who enlisted. Changes in the accession rate, he argued, came closer to reflecting changes in the demand for military manpower and, therefore, to changes in the probability of being drafted than did the changes in the induction rate. But even the quarterly accession figures are heavily influenced by the supply conditions.

[4] While this study emphasizes pay, it recognizes, of course, that pay is not the only factor in the military career decision. This study emphasizes military pay because its effects are more easily measured than are those of, say, improvements in some of the non-monetary conditions of service. Moreover, many of the non-monetary conditions of military service, such as frequent family separation, sea-duty, etc., may not be amendable to change. But pay can and does compensate individuals for the greater risks and hardships that are associated with military life.

[5] This model has been widely accepted by both academicians and practical manpower managers. Witness, for example, the increasing use by the military of such items of pay as proficiency pay, the variable re-enlistment bonus and submarine officer continuation pay, all of which are designed to increase retention from among different subgroups of the military forces.

[6] The studies reported in footnote [2] above used functional forms with declining elasticities. As a result, their estimates of the pay increases necessary for the all voluntary forces were substantially above those estimated in this study. We suspect that the authors of those studies were impressed with the size of the required increase in voluntary enlistments when this increase is viewed relative to the number or percentage of current volunteers (5.3/3.8, an increase of about 40%) rather than the size of the increase relative to the civilian pool from which they enter the military (5.3−3.8%=1.5%). The latter increase is the one relevant to these deliberations.

[7] His primary observations are subgroups of those serving beyond their initial tour of duty, classified by race, education, and length of service. Since his military education data are based on the levels of education prior to entry into service they become less reliable with the increasing level of experience. In addition, by virtue of the continuous losses from the ranks (both involuntary and voluntary) his successive length of service groups are less representative of their civilian counterparts. Finally, his military pay variable excludes the value of retired pay. Since it is non-vested its value increases with length of service, the closer one gets to retirement eligibility.

[8] The author of this paper attempted to estimate the perceived value of income-in-kind by estimating separate elasticities for the two forms of military pay. Based on his findings he is convinced that the value of such income as perceived by its recipients is significantly lower than its cost to the employer. See Harry J. Gilman, "The Supply of Labor to the Military: A Cross-Section Analysis of First-term Re-enlistment Rates in the Navy in Fiscal Year 1964," unpublished manuscript, 1965, The Center For Naval Analyses, Arlington, Virginia.

[9] For references see footnote [2] above.

[10] See Altman and Fechter *op. cit.*, Table 6. p. 29.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. STENNIS. Mr. President, I yield 5 of the 7 minutes I have remaining to the Senator from South Carolina.

Mr. THURMOND. Mr. President, my opposition to title 5 of Amendment No. 76 offered by the distinguished Senator from Pennsylvania (Mr. SCHWEIKER) is easily explained. It is based on the fact that all available evidence indicates this Nation cannot meet its military manpower needs without a 2-year extension of the Selective Service Act.

The amendment of the Senator from Pennsylvania would end the draft extension on July 1, 1972, thus terminating it after only 1 year.

Also, I am opposed to the pending amendment before the Senate, Amendment No. 106, offered by the distinguished Senator from Oregon (Mr. HATFIELD), which would terminate the Selective Service Act July 1, 1971.

It should be noted at the outset that the argument for a 1-year extension rested in a large part on the approval of higher military pay. In other words, had the Senate last week approved the $2.7 billion military pay increase called for in the Hughes amendment then there would be a stronger basis for arguing the 1-year extension.

In fact, in the supplemental views of the committee report the author of this amendment based his arguments for a 1-year extension on the premise that the additional pay would be approved. As we all know, the Senate, in its wisdom, last week supported the Armed Services Committee position of a pay increase amounting to $1 billion as opposed to the $2.7 billion in the Schweiker-Hughes amendment.

In paragraph 2 of the supplemental views to the Armed Services Committee report the Senator from Pennsylvania made this statement:

> The President's Commission on an All-Volunteer Force unanimously endorsed the concept of a volunteer force and indicated that, through proper adjustments of the current pay levels for members of the Armed Services, particularly those in the lower ranks, such a force could come into being within 1 year.

Thus, the decisive defeat last week of the increased pay by a vote of 42 to 31 left the supporters of a 1-year extension without a good part of their argument.

On Tuesday in his press conference the President of the United States told the American people that, although he will have reduced the U.S. troop strength in Vietnam some two-thirds by the end of this year, it would still be necessary to send small numbers of draftees to that area.

Replacements are needed because American soldiers only remain in Vietnam about 1 year under the U.S. rotation program. Also, these new assignments will permit an orderly and gradual U.S. disengagement. This policy will help assure progress in the Vietnamization program and a reasonable chance for survival of a free government in Vietnam.

Mr. President, the Senate should also realize that a 1-year extension of the draft would only put off until next year the necessary decision in this matter.

Such a postponement would be dangerous because a draft extension next year would become embroiled in the Presidential campaign of 1972.

Further, the supporters of this amendment suggest that the authority to bring men into military service should be dealt with annually. Nothing could create greater confusion than to throw military manpower accession policies into the political arena each year. Young men could not plan their lives. They would not know from one year to the next what to expect in the way of a military service requirement. This Nation has always dealt with such matters every 4 years, and that is the sensible approach.

Those critics who wish to tie the hands of the Commander in Chief already have numerous avenues through which they may influence troop deployment policies without placing the draft on an annual basis. These safeguards include the authority to set manpower levels for both the Regulars and Reserves and, of course, the right to appropriate money which the Commander in Chief must have if he is to utilize military forces.

Mr. President, the Senate committee this year has held lengthy hearings on the desired time for extension of the Selective Service Act. Some committee members felt a 4-year extension was desirable, while others favored a 2- or 1-year extension. However, when the final committee vote came, the members favored a 2-year extension by a vote of 13 to 3.

For the sake of understanding I have tried to reduce to a few words some of the reasons supporting a 2-year extension rather than a 1-year extension. They include the following:

First, in view of our present involvement in Vietnam and the 42 defense agreements we have with nations around the world, a 1-year extension would be viewed by our allies as a withdrawal from our commitments.

Second, the vast majority of recognized authorities on this subject say the manpower needed to preserve this Nation's national security could not be met if the legal obligation for military service ends about this time next year.

Third, a 1-year extension would mislead the country and particularly our young people into thinking the all-volunteer Armed Forces can work although it will not even be adequately tested by next June.

Fourth, the Reserve forces would undoubtedly not be able to meet their manpower requirements since over 75 percent of all nonprior service enlistments are draft-motivated.

Fifth, a shortage of physicians in fiscal year 1973 would develop since many medical students would not volunteer for the Berry plan if the draft inducement is removed. Dental and allied medical specialists would also be in short supply.

Sixth, only 4 percent of voluntary enlistees request assignment to the combat arms. Thus young men assuming combat roles are supplied through the draft. In the absence of the draft the combat arms requirements could not possibly be met. Special programs, such as the enlistment bonus or a 16-month assignment in Europe, are being offered to attract men to the combat arms but a minimum of a 2-year extension is needed to even begin meeting this problem.

Seventh, a July 1, 1972, termination date would undoubtedly result in a reduction of draft motivated enlistments into the active and reserve forces among 17- and 18-year-olds during fiscal year 1972 since persons in these age groups would know that they would not become subject to induction in fiscal year 1973.

Eighth, an extension for only 1-year would, for all practical purposes, provide only a 6-month period in which the project volunteer incentives would be in operation and their efforts could be evaluated. This is so because decisions would have to be made in December of this year as to whether a further extension would be required. Action would then have to be initiated by the executive branch and the Congress early in 1972, an election year, in order to complete all necessary consideration for a further extension to become effective on July 1, 1972. A 2-year extension, on the other hand, would provide the necessary time for various project volunteer programs to take effect. Also, during this period any new programs deemed necessary could be introduced.

Mr. President, in conclusion I fail to see why this Nation should take the clear risks involved in a 1-year extension. There is no risk involved in a 2-year extension, and the administration will certainly not draft men up to June 1973 unless they are required.

It is unfortunate that putting on the uniform of this great country has been made so distasteful in the eyes of many. Some of those who want an all-volunteer armed force are at the same time denouncing the military. They cannot have their cake and eat it, too. If our military forces are ever to be sustained by volunteers alone, then all of us must pull together to restore respect to the uniform.

Mr. President, when I think about the greatness of America in current times, my thoughts turn to Astronaut Neil Armstrong and that historic moment on July 20, 1969. He risked his life for America and, upon stepping on the moon said:

> That's one small step for man, one giant leap for mankind.

The Senate will be taking a big step backward if it approves the Hatfield amendment for no extension or the Schweiker amendment extending the Selective Service Act for only 1 year. Just because we provide a 2-year extension does not mean it has to be used. But not to provide it and thereby weaken our Armed Forces will be a step backward from which we may not recover.

Mr. President, in further comment on the pending bill I wish to point out that in the May 31, 1971 issue of the Aiken Standard newspaper in my home town of Aiken, S.C. columnist Holmes Alexander had an article in praise of Armed Services Committee Chairman JOHN STENNIS.

This column was titled, "Fine Hour in the Senate," and was an account of the recent debate on the Senate floor just prior to the vote on the amendment which would have cut U.S. troops in Europe by one-half.

As an opponent of that amendment and an ally of Chairman STENNIS in the NATO debate I found this article by Mr. Alexander most interesting.

In particular did Mr. Alexander praise the floor leadership of the distinguished Senator from Mississippi. He referred to Mr. STENNIS as a "Southern orator beyond compare" and listed him among such great names as Webster, Clay, and Calhoun.

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

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

A FINE HOUR IN THE SENATE

(By Holmes Alexander)

The way to get your spine patriotically tingled is to keep visiting the U.S. Senate. It's a potluck proposition or, to swap metaphors in midstream, it's a favorite fishing hole where for weeks on end the trout don't bite. But keep trying, and one day you will witness scenes that thrill you like an electric bolt and you will hear debates that fairly lift you out of your seat.

This happened in the dramatic showdown over the Mansfield Amendment. I wrote on it previously, but the debate hadn't ended then, and it deserves an encore anyhow.

Consider the setting. The 99 gentlemen and one lady who comprise the Senate are the finest public persons in the world. I sometimes have to write disagreeably about individual Senators, whose thinking gets fogged in, but that is not a line of duty which I enjoy. The very worst you can say about fellows like Muskie, Kennedy, McGovern, Hartke and their ilk is that they sometimes wander into left field and get lost there. But all of them are good and decent men, and at this writing there is not a jerk in the Senate chamber.

Since all men are created unequal, it's natural that some members are of higher excellence than others. The distribution on the Mansfield Amendment was such that the noblest, the knightliest, the wisest and most winsome Senators were captains of debate on opposite sides. The division fell into these high-quality parts only because the subject matter was one on which the best of patriots could differ. Mansfield was proposing a draft bill amendment which would bring home 150,000 out of 300,000 American troops in Europe, bring them home, pronto, over the opposition of their Commander in Chief.

This proposition has the merit of recognizing big political-military-financial changes since the troops were sent there a quarter-century ago. The Atlantic Alliance (NATO) has become virtually a unilateral pact with you-know-who manning the guns. Canada Premier Trudeau was in Moscow during the debate, and he was bragging there about how his country, a NATO partner, had welched on its obligations.

De Gaulle was in his grave, but he had taken France out of the Alliance and chased Supreme Headquarters out of France and Belgium.

When the Alliance was founded, we were rich and our partners were poor, but today we're busted and they're booming. If the Russians invade West Europe, they will be challenging 7,000 pieces of U.S. nuclear artillery located Over There, and infantry divisions won't count for much.

But arguments against the Mansfield Amendment are equally forceful. Our deputy commander in Europe, Gen. David Burchinal, was recently here, and he said, as many Senators knew to be true, that the Russians are leaning against the NATO ramparts at every contact point in Europe. This is not a good time, and there never has been a good time, to weaken that defense perimeter. The only permissible pullback time would be when the Russians also pulled back, and Soviet Chairman Brezhnev has recently proposed that we negotiate on that. The administration line is that the wrongs done to NATO by Canada and France won't make our welching on the deal into a right. If changes are made in troop levels, this should be done by intra-NATO agreement and not by U.S. legislation.

When the final round of debate opened, the Amendment supporters began to roll up a score. Bluebloods of the Senate—Mansfield himself, Stuart Symington, Abe Ribicoff—were leading the fight and they were superb. But just when it appeared that they would carry off the victory. John Stennis took the floor and turned the whole course of battle. As chairman of Armed Services, as a strict Constitutionalist who knows that only the President should conduct foreign affairs, as a Southern orator beyond compare. Stennis of Mississippi disposed of the rival contentions, of the weakening compromises, of what he called "perfecting amendments which don't perfect." He did so by sheer force of character and language. If the shades of Webster, Clay and Calhoun were in the chamber, they heard an address as wonderful as any of their own.

My own inclination is to side with Mansfield, Symington, Ribicoff and the defeated minority, but no man could breathe with soul so dead as not to be set a-tingle by the John Stennis performance. To be overwhelmed by such a master is a dazzling honor.

Mr. JACKSON. Mr. President, I want to make some remarks in support of H.R. 6531 as reported by the Committee on Armed Services. I wish to emphasize that the Committee held extensive hearings covering the three major issues in this bill—Selective Service amendments, military pay increases, and military manpower authorization. The bill was carefully considered and numerous amendments were adopted in Committee which I believe make the bill a stronger one than either the version recommended by the administration or the version passed by the House.

Two major innovations this year were the establishment of a ceiling on the President's induction authority of 150,000 in each fiscal year 1972 and 1973 and a cut in the authorized military manpower from that which was recommended by the Department of Defense. As a result of this cut the total size of the Armed Forces will be reduced approximately 100,000 men beyond that which was projected in the budget proposed by the administration. This means that the size of our military at the end of the next fiscal year will be approximately 2.4 million men, rather than 2.5 million.

The Senate has an important function in reviewing our military manpower needs and the methods by which we fill these needs. Because this job is so important it must be handled responsibly. I believe the Armed Services Committee, under the very able leadership of Senator STENNIS, has done a responsible and thorough job.

A most important issue before us is the need to extend the President's induction authority under the Selective Service Act for 2 years. I wish to address this issue in my remarks today.

The principal argument that has been made against the extension of this authority for a 2-year period has to do with the plan—it might more accurately be called the wish—of establishing within the coming year a volunteer army. I favor experiments in attracting more volunteers into the Armed Forces. The less we must rely on the draft, the better, and the steps for which the administration has requested authority in this bill are useful ones. This bill increases military pay and allowances by just over $1,029.9 million with over 90 percent of these increases going to men with under 2 years of service. This authorization would also permit new departures in increasing the number of volunteers: an initial enlistment bonus, and expenses for recruiters. Other steps to be taken this year will include improvement of barracks, and an increase in the number of ROTC scholarships. All of these measures deserve support and it may be possible that, as we learn which of them is the most productive, we will be able to move to military forces manned almost entirely by volunteers. This process must, however, be a gradual one. We have never sought to maintain forces of anything near the current levels without the aid of the draft. The reductions in military manpower recommended by the Committee this year were significant ones, but these reductions would still not permit us to maintain our military forces without the extension of the draft.

I want to emphasize that there is not only a problem of acquiring sufficient men for our overall military manpower levels, the subject addressed in the Gates Commission report; there is a subordinate, but a very serious one, in the acquisition of manpower to fill Army combat units. This issue was not really addressed in the Gates Commission report and it is one of the most critical problems we face in trying to reach the objective of an all-volunteer force. Only about 4 percent of the men who now go into Army combat units volunteer for that job. Over two-thirds of new entrants into those units are draftees and the rest are men who enlist and do not object to a combat assignment but do not request one. The task of finding enough men, even in peacetime, to fill Army combat units, is a very serious one without the men supplied by induction and the men who enlist under the pressure of the draft. We cannot take it on faith alone that the men who are needed to supply the requirements for the important Army combat units will appear when they are needed. The job of serving in a ground combat unit is not an easy one. It is taxing, physically demanding, and dangerous, even in peacetime. We need time to experiment with different ways in which it might be possible to attract men into such units. It is unrealistic to suppose that we can discover the best way to attract men into these units and act effectively on the basis of this experience within the time provided by a 1-year extension of the draft.

The problems which we need to solve before making the transition to an all-volunteer force apply also to services other than the Army. The Navy, and the Air Force also rely on the draft indirectly, because about one-half of the men who enlist in those services are motivated by the draft. This difficulty is one which it will take time to overcome. Even with pay raises considerably higher than those recommended by the committee or even those included in the House version, I believe more than 1 year will be necessary.

Mr. President, I hope that after a serious debate the Senate will determine that this is an area in which experiment, care, and caution, are highly important and will not undertake to force upon the Nation a new military manpower system before this move has any reasonable chance for success.

TWO-YEAR EXTENSION OF THE DRAFT

Mr. McINTYRE. Mr. President, there are many Americans who would like to see the end of the draft. I have spoken with scores of them and I have received hundreds of letters and wires in which they have set forth their arguments. I respect their sincerity, and their dedication to their position, and I can sympathize their reasoning.

Ending the draft will force full dependence on a professional army. I am fearful of the effects on a democratic government of a professional army for a long period of time. Moreover, these professionals would be secured by special inducements and, I fear, drawn from those who have little chance of securing other employment. We may find ourselves with a military force—at least the combat and dirty job part of it—composed of the poor, the blacks, and the uneducated, and unemployed. I do not believe that only the poor, the blacks, the unemployed, and the uneducated should have to fight our battles for us.

I believe we should find jobs for our poor and our unemployed. I believe we should make sure everyone in our Nation has an adequate education. I believe we should redouble our struggle to provide first-class citizenship for our minorities. I do not believe we should limit opportunities for the underprivileged to combat duty in the military.

The question now before us is whether to extend the draft for 1 year or 2 years. The administration, the Defense Department, the Selective Service, and many others argue quite vigorously that the draft must be continued for at least 2 years. They contend that anything less than 2 years is unacceptable.

The President, as Commander in Chief, the Secretary of Defense, the Director of the Selective Service Commission believe that they cannot carry out their responsibilities and supply the manpower needs for our national secu-

rity without the draft. If the President comes to Congress with some persuasive reason to change this position before the 2 years have passed, I will be willing to listen with an open mind and reevaluate my own position. But for reasons I have mentioned above—fear of a professional army, its effects on a democratic government, an army composed of the poor and the black—for these reasons I cannot support a 1-year extension of the draft, a 1-year extension which would in effect end the draft in 1 year.

There are those who feel that by ending the draft, we could end the war. I wish this were the case. But the war could still be carried on by professionals. If the war were continued by a professional army, I wonder if there would be as broad a base of support for ending the war. I have urged with my voice and with my vote our withdrawal from Vietnam. I again urge the President to redouble his efforts to end the Vietnam conflict.

I pray that this occurs.

AN END TO CONSCRIPTION

Mr. McGOVERN. Mr. President, today we face once again a major choice about the kind of Nation we are and the kind of Nation we want to be. We are asked whether we will continue or end the conscription of young Americans into the Armed Forces.

I recognize that conscription has its place in our system. At a moment of grave national peril, we need a mechanism for raising an army and navy necessary for defense. But, aside from such a situation, we have traditionally refrained from providing military manpower through compulsory service.

The draft has been an unusual phenomenon in American history. It has been rarely used. As a result, thousands of immigrants came to this country to escape the forced servitude that was characteristic of the requirements for military service in Europe. The United States was known as a country of freedom where this form of national service was the exception, not the rule.

Senator GOLDWATER has stated the case forthrightly:

> This is a moral matter. As a conservative, I believe that the most precious and fundamental right of man is his right to live his own life. When force is used to tell a young man how he shall spend several years of his life, then I consider this to be an invasion of his personal liberty.

How ironic it is that a Nation that has been the shelter for the victims of military despotism abroad should now see thousands of its sons flee to avoid our own conscription.

How can we continue to call young men to offer their lives or a portion of their lives for their country while the rest of us make no sacrifices whatsoever for the continuation of the war in Indochina? What corporation sacrifices part of the profits it is making on the production of armaments and other military supplies? What defense plant worker is forced to sacrifice his chance at a decent income and to accept wages no higher than the average pay of combat personnel? And which of the armchair warriors in Government who support the continuation of the war year after year and willingly send young men to fight in it makes the slightest sacrifice of any personal convenience for the sake of that war?

There is no longer any justification for conscription. We are, in fact, in danger of justifying it merely because it has been our practice for so long—since 1940.

The Senate has heard persuasive arguments concerning the establishment of a volunteer armed force. The problems to achieving such a military force are essentially technical. If we have the will, we can create a well-paid and professional military force.

So let us now act with courage and vote to end the draft—a practice which is alien to our traditions, to our values and to our National interest.

Mr. STENNIS. Mr. President, only 2 minutes remain.

With great deference, I do not believe that the points that have been raised this morning are entirely new. Both sides of the points that were raised have been fully presented.

Mr. President, I wanted to clarify one point to which I referred in my June 3 letter to my colleagues concerning the selective service bill. It is not the small summary volume of the Gates report which contains the statement that "in the absence of the draft the services are likely to lose many highly educated, draft-motivated volunteers," but rather the official Gates Commission study on qualitative requirements of the Armed Forces. The statement can be found in that study on page I–2–6. I do not believe that this detracts from the validity of the statement since, as I pointed out in my speech yesterday, the Gates Commission seems to accept that a degradation in manpower quality would occur under an all-volunteer armed force. I refer any Senator who is interested to page 46 of the Gates summary report and to pages 17823–24 of yesterday's CONGRESSIONAL RECORD.

Mr. President, I have in my hand a letter that I addressed to Senators yesterday. It summarizes the pending amendment as well as the forthcoming Schweiker amendment. Attached to the letter is a letter from Secretary Laird. I ask unanimous consent to have my letter and the letter from Secretary Laird printed at this point in the RECORD.

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

U.S. SENATE,
Washington, D.C. June 3, 1971.

DEAR COLLEAGUE: Tomorrow there will be two extremely important votes—first, on amendment No. 106 terminating all induction authority after July 1, 1971; and second, on amendment No. 76 extending the Selective Service authority for only one year, until July 1, 1972, in lieu of the Committee bill which proposes a two-year extension until July 1, 1973. I urge you to vote against both of these amendments. Please consider the following factors:

1. These amendments involve the fundamental issue of whether our Armed Forces, before July 1, 1973, can rely totally on volunteers for meeting their manpower needs. The simple fact is that there is no reasonable expectation that volunteers will fully meet military manpower needs either immediately, after July 1, 1971, or after only one year of induction authority, ending July 1, 1972. Personally, I have grave doubt as to whether total reliance on volunteers will be possible even at the end of the two-year period. Nevertheless, the Administration is fully committed to the all-volunteer concept at the end of the two years. As a part of the two-year transition, a separate FY 1972 budget category of $1.5 billion has been submitted, of which slightly over $1.0 billion in the form of pay increases has already passed the House and been reported by the Senate Committee in the pending bill.

2. Let me cite the results of an extension for only one year. For FY 1973, July 1, 1972–73), if there is no draft authority, the manpower shortage for the Department of Defense will range from 130,000 up to 210,000. This range assumes that the recent Committee cut will become law and special pay increases will be enacted next year. It is further assumed that the special pay alone will attract from 91,000 to 117,000 who would otherwise be added to the deficit. The Secretary of Defense has stated that "there is no question of the need for extension of the induction authority for two years." (See attached letter.)

3. The adverse effect of induction termination on the manpower *quality* must be frankly recognized. Even the Gates report stated "that in the absence of the draft the Services are likely to lose many highly educated, draft-motivated volunteers." In the Air Force, most of the men entering highly technical skills such as missile and communications electronics are in the draft-motivated group. Only 25% of the true volunteers, an Air Force study found, were even qualified to enter such highly technical skills. For some specialties only 15% of the nation's youth achieve sufficient aptitude scores. To put it bluntly, the draftees and the draft-motivated volunteers as a group are considerably more qualified by education and by mental standards than the true volunteers.

Our Strategic Forces which defend this country—the Polaris Force, the Strategic Air Force, and other strategic elements—could be severely reduced in effectiveness if they are not assured the constant input of highly qualified men who can complete the long weeks of specialized training and meet the mental demands for these critical jobs. These forces cannot be manned by partially trained personnel.

4. Much emphasis has been placed on greater reliance on our Reserve Forces. This element of our national defense is dependent on the six-month training program enacted in 1955 as an alternative for Selective Service induction. The induction authority is the driving force for meeting reserve manpower needs since 75% of these young men are draft-motivated. The Reserves will lose all their effectiveness if their enlisted input is reduced by 75%.

Let me emphasize again that what the Executive Branch must have if the whole volunteer concept has any remote chance for success is TIME—a period nothing less than two years.

Sincerely,

JOHN C. STENNIS.

THE SECRETARY OF DEFENSE,
Washington, D.C.

Hon. JOHN C. STENNIS,
Chairman, Committee on Armed Services,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: My concern about national security prompts me to write you about the extent to which the Services may be ex-

pected to fail to meet manpower requirements in FY 1973 in the absence of the draft.

There is no question of the need for extension of the induction authority for two years. While the Administration is fully committed to reaching a volunteer force by July 1, 1973, this volunteer force must be attained in a manner consistent with national security requirements. A two year extension of the draft is necessary not only to meet quantitative and qualitative manpower needs, but also to permit testing the adequacy of the various enlistment and reenlistment incentives.

Without the draft in FY 1973, even with further strength reductions and higher pay, the military manpower deficit in FY 1973 would be substantial. Even if the higher pay bill passed by the House is enacted and further strength reductions are made, our best estimate is that the Department of Defense would fail to meet its needs for military manpower in FY 1973 by 130,000—210,000. The exact manpower shortage within this range would depend on the final strength decisions for FY 1973, early release actions and other policy changes and the success of the Project Volunteer program.

The failure to meet manpower requirements in FY 1973 in the absence of the draft would be most severe in highly technical skills, medical skills and ground combat personnel. The gross estimates of manpower deficts do not portray the qualitative shortages expected in FY 1973 if the induction authority were ended in FY 1972. Serious skill shortages would result in unbalanced and undermanned forces inadequate for our national security needs.

Sincerely,

MELVIN R. LAIRD.

Mr. STENNIS. Mr. President, I would like to clarify one point. Four hundred and thirty-two thousand accessions are required in fiscal year 1972 to maintain an end-strength of 2.4 million men. On this the Senator from Oregon and I agree.

But accessions do not depend only on the size of the forces. They also vary with the losses—that is the people who are leaving the Armed Forces, and this varies depending on whether the size of the forces in recent years have been going up or down. If there have been high force levels in the recent past, then a large number of men will be leaving the force and more will be required to replace them.

Thus, a 2.4 million man force might require 300,000 new men in some years and 500,000 men in others. This is why so many new men will be needed in the Army in fiscal year 1973—a lot of enlistments will be up that year. This was one of the fundamental errors in the Gates report I spoke of yesterday. They confused an ideal future stable world with the unstable dynamic world we live in.

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

The Senator from Oregon has 6 minutes remaining.

Mr. HATFIELD. May I inquire of the Senator from Mississippi whether he wishes additional time?

Mr. STENNIS. No. I thank the Senator very much. I suggest that the Senator make his closing argument.

Mr. HATFIELD. I am ready to yield back the remainder of my time.

Mr. FULBRIGHT. Mr. President, will the Senator yield for one comment?

Mr. HATFIELD. I yield 2 minutes to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. I just wish to clarify a little further the question of interpretation.

I am very pleased that the Senator from Mississippi joins in the attitude that the decision of the circuit court is wrong in inferring that the passage of this bill or an appropriation bill is thereby an endorsement by Congress of the Vietnam war or a substitution of the war making power of the Congress in any specific case. It would, of course, be a general principle applicable to any war.

If I understand the Senator correctly, I agree with him that the court's interpretation is wrong. It is only on such a basis—that that is not a correct interpretation—that I could bring myself to support any extension of the draft under present circumstances. As I have said, under entirely different circumstances, without an ongoing war in which I am deeply interested, it would be a different matter.

I said to the Senator earlier that I felt that I was not in favor of a professional army. Up to now, that is still my sentiment, as a general principle. But it bothered me to think that the vote here to extend the draft would be interpreted as an endorsement of the continuation of this war, which I am against.

I have done, and will do, anything I can to persuade the President to end this war at the earliest possible date.

Every day we have hearings. We had one this morning on the Inter-American Bank. They all are influenced by the overextension of our country in the war in Vietnam. That is the root cause of many of our economic difficulties, and I think it leads us to distort our real, beneficial foreign policy, because of the pressure that arises from these expenditures, which I am sure the Senator from Mississippi deplores as much as I do. We may disagree on what is the best way to bring it to a close and now we can use our influence to do so. I do not know what would be the best way.

I only wish to make clear, as a matter of legislative history, that a vote for a Defense Department appropriation, or a vote to extend the draft, in my view, should not be interpreted to mean the endorsement of a continuation of the war in Vietnam.

I think the court is wrong in taking that attitude. I do not think any Senator has felt that by so voting we would thereby be endorsing this war.

I wanted to make that explanation for the RECORD.

Mr. STENNIS. I think the Senator's exposition on this subject is excellent. I am glad he has raised the point.

The Senator has said that he does not believe in a professional army. Still, we all agree that we must have an army of some kind; so we have to vote for a bill that will produce an army, either voluntary or by Selective Service.

I thank the Senator for his contribution.

The PRESIDING OFFICER. Who yields time?

Mr. HATFIELD. Mr. President, I yield back the remainder of my time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

All time having expired, the question is on agreeing to the amendment of the Senator from Oregon. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY (after having voted in the negative). On this vote I have a pair with the Senator from Indiana (Mr. HARTKE). If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. METCALF (after having voted in the affirmative). On this vote I have a pair with the Senator from Arkansas (Mr. MCCLELLAN). If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Arkansas (Mr. MCCLELLAN) are necessarily absent.

I further announce that the Senator from Indiana (Mr. HARTKE) is absent on official business.

I further announce that, if present and voting, the Senator from South Carolina (Mr. HOLLINGS) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. DOMINICK), the Senator from Hawaii (Mr. FONG), and the Senator from Illinois (Mr. PERCY) are necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is absent by leave of the Senate on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Colorado (Mr. DOMINICK), the Senator from Hawaii (Mr. FONG), the Senator from South Dakota (Mr. MUNDT), and the Senator from Illinois (Mr. PERCY) would each vote "nay."

The result was announced—yeas 23, nays 67, as follows:

[No. 80 Leg.]

YEAS—23

Baker	Hatfield	Packwood
Bayh	Hughes	Pastore
Brooke	Inouye	Pell
Church	Mansfield	Proxmire
Cook	Mathias	Schweiker
Cranston	McGovern	Stevenson
Gravel	Mondale	Williams
Hart	Nelson	

NAYS—67

Aiken	Cannon	Gurney
Allen	Case	Hansen
Allott	Chiles	Harris
Anderson	Cooper	Hruska
Beall	Cotton	Jackson
Bellmon	Curtis	Javits
Bennett	Dole	Jordan, N.C.
Bentsen	Eagleton	Jordan, Idaho
Bible	Eastland	Kennedy
Boggs	Ellender	Long
Brock	Ervin	Magnuson
Buckley	Fannin	McGee
Burdick	Fulbright	McIntyre
Byrd, Va.	Gambrell	Miller
Byrd, W. Va.	Griffin	Montoya

Moss	Scott	Talmadge
Muskie	Smith	Thurmond
Pearson	Sparkman	Tower
Prouty	Spong	Tunney
Randolph	Stennis	Weicker
Ribicoff	Stevens	Young
Roth	Symington	
Saxbe	Taft	

PRESENT AND GIVING LIVE PAIRS AS PREVIOUSLY RECORDED—2

Humphrey, against.
Metcalf, for.

NOT VOTING—8

Dominick	Hartke	Mundt
Fong	Hollings	Percy
Goldwater	McClellan	

So Mr. HATFIELD's amendment was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. THURMOND and Mr. CANNON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now occurs on the second part, title V, of the Schweiker amendment. Time is under the control of the Senator from Pennsylvania (Mr. SCHWEIKER) and the Senator from Mississippi (Mr. STENNIS), with the vote to occur not later than 4 p.m.

Who yields time?

Mr. SCHWEIKER. Mr. President, I yield 2 minutes to the Senator from Oregon.

Mr. HATFIELD. Mr. President, I wonder if the Senator would yield the 2 minutes to the Senator from South Dakota (Mr. MCGOVERN).

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator will suspend. There will be order in the Senate and in the galleries before we proceed.

The Senator may proceed.

Mr. SCHWEIKER. Mr. President, I yield 2 minutes to the Senator from South Dakota.

Mr. MCGOVERN. I thank the Senator.

The PRESIDING OFFICER. The Senator may proceed.

AMENDMENT NO. 143

(Ordered to be printed and to lie on the table.)

Mr. MCGOVERN. Mr. President, I send to the desk for myself and Senators HATFIELD, CRANSTON, HUGHES, and others, an amendment to H.R. 6531, the Military Selective Service Act amendments, and I ask that it be printed.

The central provision of this proposal is well known. Our objective is to end, by December 31 of this year, the involvement of American Armed Forces in the Indochina war, through a method which will assure the repatriation of American prisoners of war, and the full protection of withdrawing forces.

To achieve that goal—now shared by three-fourths of the American people—we propose that Congress exercise its clear constitutional authority to place limitations on the use of appropriated funds.

The amendment we introduce today is similar to the Vietnam Disengagement Act, S. 376, which has been pending in the Senate since January. That bill was, in turn, based on the proposal considered in the Senate last year.

We have, however, made several significant changes.

First, the language has been rearranged to eliminate even the slightest hint of interference with the President's authority as Commander in Chief of American Armed Forces. While we do have views on what should be done between the date of enactment and the date when withdrawals must be completed, those views are not imposed by this amendment. Instead, it simply requires that all U.S. forces be out by December 31, while at the same time reaffirming the President's authority to fully protect those forces, to deal with concerns about danger to the civilian populations of Indochina, and to continue supplying assistance to those countries in amounts authorized by the Congress.

Another fundamental change is the addition of a new subsection addressing the concern we all feel for the Americans who are held prisoner by North Vietnam and by other adversary forces in Indochina.

I have little doubt that most of us regard the release of these men, along with the safe return of those still engaged in fighting in the South, as our most important single remaining aim in Indochina. Certainly we can agree on these priorities.

I want to say quite frankly that the new language we propose on the prisoner of war issue draws on the wisdom of other Senators. We have carefully examined the resolutions offered on this point by Senators COOK and STEVENS, by Senator PEARSON, and by Senator MILLER. We have also seen great merit in the proportional repatriation plan proposed by Senators MCINTYRE, PACKWOOD, METCALF, and SPONG.

Each of these plans suggests agreement with the premise that establishment of a date certain for withdrawal is the most hopeful method of ending our involvement in this tragic war—if we can be assured that through the establishment of such a date we will achieve the release and repatriation of all American prisoners.

That is precisely what our amendment does.

The North Vietnamese have pledged in Paris that if we will set the date they will discuss "at once" arrangements for repatriating American prisoners. They have indicated that the problem could be handled in a matter of weeks.

I believe those statements are made in good faith. But I can also understand the fears that they may not be.

Therefore, we propose that they be tested.

We call upon the North Vietnamese and other adversary forces to act within 60 days to arrange for the release of all American prisoners, to be completed by the time U.S. forces are withdrawn. Assuming that the bill is approved by July 1, that means that we would have to be satisfied on this score by the beginning of September.

If they do not follow through, the deadline for withdrawal would be extended by 60 days, and the Congress would automatically consider further action recommended by the President. Our deliberations on this issue could begin as early as September 1, leaving 6 full months to agree on appropriate steps.

We will be discussing the merits of this amendment in some detail in the days ahead. We welcome rigorous comparison with the administration's "Vietnamization" formula. We invite the careful scrutiny of every Member of the Senate.

Mr. President, this vile war has gone on too long. It has killed and maimed thousands of young Americans. It has swallowed over $100 billion of our national treasures. It has torn our national spirit, and it defies our sense of decency and justice.

Let us help the President end it.

Mr. President, I request unanimous consent that the text of the McGovern-Hatfield amendment be printed in the RECORD at this point.

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

AMENDMENT NO. 143

At the end of the bill add the following new section:

"SEC. — (a) Subject to the provisions of subsection (c) of this section, no funds authorized or appropriated under this or any other law may be expended after December 31, 1971, to support the deployment of United States Armed Forces in or the conduct of United States military operations in or over Indochina.

"(b) Nothing in this section shall be construed to affect the authority of the President to:

"(1) provide for the safety of American Armed Forces during their withdrawal from Indochina,

"(2) arrange asylum or other means of protection for South Vietnamese, Cambodians and Laotians who might be physically endangered by the withdrawal of American Armed Forces, or

"(3) to provide assistance to the nations of Indochina, in amounts approved by the Congress, consistent with the objectives of this section.

'(c) If, after sixty days after the date of enactment of this Act, North Vietnam and other adversary forces in Indochina holding American prisoners of war have not made arrangements for the release and repatriation, by December 31, 1971, of all such prisoners:

'(1) the date in subsection (a) shall be extended for sixty days, and

"(2) the Congress may by joint resolution authorize such further action as is recommended by the President to secure the release and repatriation of American prisoners of war."

Mr. KENNEDY. Mr. President, will the Senator yield to me for 5 minutes so that I may comment on the McGovern-Hatfield amendment?

Mr. SCHWEIKER. I yield 5 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I join with the distinguished Senators as a cosponsor of this amendment to set a deadline for the complete withdrawal of U.S. forces—draftees and volunteers—from Indochina.

This is the time and this is the method for Congress to act in the best interests of the Nation by putting an end to this war.

The amendment that has been introduced today does what no other amendment or course of action suggested in this body this year can accomplish. It

mandates a date certain for a halt to U.S. military involvement in Vietnam, in Cambodia, in Laos.

It not only assures us that there will be an end to the weekly toll of American dead but also that American combat troops, as well as American helicopter crews and American bomber pilots, will be spared from the bloody lists of casualties.

And just as important, it assures us that the actions of American military forces, actions which have been financed by congressional appropriations, will no longer bring death and destruction to the people of Indochina.

As chairman of the Refugee Subcommittee, I have seen the consequences of the President's oft-proclaimed policy of Vietnamization. Witness after witness has testified to what our bombing of supply lines in Indochina has meant to civilians. Villages razed, crops destroyed, countless deaths and a steady stream of refugees spread across the countryside.

The President has told us that the bombing will go on. He has told us that the withdrawal of U.S. troops will go only up to a certain point. He has told us that one of his conditions for withdrawal is some assurance that the Theiu-Ky government or its puppet successor will continue in power.

The point is very simply that the President has told us the war will go on.

American casualties have been reduced and hopefully they will continue to be reduced if the President maintains the current level of ground troop withdrawal.

But it is "perfectly clear" by the President's own admission that he has set no date for scaling down the rain of terror that goes by the name of "interdiction." More bombs have fallen during the war in Vietnam than the entire Second World War and the President intends for them to keep falling.

There is, I feel, a continuing tendency on the part of our national leadership to underplay the serious dimensions of war-related civilian problems resulting from the air war—in Cambodia as well as Laos. Such a mindless use of power at this time—after the bitter and discredited experience in Vietnam—only shows a continued insensitivity to the people of Indochina.

We know that since 1965, over 1 million civilians have been wounded and 325,000 civilians have been killed in South Vietnam alone.

In little more than a year, up to 1½ million persons in Cambodia have apparently become refugees.

In Laos, which has been the principal target of our unrestricted air war, official reports on the number of refugees now extend to over 300,000.

There is only one sure way to stop those bombs. There is only one way to stop the escalation in civilian casualties. There is only one sure way to stop the exposure of our pilots to death or capture. That is to pass this amendment to end both the air and ground war on Indochina.

This amendment before us also meets the legitimate demand of the POW wives to induce the North Vietnamese to release our prisoners of war. It provides that arrangements for their release will be linked to the withdrawal of U.S. troops. But it commits us, if the release of prisoners is agreed to, to total and complete withdrawal by December 31, 1971.

I support this addition and I have every confidence that when we withdraw our military forces from Vietnam, our prisoners of war will be freed.

The desire of the American people for U.S. disengagement from Vietnam by the end of this year is unquestioned. Letters, marches, national surveys—in every way and in every manner conceivable the American people have called for an end to the war.

And they have a right to call for an end to the war. They have seen 54,000 of their sons die. Over 18,000 women have lost their husbands in Vietnam. More than 12,000 children have lost their fathers. And other children and other wives have seen their young men return wounded and crippled, many for life.

The people of this Nation have a right to call for an end to war, because they have seen the division in this country tear at the fabric of our society. They have seen students shot at Kent State and Jackson State. They have seen troops confront antiwar protestors with fixed bayonets. They have seen police confront Vietnam veterans.

They have a right to call for an end to that war. And we in the Congress have a responsibility to answer. Too many have died. Too many of our young men. Too many of theirs. It is time for Congress to act. It is time for the war to end.

Mr. HUMPHREY. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I yield.

Mr. HUMPHREY. First, I want to take this moment to commend the Senator from Massachusetts for his emphasis upon the civilian aspects of the tragic struggle in Indochina, his work in behalf of the refugees, his bringing to the attention, not only of the Congress but of the Nation the terrible toll not only of men in combat on the battlefield but of the civilian population.

Second, I am very pleased and honored to have the opportunity to join with the Senator from South Dakota in cosponsoring this amendment. I think it is a practical, sensible, and humane amendment. It ought to be adopted. I hope it will be adopted during the period of this debate on the selective service. It seems to me it provides every element of responsibility that this Congress ought to embrace. It calls for our withdrawal. It sets up the machinery for it. It relates the problem of withdrawal to the release of our prisoners of war. I believe that it is an excellent proposal which merits the full support, I trust, of a majority of the Senate and of the other body.

So I am pleased today to be here on the floor of the Senate at a time when I think a very important piece of legislation has been presented to us and introduced. I think this is a historic moment because it is my view that we may very well now have the votes in this body to adopt this particular amendment, the Vietnam disengagement amendment, introduced by the Senator from South Dakota (Mr. McGOVERN).

I want to compliment him on his steadfastness in the pursuit of his objective of disengagement. He is one Senator—and I can say this from the vantage point of having been away from this body and having been Vice President—who has never veered for one moment from his conviction that we ought to disengage from the struggle in Vietnam.

Mr. HATFIELD. Mr. President, the amendment which Senator McGOVERN and I and 28 other of my distinguished colleagues place before you today offers the Congress the opportunity to reassert its constitutional role in determining foreign policy commitments.

Our intent is clear—to bring our participation in this tragic war to a conclusion and provide for the safe return of our prisoners of war.

This proposal has been clarified measurably since it was last considered by this body. I call my colleagues' attention to provisions designed to trigger the return of our prisoners of war. In addition, our intention not to infringe upon the constitutional powers of the President as Commander in Chief has been incorporated into the new language of this amendment.

At the same time the amendment has grown and changed, the mood of the country has grown and changed with it. In the year since this proposal first came before the Senate, American public opinion has swung strongly behind this effort. As you are aware, polls now indicate that fully three-fourths of the American people favor this amendment.

I hope my colleagues will examine this proposal in detail, carefully considering the more explicit language, and I look forward to the upcoming debate, the most crucial issue before the Senate and our Nation.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess——

Mr. HUMPHREY. Mr. President, will the Senator withhold that motion?

Mr. BYRD of West Virginia. I withhold the motion.

Mr. HUMPHREY. May I ask the Senator if the rule of germaneness has been waived for the remainder of the day?

Mr. BYRD of West Virginia. The rule of germaneness has been waived for today.

Mr. HUMPHREY. Will the Senator yield about 5 minutes to me?

Will the Senator from Pennsylvania (Mr. SCHWEIKER) yield 5 minutes to me out of his time?

Mr. SCHWEIKER. I yield to the Senator from Minnesota.

Mr. HUMPHREY. It is on a subject that is not germane to the particular debate at this time, so I would not want to misinform the Senator.

Mr. SCHWEIKER. Mr. President, I yield 5 minutes to the Senator from Minnesota.

Mr. BYRD of West Virginia. Mr. President I withhold my motion until the Senator has completed his remarks.

PAKISTAN

Mr. HUMPHREY. Mr. President, the present lull in the Pakistan civil war has brought a general lull in this Congress and the Government with respect to our attitude and policies. It is false comfort to ignore a situation of the uttermost importance, both in respect to our own country and the people of Pakistan.

Reports come in daily, describing the gruesome details of the human suffering brought about by the recent fighting. In addition the present lull may be only a brief respite before the storm when viewed in the context of the deterioration in relations between India and Pakistan.

Pakistan has become another razor's edge. My concern throughout this entire tragic development has been to try to persuade the administration to dull the edge by assuming a position of noninterference and by implementing immediate humanitarian relief programs. I regret to say that I am not encouraged by the administration's tactic of sitting things out. There is a difference between noninterference and "wait and see." One is a concrete policy, designed to minimize conflict. The other is taking an alternative for want of a better one.

I am not being argumentative—only concerned—when I urge the President to declare a policy of noninterference and abide by it. I also urge the administration to undertake immediately the programs it now is considering for humanitarian relief.

There are approximately 4 million Pakistani refugees now in India who need this assistance. Between 10 and 30 million of the east Pakistan population are starving. Surely, this kind of crisis requires immediate attention. I am pleased to hear of the U.S. plan to aid Pakistani refugees in India. What I am suggesting today is that this approach should also be applied in east Pakistan.

Once again, I earnestly request that the administration take such action as I have outlined in my correspondence with the Secretary of State. I ask, Mr. President, unanimous consent that this correspondence and the telegram to the Secretary of State which I signed jointly with some of my colleagues be printed at this point in the RECORD.

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

APRIL 27, 1971.

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

DEAR MR. SECRETARY: I have been most disturbed over the continuing civil war between West and East Pakistan and the resulting tremendous loss of life suffered by the Bengali population in East Pakistan. News of the brutality exercised by both sides and particularly by West Pakistani armed forces against the population of East Pakistan is especially upsetting when account is taken of the recent elections in Pakistan. It seems that much of the violence could have been avoided, had the results of the elections actually been implemented.

Since this alternative was ignored and since a large portion of the population of East Pakistan has shown an unwillingness to accept imposed rule by the Government of West Pakistan, it is likely that the struggle for the independence of East Pakistan will continue for quite some time.

Under the circumstances I strongly recommend that the United States make every effort not to interfere. Surely this position is in our own interests and those of other countries not directly affected by the conflict.

In my opinion the only way to assure that a policy of non-interference is practiced for the duration of the conflict, our government must declare an embargo on any kind of military assistance or other forms of assistance which could conceivably be used to the advantage of one party or the other. Naturally, such an embargo should not preclude assistance of a non-military, humanitarian nature. At the same time I would expect that our government make perfectly clear its position through a public declaration.

Once the United States has clearly established a policy of non-interference, it could then make its good offices available either bilaterally or through the United Nations to help settle the conflict equitably. Any such diplomatic offer would, of course, be contingent upon the clarification of our own position.

While I commend your efforts and the President's to minimize our role in the present conflict, I strongly urge you to consider taking more concrete steps such as those I have outlined in the above remarks. I do not have to tell you how pressing this issue is, and, therefore, how urgent it is that our government act promptly.

In so doing I can assure you that you will have my total support.

Sincerely,

HUBERT H. HUMPHREY.

Hon. WILLIAM P. ROGERS,
U.S. Secretary of State, U.S. Interests Section, Care Of Spanish Embassy, Cairo, United Arab Republic.

DEAR MR. SECRETARY: Tens of millions face starvation in East Pakistan without emergency efforts to restore full supply and distribution of food imports.

We urge you to instruct U.S. Rep. at Pakistan Consortium talks to refuse further foreign exchange assistance, and ask other donors to refuse likewise, unless government of Pakistan (1) mounts immediate emergency relief effort in East commensurate with potential need, and (2) grants ICRC observers entry to East to plan coordinated international food distribution and medical relief efforts with Pakistani authorities.

We recognize these are extraordinary actions but feel they are compelled by horrible prospects of millions starving in East Pakistan while governments have means to prevent it.

Sincerely,

WALTER F. MONDALE, CLIFFORD P. CASE, FRED R. HARRIS, THOMAS F. EAGLETON, GEORGE MCGOVERN, WILLIAM PROXMIRE, HAROLD E. HUGHES, HUBERT H. HUMPHREY, BIRCH BAYH, EDMUND S. MUSKIE.

DEPARTMENT OF STATE,
Washington, D.C., May 27, 1971.

Hon. HUBERT H. HUMPHREY,
U.S. Senate, Washington, D.C.

DEAR SENATOR HUMPHREY: The Secretary has asked me to reply to your thoughtful letter of April 27 concerning the civil strife in East Pakistan and our attitude toward it.

Your expression of deep concern over these tragic recent developments is understandable. The Department shares that concern and I wish to assure you that we have not been silent or inactive with respect to them. Our spokesmen have addressed various aspects of this situation repeatedly in official statements over the past two months. Since these statements have not received all the publicity we feel they have deserved, it might be useful for me to summarize them for you.

We have expressed concern over the loss of life and damage which have occurred in East Pakistan and the hope that peaceful conditions will be restored there. We have extended our sympathy to the victims of these events. We have emphasized our belief that it is important that every feasible step be taken to end the conflict and achieve a peaceful accommodation. We have declared our willingness to support any international humanitarian relief effort to alleviate the suffering caused by these events. We are extending substantial relief assistance to refugees from East Pakistan in India and are prepared to provide emergency aid to East Pakistan when requested. We have also discussed these matters with the Government of Pakistan and will continue to do so.

We appreciate your recognition of the importance of the United States Government maintaining a policy of non-interference in this situation for the duration of the conflict. We have, in fact, recognized it to be an internal affair for the Pakistanis to resolve for themselves without interference from other countries. We have also taken careful note of your suggestion that we stop any kind of military assistance or other forms of assistance which might be used to the advantage of one side or the other.

As far as military assistance is concerned, much has already been done that parallels your suggestion. We terminated all grant military assistance to Pakistan and India, as a consequence of the 1965 Indo-Pakistan war. We have provided no weapons to either country since then. The only measure of grant military assistance which we have reinstituted since 1965 has been a modest program of military training, running at about $200,000 annually for each country. We believe this program serves a useful and constructive purpose in maintaining liaison and friendly ties between the armed forces of the United States and Pakistan, offering the latter a continuing avenue of contact with the West and exposure to western ideas. We would hope this activity could continue and we would regret its suspension or termination.

With respect to military supply, as the Department's spokesman announced on April 15, the Department of Defense has informed us that no military sales items including spare parts and ammunition have been provided to the Government of Pakistan or its agents since the outbreak of fighting in East Pakistan on March 25. In short, no arms have been provided since the beginning of this crisis and the question of deliveries is under review.

To our knowledge, American economic assistance has not been used by either side to its advantage during the current conflict. We are, nonetheless, taking a close look at our assistance programs in light of the current circumstances to insure that they continue to meet the development objectives for which they are intended. We have had to suspend many of our economic activities in East Pakistan because of the disturbed conditions there but we are hopeful of resuming whatever programs are feasible as order is restored. We are not entering into new aid commitments pending revision and review of Pakistan's national development plan in the light of the changed economic situation.

We agree that assistance of a non-military, humanitarian nature should not be inhibited in any way. I am pleased to be able to inform you, in fact, that we have been actively promoting international humanitarian relief assistance both for the people in East Pakistan who have suffered from the consequences of the civil strife and for those who have sought refuge in India. I enclose for your information a recent statement of what we have already done and what we plan to do to contribute to these vital relief efforts.

I hope this information will be useful to you in understanding our position on vari-

ous aspects of the situation in Pakistan. Please continue to call on me whenever you believe we might be of assistance.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.

STATEMENT ON HUMANITARIAN AND REFUGEE RELIEF EFFORTS IN EAST PAKISTAN AND INDIA, MAY 18, 1971

The United States Government continues to be seriously concerned about the suffering and hardship which have arisen from the civil disturbances in East Pakistan. Two aspects of this problem have engaged our particular attention. The first is the re-establishment of conditions that will permit restoration of transportation, administration and more normal economic activity so that food distribution and other essential services can be resumed. The second is the care of refugees who have gone to India from East Pakistan.

We have publicly and privately expressed our concern for an early peaceful accommodation that would permit life to return to normal in East Pakistan and the refugees to return to their homes.

We have discussed humanitarian relief efforts with the Governments of Pakistan and India and we have urged international organizations and other interested countries to undertake appropriate contingency planning. We recognize that the problem is basically one for the Governments and people immediately concerned to solve. Their efforts are essential; but the international community can be of great assistance in supporting their efforts and supplementing their resources.

We have associated ourselves, both publicly and privately, with UN Secretary General U Thant's April 1 offer of international humanitarian relief for East Pakistan. We have repeatedly discussed this matter with the Government of Pakistan. Secretary Rogers joined the British Foreign Secretary in a message to the Secretary General April 27 suggesting that he renew his offer of humanitarian assistance. We have indicated our willingness to support such an effort when requested by Pakistan. Meanwhile, we are actively moving forward with contingency planning within the U.S. Government.

We are now encouraged to note that the President of Pakistan, in a letter of May 3 to Secretary General U Thant released by the UN on May 12, has welcomed the Secretary General's offer to provide relief assistance to East Pakistan through the UN and its specialized agencies. President Yahya stated that, while adequate supplies are presently available, his Government is assessing its possible requirements for present and future international assistance.

We have also indicated that as soon as the local situation permits we are ready to resume rehabilitation projects in the cyclone disaster area along the East Pakistan coast where there is an especially urgent need for food supplies. For this purpose, we can draw on the $7.5 million allocation and over $100 million in US-owned Pakistani currency made available by Congress for rehabilitation projects. We can move forward with an agreement to provide a further 150,000 tons of foodgrains for rehabilitation in the cyclone disaster area. We have also held in readiness a further 170,000 tons of wheat, the balance from an earlier agreement for East Pakistan as a whole, to be shipped as soon as port and distribution facilities permit

Large numbers of refugees have gone to India from East Pakistan. The Government of India has already requested international assistance and has sought bilateral assistance from several countries to supplement its own very considerable efforts to help the refugees. We have taken the lead in supporting the international relief effort which is being organized by the UN High Commissioner for Refugees. We have been working closely with the World Food Program which will also be cooperating with the UN High Commissioner in the relief effort.

As soon as the refugee flow became substantial, we began a program of feeding the steadily growing number of refugees through U.S. voluntary agencies in India. By the end of this week, we anticipate that CARE, Catholic Relief Services, Church World Service and the Lutheran World Federation will be feeding as many as 300,000 refugees using PL-480 Title II food. For this and other relief purposes we have authorized up to $2.5 million in food and other assistance as our initial contribution to enable urgent relief activities to get under way while the international relief effort is being organized. A UNHCR team is currently in India assessing relief needs. We will consider what types of additional contributions we might make when this team has reported its findings.

URBAN GROWTH AND THE OUTER CITY

Mr. HUMPHREY. Mr. President, the New York Times has recently published a series of five articles exploring the growth, the complexities, and attitudes of suburban America.

In paragraph after paragraph, these articles have indicated a diversity of enterprise and living in what is now called the "outer city." At the same time, the articles reveal the fear and frustration—for the "outer city" is not without its troubles and its problems.

The articles capture an urban phenomena that almost defies description. The inner-city suburb, the threatened intrusion of apartment complexes, the shopping areas, the beltways of concrete—they are all here in these paragraphs—proving once again that what man has created, man also has difficulty understanding.

More than ever before, these stories clearly say to those of us who advocate programs for urban areas: be certain that you comprehend the nature of the society for which you are trying to legislate.

I ask unanimous consent that these articles be printed in the RECORD at this time.

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

[From the New York Times, May 30, 1971]

THE OUTER CITY: U.S. IN SUBURBAN TURMOIL

(By Jack Rosenthal)

WASHINGTON, May 29—Rapidly, relentlessly almost unconsciously, America has created a new form of urban settlement. It is higher, bolder and richer than anything man has yet called city.

Transfixed by the image of bedroom towns in the orbit of true cities, most Americans still speak of suburbs. But a city's suburbs are no longer just bedrooms. They are no longer mere orbital satellites. They are no longer sub.

They are broad, ballooning bands, interlinked as cities in their own right. In population, jobs, investment, construction, stores, political power—all the measurements that add up to "urban"—the old inner city is now rivaled, often surpassed, by the new.

This is the Outer City.

VAST CHANGES NOTED

And from its massive, centerless development, repeated again and again across the country, spring the most serious implications for the quality of urban life.

In 1940, suburbs contained 27 million people; 2 of every 10 Americans; 19 million fewer than the cities. Now they contain 76 million; almost 4 of every 10; 12 million more than the cities that spawned them.

Once-rustic fringe villages now have their own zip codes, area codes, big league stadiums. They are the sites of luxury hotels and industrial plants, fine stores and corporate offices.

In New York, the population remains about equally divided between urban and suburban. But elsewhere the suburbs are already two, three, four times more populous than the inner cities they surround.

Commonly, 40, 50 and even 60 per cent of those who live in a city's suburbs also work in them. Half, or more, of every retail dollar is spent in the suburbs. More than 8 of every 12 dollars spent on housing construction is spent in the suburbs. About two-thirds of all industrial construction is in the suburbs, in the outer cities of the nation.

Visits and interviews in five geographically representative areas—Baltimore, Cleveland, Los Angeles, Houston and Atlanta—showed that the suburbs are individual, diverse communities with a diversity of problems. In the distant exurban greenery, planners worry about how to channel new growth. In closer suburbs, officials struggle to show that age need not bring decay. In the closest, decay has already begun.

But taken together, the suburbs have, like New York's, become informally federated in many areas. Their residents use the suburbs collectively: as a city, a centerless city.

Mrs. Ada Mae Hardeman is a Californian who says she doesn't really know where she is from:

"I live in Garden Grove, work in Irvine, shop in Santa Ana, go to the dentist in Anaheim, my husband works in Long Beach and I used to be president of the League of Women Voters in Fullerton."

She doesn't much mind. "I don't miss central city pleasures out here in spread city. Honestly, I have to say I love it."

NOW THE BELTWAYS

Now such independence of the city is being massively fortified with concrete. Broad beltways already encircle 10 large cities and will soon rim 70 more—the accidental new main streets of the outer cities.

And the residents of the outer cities have become so independent of the inner cities that it is common to hear people brag that they haven't been downtown in months, even years.

Still, like many inner-city residents who think that the urban world revolves around downtown, they do not concede that the suburban rings constitute an alternate city.

They prize the array of urban facilities of their outer city. But many, as in parts of New York's Westchester County and Northern New Jersey, still identify with the image, of the pastoral town.

They are alarmed by the consequences of their own growth, like increasing density and pollution. But they still cling to the governmental forms of isolated villages.

FEDERAL ACTION ENDORSED

They are increasingly willing—even, surprisingly, in the most conservative communities—to endorse *Federal* action to assuage the poverty and blight left behind in the inner cities. But, otherwise, they shrink from these problems, often with indifference, sometimes with anger.

Tormented city officials, like Larry Reich, the Baltimore city planner, may denounce what they regard as unfairness:

"The city of Baltimore makes the suburbs possible because we carry the burdens of the old, poor, black and deviants. Why should we keep carrying the burden?"

But in the suburbs, many people quote

with unabashed candor the old troopship cry: "Pull up the ladder, Jack, I'm on board."

SEE HOW THEY GROW

And the new outer cities continue—rapidly, centerlessly—to grow:

For all the vitality of downtown Houston, the fashion center is not downtown. Tiffany's in Houston now is a block from the Loop beltway, one small segment of a $300-million retail, commercial and hotel development called City Post Oak. Even in the twilight, the rows of plaza light globes, like luminous pearls, only soften the staggered concrete shapes behind them stretch outward for eight block and upward for 22 stories.

It was once second-rate farmland out amid the slash pine and red clay 15 miles from Atlanta's old warehouse district. Now H. C. Patillo, who calls himself merely a medium-size local builder, has developed an industrial park, serving local and national concerns alike. It contains long, low, attractive plants, 103 of them, on a 2,000-acre tract.

Roosevelt Field, the lonely little Long Island airport from which Charles Lindbergh took off for Paris in 1927, is now the Roosevelt Shopping Center, one of the East's largest. In place of the tiny crowd that watched the Spirit of St. Louis disappear into the morning fog are the crowds of housewives shuttling from Macy's to Gimbel's.

In Orange County, Calif., once a sprawling bedroom for Los Angeles, Newport Center, a vast alabaster oasis, gleams against the tan foothills near the Pacific. The floor space in the fashion stores and 18-story office towers already nearly equals that of Manhattan's Pan Am Building, and they are 49 miles from downtown Los Angeles.

"Everybody thinks a city needs to have a center," says Richard Baisden, a political scientist at the new University of California at Irvine. "Well, why does it? Downtown has ceased to have any real relevance. Its functions have dissipated and decentralized out to where the people are."

This decentralization, it is evident from the visits to five metropolitan areas, is nearly complete.

The barges, boxcars and industries that once gave the inner city its pre-eminence, and jobs, have not disappeared. But now they are rivaled by tractor-trailer rigs, beltways and fork-lift trucks that make desirable such low-rent industrial plants as the Pattillo development in Atlanta.

A HOME AT LAST

The central cities, their variety of apartments, flats and homes growing old, are no longer the sole, or even the most desirable, location of housing. For millions, the automobile and Federal insurance for new housing in outlying areas have crystallized the American dream.

"The suburban house," says Edgardo Contini, a noted Los Angeles urbanist, "is the idealization of every immigrant's dream—the vassal's dream of his own castle.

"Europeans who come here are delighted by our suburbs, even by the worst sprawl. Not to live in an apartment! It is a universal aspiration to own your own home."

RIBBON OF GOLD

The movement of people, in turn, has sped the outward spiral of shopping, a movement so rapid that in some cities, total suburban retail sales now far exceed those in the inner city.

And now have come the circumferential highways, what Baltimore calls the Beltway, Houston the Loop, Atlanta the Perimeter—and what one developer calls "the ribbon of gold."

Pasadena, Tex., near the Houston Loop beltway, expects to double and redouble its population. This growth will come, says Mayor Clyde Doyal, despite the fact that "we have no bus station, no railroad, no airport; what we've got is a freeway."

In Atlanta, people call the Perimeter the lifeline to development of the outer city. "People are learning to use it, learning to drive faster by driving farther," says Harold Brockey, president of Rich's, "no one says it took me 10 miles to get here; they say it took me 15 minutes."

The beltways are generating yet another level of growth. Suburban development once meant tract homes, schools and flat shopping centers. Now it is typified by monumental complexes like Mario Doccolo's $22 million Hampton Plaza in suburban Towson, Md.

Why did he build this gleaming, round, 29-story tower of tan stone—with offices, fine shops and condominium apartments—in the suburbs?

Because, Mr. Doccolo says, "*This* is the city. They're getting out of Baltimore. People go there to do what they have to do and then—zoom!—back out to the suburbs.

"I could see Mohammed wasn't going to the mountain any more, so I said, 'Let's build the mountain out here'. That's what I bet on."

Thus the outer city: people, houses, plants, jobs, stores, space, greenery, independence.

NOT COMPLETE YET

But it is not, at least not yet, the complete city.

Some functions are still left to the inner city. Rapid highrise office development in many cities testifies to one. White collar professionals—lawyers, brokers, bankers, government workers—still require frequent face-to-face contact, a central verbal marketplace.

Inner cities also remain culture centers. But many suburban residents are willing to do without downtown museums, theaters and symphonies, satisfying their cultural needs at outlying universities or amateur performances.

Most notably, the inner cities, despite the erosion of their economic strength, are still called on to perform a major social function: caring for the needy and societizing the poor.

The inner city remains the haven where the rural migrant, the poor black, the struggling widow can find cheap housing, health care, welfare and orientation to the complexities of urban life.

The burden of this function, clear from the straining budgets of every major city, prompts officials everywhere to talk of the swelling new outer cities as parasites.

ABANDONMENT CHARGED

"The middle class has entirely abandoned the city," says Norman Krumholtz, Cleveland's lean, intense planning director. "Twenty years down the road, it's perfectly conceivable that the city will be just one great big poorhouse."

Where, asks Baltimore's Larry Reich, are the blacks in the suburbs? It is a rhetorical question. He knows the suburbs are less than 7 per cent black, compared with the city's 47 per cent.

Where, he asks, do hippies, many of them children of the suburbs, congregate? Where is the suburban skid row? Where is the fairness?

In Orange County, Calif., the black population is less than 1 per cent. Yet nearly 7,000 of the county's 10,000 blacks are concentrated in beleagured Santa Ana.

In Cleveland, a suburban-dominated regional council, overriding city protests, voted a new freeway that would chew up more of the city's eroding tax base.

The speaker is a suburban city manager in California, but his words convey the sentiments of outer-city residents across the country:

"Social problems in the city? People here would say, 'Sympathy, yes. But willingness to help? That's their tough luck. That's their problem.' "

[From the New York Times, May 31, 1971]

THE OUTER CITY: THERE IS NO FIRM STEREOTYPE

(By Douglas E. Kneeland)

PASADENA, TEX.—After World War II, when the trickle to the outer cities became a tide, a myth was built. It was called suburbia.

The myth—the easy stereotype—was nourished by television and the movies, by newspapers and magazines and novelists, even by Dick and Jane and Alice and Jerry, those monosyllabic suburban tots who ran, jumped, looked, saw from the pages of most of the nation's first-grade readers.

Somehow the suburbs, despite their diversity, became one, frozen in the American mind as solidly as the Main Street of Sinclair Lewis—all green velvet lawns and swimming pools and two-car garages viewed through picture windows by practicing Republicans.

Main Streets there were and are, hundreds, perhaps thousands, almost interchangeable. But the myth is unreal. The homogenized, split-level dream is only a fragment of the new America of 76 million people that has taken root around the nation's inner cities.

Visits in the outer urban areas around five major cities across the country produced ample evidence of problems and life styles as diverse as those found in the New York area's Bayonne and Levittown and Scarsdale.

"Campaigning in the new suburbia drives you crazy," complained a politician from Dekalb County, which takes in a corner of Atlanta and grew more than 150,000 to 416,000 in the decade of the sixties. "It's different from one neighborhood to the next."

And that is the pitfall for politicians or planners or economists or sociologists who view the new America of the Outer Cities as monolithic, predictable and single-minded.

THEY'RE DIFFERENT

Pasadena, just south of Houston, is a clutch of what once was suburbia. It is pushing 100,000 population and is plagued by pollution and the reluctance of its people to let loose of small-town concepts.

Lakewood, Ohio, on Cleveland's west side, did its growing in the early part of the century. Despite a scattering of new luxury apartments along the shore of Lake Erie, its population is relatively stable at 71,000. Lakewood worries most about preserving its property values, its sense of quality. It has adopted strict building codes and last year conducted a door-to-door campaign to check on enforcement.

Newport Beach in Southern California's Orange County is a wealthy playground turned bedroom, where sailboats are as ubiquitous as automobiles. And while its residents fight highrise apartments and small-home developments, a tract of 6,500 homes in the $250,000 class being built.

Decatur, Ga., a small and gracious, but aging island, one-third black, is awash in the surge of migration into metropolitan Atlanta's Dekalb County. As one of the few refuges for blacks in the county, it is shunned by whites and fears the fate of such overwhelmingly black suburbs as East Cleveland, Ohio, and Compton, Calif. Turner's Station in Maryland's Baltimore County, crowded onto a bleak point on the outskirts of the steelworkers' town of Dundalk, has never had that worry. It was built for blacks and suffers from most of the problems of the inner-city ghettos.

VARIETY EVERYWHERE

And so it goes, across the land. Suburbs all. Or what were suburbs. Now caught like hundreds of others in the web of the new outer cities—with problems as varied as their landscapes.

The Nixon Administration has been pressing hard for decentralization and local solutions to the nation's troubles. But from Baltimore County to Cleveland's inner and outer cities, from Orange County to Houston and

the Atlanta suburbs, mayors, county officials, planners, poverty workers and urbanologists all sounded the same note:

Without strong Federal leadership and financial assistance, no dent can be made in a multitude of problems, ranging from poverty, housing and integration to sewers, pollution control and population dispersal.

In every case, the pleaders were not talking about revenue sharing; they were asking for moral leadership and a national policy, as well as aid.

EVEN THE CONSERVATIVES

Even Santa Ana, the seat of conservative Orange County, is seeking help through a number of Federal programs to deal with its woes. "Until four years ago I was never permitted to take any Federal money, even for civil defense," City Manager Carl Thornton said.

And in nearby Anaheim, City Manager Keith Murdoch declared that, in all probability, only the Federal Government could deal with the problems of poverty. "It will take something with a much broader economic base than a single city, even maybe than a single state," he said.

Here is Pasadena, hard against the so-called navigation district along the Houston ship channel, where miles of petro-chemical plants and other industries spew smoke and gases, Mayor Clyde Doyal was also looking for Federal help.

"Pollution is our biggest problem," said the Mayor, tall and tan, as he relaxed behind his desk. "Up to this point we've been unable to do anything. We're close to them, but we derive little revenue from there. And we can't go outside the city limits to enforce pollution laws."

A LOT OF MONEY

Noting that even if Pasadena had control, local laws might frighten away, rather than clean up, the industries on which its growth have been based, he added:

"I think it's going to cost a lot of money to clean up pollution. That's why I think the Federal Government should set the standards. If the Federal Government set national standards, it wouldn't cause any loss of jobs."

Under the shadow of a new freeway here that has yet to feel the rush of cars, the Vernon Collins Motel and trucks and the old Wright Grain Company Store languish as grimy reminders of another Pasadena, another Texas.

CONTRASTS IN PASADENA

The contrasts in Pasadena, with its half-vacated old downtown and the new steel-and-concrete center springing up around its modern City Hall, in some ways mirror the contrasts in the suddenly emerged outer cities. In Pasadena, $16,000 will still buy a three-bedroom house with air-conditioning, but there are growing neighborhoods of $60,000 homes.

While Mayor Doyal is concerned about pollution, he is not especially worried about the population growth troubling many of the outer cities.

With workers flocking to the area for jobs along the ship channel and whites fleeing a black southward push in Houston, Pasadena, which has "one or two black families," went from a population of 58,000 in 1960 to 89,000 in 1970. A recent annexation and continued in-migration, the Mayor said, have put the total at about 100,000. He believes it will reach 400,000.

This poses some difficulties for the Pasadena that grew up with the Vernon Collins Motel and the Wright Grain Store. For one thing, the city has had to stop serving free coffee in its municipal offices. Last year the bill was $4,500. And there are other problems.

"You're starting like a new city and yet you had all these people already here, used to doing things the old way," Mayor Doyal said a little plaintively. "We had this small-town atmosphere. We went to one-way streets and that kicked up a hell of a furor. We went to paper sacks for garbage collection and that caused a flap. But they like it now."

The citizenry may be lagging, but Pasadena is catching up with itself. Already filling the open stretches around City Hall are a gleaming, 12-story bank, a low-built but luxuriantly landscaped post office, a department store, a new telephone building.

"And we've got another little development coming," Mayor Doyal said casually, gesturing toward a big field on the north side of the building, "out there behind City Hall. It ought to run, oh, about $100-million."

With that, he pulled out a brochure for the planned 40-acre Triton Center, a complex including a hotel, office high rises, shopping and parking structures and a labor-sponsored Robert F. Kennedy Memorial Hospital.

That is the Pasadena, Tex., twentieth century—part of the new America, the Outer City.

A SHUDDERING THOUGHT

Can it be stereotyped with Santa Ana, Calif., an aging city caught up in Orange County's voracious growth?

Twenty years ago, when Carl Thornton went to Santa Ana as City Manager, it had 42,000 people. Now it has about 160,000 and harbors 66 per cent of Orange County's 10,000 blacks and many of its Mexican-Americans. Ghettos and barrios, some shabby and forlorn, some middle-class and well-kept, freckle the city.

While Pasadena, Tex., dreams of 400,000 citizens, Carl Thornton shudders at what would happen if unchecked apartment construction, which is threatening as banks make more money available for that than for single-family homes, should drop 50,000 more people into some sections of his city.

He also fears the pull of the new city of Irvine that is planned on the outskirts of Santa Ana—a city that some day would have 430,000 people. If whites should abandon Santa Ana for Irvine, he said, his city could follow the path of Pomona in Los Angeles County.

"Pomona has racial problems till hell wouldn't have it," Mr. Thornton said, his wrinkled brow tightening. "What has happened is welfare cases have moved in. As the housing developed, the new town, their people moved, some of them in flight, some to upgrade. Vacancies became available. Welfare didn't put them in, but the vacancies were there. This could happen to my town—over my dead body. I'm going to fight."

SIGNS OF BLIGHT

But while he's battling to force Irvine to include enough low-income housing in its new city to ease some of the flow of poor and blacks and Mexican-Americans into Santa Ana, he can already see the signs of blight that cause him to characterize the western part of Orange County as much like an old inner city.

"You have a tendency to get old fast under such circumstances," he said, shaking his head wearily. "This is a pressure cooker."

Or can you equate Turner's Station, Md., a black enclave of dreary garden apartments across an estuary from the red smoke and flame of Bethlehem Steel's Sparrows Point Works, with Newport Beach, a paradise of yachts and sailboats and sandy beaches where narrow but elegant waterfront homes command $100,000 to $250,000? They are both by definition suburbs.

BUT IT'S BETTER

At Turner's Station, where the shabby brick apartments were built primarily for black workers at the steel mill, a small beach on the muddy water is littered with cans and glistening shards of glass.

A power line right-of-way, grown to weeds under the humming wires, slices through the community. The streets are potholed, and only a few struggling flowers brighten the yards outside the buildings. Most of the small frame stores have been boarded up.

Standing on her plot of grass behind a wire fence, an elderly black woman, who refused to give her name, summed up life at Turner's Station.

"It's terrible," she said, "but it's better than Cherry Hill."

Cherry Hill is a festering ghetto in the city of Baltimore. She lives in the suburbs, too.

IN WESTCHESTER, THE MYTH OF SUBURBIA FLOURISHES

Westchester County is the ultimate suburban myth.

The myth is Scarsdale, symbol to a nation of self-satisfied suburban affluence. Surely all Westchester must be one big Scarsdale, the myth goes, one chain of fine Colonial homes and Tudor-style grocery stores stretching from the Hudson to the Sound.

The myth is alternately the county's pride and its pain. But it is, most of all, just that—a myth, an easy stereotype. Westchester is no more one big Scarsdale than Manhattan is one big Avenue, or one big Times Square.

In fact, few places illustrate as Westchester does the diversity within the new American Outer City—or the tenacity of the suburban myth that covers it all with the blanket of sameness.

RICH AND POOR

Like the outer city as a hole, Westchester is rich and poor. There may be less of the ugly suburban sprawl than the average, and more architectural beauty, but sprawl and beauty coexist there nonetheless.

Westchester's population includes one of the country's highest concentration of top corporation executives and more than 50,000 people on public assistance, with the number growing by 1,400 a month.

The county ranges from over-the-border Bronx urban in Yonkers, with 200,000 people, to unpaved country roads in Chappaqua, to the rural town of North Salem, with barely 3,000 people.

It ranges from the black ghetto of south Mount Vernon, where school integration has been a running battle for 10 years, to towns like Bronxville, where a black woman getting off a train in the morning is surely a maid.

BUSINESS HEADQUARTERS

There are the world headquarters of International Business Machines in Armonk and of Pepsico in Purchase—campus office buildings that could pass for country clubs, with lakes to stroll around and fine art to admire on the walls.

And there are the sweatshops of Port Chester, where young and old women sit at rows of sewing machines and talk in their native languages, which rarely include English.

There are the cities. Peekskill, the old river town, trying desperately to remodel itself with Federal money. New Rochelle, taxing itself at the constitutional limit to pay for its schools and finding that even that is not enough. And White Plains, where more people commute daily in than out, new glass and steel towers rising on every vacant corner.

There is Edwin Michaelian, the county executive, who laments that "nobody believes Westchester could have problems," pointing to the welfare rolls that take up $115-million of the $181-million county budget, telling everyone who will listen that Westchester, like every place else, needs Federal help.

THE OUTER CITY: NEGROES FIND FEW TANGIBLE GAINS

(By Paul Delaney)

EAST CLEVELAND, OHIO.—A small, growing number of black families is increasingly able to penetrate the new Outer Cities of America, the swelling bands of suburbs that ring the stagnating inner cities.

But for most of the 800,000 blacks who

fied, technically, to "the suburbs" in the last decade, the move has been to municipalities like this one, just a political dividing line away from Cleveland's ghetto.

It has meant little more than exchanging one hand-me-down neighborhood for another. If there is improvement over the inner-city ghetto, it is more in the state of mind than in the quality of life.

"They feel that at least they are not living in the inner city," says Gladstone L. Chandler Jr., the stocky black city manager of this town of 39,600—which went from all-white 15 years ago to 60 per cent black now.

TOTAL IS SLIGHT

Even the total number of Negroes who moved to second-hand suburbs on the inner rim of the outer city has been relatively slight.

In the Cleveland area, as in other inner and outer cities visited for an assessment of suburban growth, the figures appear dramatic compared with 1960. The black population of Cleveland's suburbs increased almost 500 per cent in the decade.

In raw numbers, the black "suburban" population increased from 8,000 to 45,000—but that 45,000 is out of a total outer-city population of 1.3 million.

Meanwhile, the outer city has meant nothing to the far larger number of Cleveland blacks, 300,000, still in the inner city.

Actually, the suburbs may have had an effect that is worse than nothing to inner-city blacks, considering the deep hostility of middle-income whites, and Negroes, toward making any room for those with low or moderate incomes.

ONE KIND OF CHANGE

There has been one kind of change, however slight, that a black with a good income can now often penetrate the white suburban noose.

"You have to earn at least $10,000 to $12,000 a year to move to the Cleveland suburbs," remarked Gerta Friedheim, young, petite Cleveland Heights housewife who heads the Suburban Citizens for Open Housing, an organization pushing for integration of the outer city.

In the upper-income areas of the outer city, there is salt-and-pepper integration, a sprinkling of Negroes here and there, but it is insignificant.

For example, of 71,000 residents of predominantly Republican and ethnically proud Lakewood, made up of neatly kept neighborhoods and high-rise luxury apartments on Lake Erie west of downtown Cleveland, 21 are Negroes.

In the predominantly Jewish, upper-income bedroom community of University Heights east of the city, there are 88 Negroes out of 17,055 residents.

Anaheim, Calif., has 170 blacks in a population of 166,701. In nearby Newport Beach, a resort town on the Pacific, there are 41 blacks in 49,422.

IT'S NOT ALWAYS EASY

Even these handfuls have not found the move to better suburbs easy. Judson Robinson Jr., a tall handsome black realtor and defeated candidate for the Houston City Council four years ago, explained that blacks literally had to have money in hand if they were interested in a house in a white section.

"If blacks attempt to dicker a little, like even wanting to sleep on a price, the house is gone the next day," Mr. Robinson said. "It is very strange, but somehow the houses seem to sell overnight if blacks express an interest."

Upper-income blacks are also victims of the "Ralph Bunche syndrome," according to a white Baltimore County developer.

"Few whites would complain if a Ralph Bunche moved next door," the developer said as he drove visitors through exclusive sections of Dulaney Valley. "Maybe they would if two moved in.

"They wouldn't complain about a Ralph Bunche, but these same whites would oppose low-income housing in their area, and low-income housing certainly does more for blacks than allowing one Ralph Bunche in."

THE PATTERN

Thus, most outer-city integration has been restricted to areas contiguous to black sections of the inner city, leaving heavier concentrations of poorer blacks at inner-city lines, and a few in middle-income and upper-income suburbs farther away from the city.

Black blue-collar workers replaced white blue-collar residents in East Cleveland, which is a good example of the pattern of black movement from the inner city.

It is repeated in Compton, Calif., with its winding, tree-shaded streets of small houses, populated by blacks who left Watts and East Los Angeles.

It is repeated in the outer city of New York, in Yonkers, New Rochelle and Mount Vernon, as blacks have worked from the Bronx and Harlem.

The move to East Cleveland has merely meant stepping across the boundary lines from the black Glenville section in northeast Cleveland. The homes look exactly alike on either side of the line—two-story and three-story frame homes, most painted white, with detached two-car garages in back and side entrances of the driveway sitting 20 to 30 feet from the curb, small lawns in front.

EAST CLEVELAND PROCESS

The process by which blacks got to East Cleveland was typical and went like this:

Prior to World War II, blacks were relegated to the deteriorating Central section on the near east side around downtown Cleveland, in big two-story and three-story frame houses situated very close to each other on the side streets of Cedar, Central and Woodland Avenues.

During and right after the war, the Hough area, farther eastward, with its bigger and better homes and many apartment buildings, opened to blacks through a combination of block busting and white flight. It immediately felt the tremendous impact of larger families as blacks from the South poured into the city to work in its steel mills and heavy industry. The larger dwelling units were split into smaller units to accommodate the overflow of people.

In the early fifties, Glenville, even farther eastward, became "the" section for middle-class blacks, with its mixture of smaller homes, fewer apartments and grand old homes along East Boulevard, where black lawyers and doctors resided. However, by the late fifties, Glenville had followed the fate of the Central and Hough areas as the poor flooded in. And then, in 1961, poorer blacks began spilling over into East Cleveland, and middle-class blacks moved to the Mount Pleasant and Shaker Heights areas.

MAINLY A TRANSFERRAL

The migration to the East Cleveland bedroom community, one of the oldest in the area, has improved the self-esteem of blacks more than it has their condition. They still work at the same jobs, whether at the Ford plant in the western part of Cuyahoga County or the Fisher Body factory nearby. The deterioration still follows them.

The move to the outer city has mainly meant transferring the inner-city.

"We are an inner-city suburb with all the problems of the central city," remarked Mr. Chandler, the articulate, East Cleveland city manager.

He said that larger and poorer families were moving in, taxing the city's services and schools and reducing its revenue, and thereby causing fast deterioration.

A few blacks whose incomes grow move on to other outer cities, such as Shaker Heights and Cleveland Heights, he said.

The same complaint was registered by the Compton, Calif., city manager, James Johnson, 37 years old, quiet and, like Mr. Chandler, black.

Mr. Johnson said that Compton was a town of middle-class Negro professionals—blacks are 70 per cent of the city's 78,611 residents—but that they are moving farther out in the outer city, most to bordering Carson, leaving as replacements low-income families with more children and more problems.

NEW TERMINOLOGY

Although middle-class and upper-income white outer cities grudgingly accept a few blacks of similar income levels, the resistance to most blacks, as well as to other minorities and whites who are poor, is probably greater than ever before.

The resistance is couched in new terminology and techniques that still mean "keep out," such as being against "high-density" developments, "low-income" housing and "forced integration" of the outer city.

The fear of blacks' moving to the outer city influences many actions of whites living there and attempting to protect themselves from integration. Dan Colasino, administrative assistant to the Baltimore County executive, noted that the all-white, lower-income, working-class section of Dundalk, in the eastern part of Baltimore County, was quite self-contained.

"Yes, it is its own community," commented Mr. Colasino, a conservative Democrat who wears a key ring with 26 keys on it. "The only thing we need is a swimming pool. But as soon as we did that, the colored'll come in from the city to swim."

THE POOR ARE THERE

This fear of migration by lower-income persons does not mean that there are no poor in the outer city, as believed by many residents. New census data show that 53 per cent of the increase in the number of poor families in the country between 1969 and 1970 was in the outer city.

Poverty in the outer city is often invisible. Much of it is camouflaged by greenery. It is harder to see the poor blacks and other minorities in even Santa Ana, Calif., than it is on Chicago's South Side or Atlanta's Vine City.

What is the future for poor blacks in the city and suburban resistance?

"I really do believe this thing can work," Mrs. Friedheim said at lunch in a Shaker Heights restaurant. "I'm not about to bat my head against the wall unless I think it could work."

She believes that race is disappearing as a factor and that people are at least willing to accept well-to-do Negroes into their neighborhoods.

"The big question then is about the poor," she said.

Mrs. Freidheim paused, then sighed, and added:

"There is no political force for them at all, other than Stokes [Mayor Carl B. Stokes of Cleveland]. If it's going to come at all, it has to come from Federal leverage."

RACIAL ATTITUDES IN SUBURBS REFLECT THE TOTAL SOCIETY

(By Thomas A. Johnson)

William P. Benjamin is something of an expert on merion bluegrass, Canadian hemlock trees, sales on electric hedge clippers and places to launch a 16-foot power boat.

Like many homeowners in the bedroom communities around New York City, Mr. Benjamin can become eloquent over the "wider open spaces, better schools and less of the hustle and bustle of city life" that he enjoys in North Babylon, L.I.

But Mr. Benjamin, a 37-year-old principal probation officer for Suffolk County and professor of social work at Farmingdale University, is black, along with about 5 per cent of the New York suburban dwellers. And blackness in the suburbs, as in the total society, makes for some real differences.

The father of two children—Paul, 8, and Pamela, 6—Mr. Benjamin is vocal in his criticism of the elementary school to which they are bused with some 40 other black children from the mostly Negro, new-home community.

PARENTS' ATTITUDES REFLECTED

"Many of the white kids, reflecting the attitudes of their parents, express antiblack feelings in their classroom and play situations and many of the educators and administrators are not able to cope with this problem," he said.

The black children, Mr. Benjamin went on, are "subject to racial slurs and to rejection in games and classroom activities to the point of where black children see the school as hostile."

"While we sit back and talk about integration," he added, "we don't get around to confronting the true problems of the racism inherent in the general society."

Most of Mr. Benjamin's black neighbors are professional men or high-level civil servants. Their ranch or split-level homes generally cost from $30,000 upward to build. The closest community of white residents, with similar homes, is for the most part made up of working-class families.

And like most communities of black new-home areas throughout the nation, North Babylon is hard against a much older, low-income black community Wyandanch.

DISTINCT GROUPINGS

While general white attitudes and the pervasive sense of black consciousness helps to make black suburban communities seem one dimensional—just black—they are in reality a number of distinct groupings of black Americans, determined mostly by the way they came to live in the suburbs.

In each of the suburban areas around New York City—Long Island, Westchester County and Northern New Jersey—there are black families who can trace their ancestries back to Colonial times.

Some of these areas have black churches close to 200 years old. Some of the long-time black Long Island families still live along Amityville's Fowler's Lane, Brewster Lane, Hunter's Court and Miller Avenue, streets that were named after their ancestors.

These small, black and often black-and-Indian enclaves, grew over the years as migrant farm workers from the South either stayed or were stranded.

In many cases, the older black residents were resentful of the newcomers.

NOT SO CLANNISH NOW

Mrs. Marie Crowe of Glen Cove, L. I., whose forebears include both Long Island Indians and an escaped black slave from Virginia, noted recently: "Many girls from the older families would never consider dating boys from new families. But that's no longer the case. The older families are no longer so clannish."

The older families were most often inundated by newer families, especially during the exodus of blacks from the inner-city areas of Manhattan, Brooklyn and the Bronx following World War II.

A major grouping of blacks in the suburbs—listed often on census records as the only blacks in exclusively white homeowner areas—are the many thousands of domestic servants. While some are husband and wife teams performing as butlers, chauffeurs, gardeners, maids and housekeepers, most are single women who sometimes follow tragic life patterns that embarrass the posh communities in Westchester, Long Island and Northern New Jersey.

Following a pattern that has been maintained for the most part across the United States, blacks moving from New York into the suburbs went into areas that were planned for blacks, were already black or were racially mixed.

DIFFERENCES BROKEN DOWN

The civil rights movement, in which the New York suburbs were much involved, helped to break down the differences between the old families and the new families even more. In addition, it helped to bring the black professionals closer to the suburban black poor.

Some of the nation's first school integration cases came out of White Plains and Lakeview, L.I. Both communities, as well as some in Northern New Jersey, produced racially mixed human relations and open-housing organizations and introduced new terms into the suburban lexicon.

Several communities initiated "we-will-not-sell" campaigns to maintain "racial stability" by keeping white families from "panic selling" their houses because of "fear-tactics" by "block-busting" landlords.

Housing, education and jobs were the major problems for blacks in the suburbs during the early nineteen-sixties, and they remain so today.

Black unemployment in the suburbs normally runs at least twice that of whites. Representative Lester L. Wolff, Democrat of Nassau, during a speech in Hempstead, reminded businessmen that the unemployment of Vietnam veterans was running about 12 per cent and that the figure for black veterans was 25 per cent.

ECONOMIC DEVELOPMENT

Following a national trend, black suburbanites are now stressing black consciousness, self-reliance and economic development.

Black bank charters are being sought in the New York suburban areas, and new black businesses are commonplace, although they do not compete in any real fashion with white businesses.

While it is the community activists who make most of the news, most black suburbanites, like all suburbanites, are not usually social activists but rather go through a suburban life a commuter's ride from New York City.

All over the suburbs that surround New York, black copies of the white stereotype can be found. They catch, and miss, the morning trains from Scarsdale; overheat their Buicks in the start-and-stop traffic of the Long Island Expressway, and grumble, or read, while moving through North Jersey a Public Service Bus. Their children spend many a Saturday in the movies while their wives seek out bargains listed in the papers and they long ago learned how far outside the community they would have to drive to find the shorter lines at the quick food shop chains.

Many black suburbanites, like many whites, are as far removed from black activism as the buffering miles of hedges, lawns and white neighbors will permit.

As the times have changed in the suburbs, so have, to an extent, the methods of civil rights and of social work organizations.

The Oyster Bay chapter of the National Association for the Advancement of Colored People, for instance, has widened its scope to the point where it has charged the Oyster Bay Township with maintaining zoning laws aimed at the exclusion of minority groups. A Federal suit filed by the civil rights organization is pending in Federal court in Brooklyn.

Another example of new methods is the Urban League of Westchester County's Corporate Personnel Housing Program, a year-old operation that has found housing in the county for some 200 black employees of major industrial concerns in Westchester.

Mrs. Sid Trommer, director of the program, who is white, said she had found "discrimination in housing lessening in Westchester County in recent years—brokers and landlords are less prone to discriminate."

LET THEM KNOW

She said she had also observed that "some black families wanted to live with other blacks" and that her pattern was simply to "let them know what homes or apartments are available in all areas." She deals in both sales and rentals.

Sponsored by a $40,000 grant from the business corporations, the program, Mrs. Trommer said, attempts to provide black and other minority employes with the "greatest possible knowledge" of what housing facilities are available in the county.

Two of Westchester's most recent black arrivals, sisters from Statesville, N.C., were helped by the organization to buy a cooperative apartment in the High Meadow Cooperative in Ossining. They are Miss Sylvia Sharpe, a researcher in photo chemistry for the International Business Machines, and Miss Phyllis Sharpe, who is a social worker in White Plains.

"We looked in White Plains and in Manhattan," said Phyllis, "but things were too expensive. We wanted the best buy for the money."

A "TRADE-OFF"

The cooperative complex has few young, black college-graduated women and there is less recreation than in Manhattan, but Phyllis noted that this was a "trade-off." She said: "Manhattan has the attractions of theaters and restaurants, but we have friends there who have been robbed several times. What we would lose in accessibility to recreation we would gain in safety, comfort and all of that."

She added, "Also, we don't like commuting so far to get to work."

The two young professional women did not think that their living in a mostly white area would lessen their concern with the problems of black America.

Phyllis noted that they had been generally involved in black causes since they were both arrested during the nation's first sit-ins in the Woolworth store in Durham 12 years ago.

THE OUTER CITY: A DEEP UNEASINESS ABOUT THE FUTURE

(By John Herbers)

WASHINGTON.—While America has been creating a dominant, vibrant new form of urban settlement that the residents point to with pride—the Outer City—the proliferating communities themselves have become filled with anxieties, frustrations, defensiveness and a deep sense of uneasiness about the future.

Out along the beltways, where high rises, factories, educational parks and superhotels are springing up out of the farmlands and suburban sprawl of the nineteen-fifties and sixties and where 76 million people now live, there are diverse, warring jurisdictions, ranging from emerging slums to encampments for millionaires.

Yet a common trait stands out in virtually all of them: a turning inward, a determination to shut out the decay and social upheavals of the central city, a lack of concern about the spreading agony and distress only a few miles away.

There is a lack of concern because the new urban development is based so much on the individual pursuit of a better life and escape from the central city.

There are 121 separate and diverse municipalities around Cleveland, and Harry Bolk, an editor who knows them well, says each "represents some sort of escape from the city."

In Atlanta, a legislator says, "The suburbanite says to himself, 'The reason I worked for so many years was to get away from pollution, bad schools and crime, and I'll be damned if I'll see it all follow me.' "

But in many instances, all these things are following him, and when they do the tendency is to look individually for further escape.

In Orange County, Calif., where restless migrants are pushing against the Pacific Ocean, there is even talk of escaping to Australia. Richard Baisden, a professor at the University of California at Irvine, said, "We offered an extension course in doing business in Australia, expecting maybe two people to show up. Well, about 45 showed up. For the most part they were quite serious."

Almost nowhere in this teeming complex of people, cars, grass and concrete, the Outer City, is there an awareness that this now, in the city, doughnut-shaped though it be, where people live and work and play.

Thus the political and business leaders still view their settlements as Norman Rockwell villages where one goes to escape the torments of urbanization even while skyscrapers are going up all around.

The residents, whether rich or poor, often live in compartments or compounds. Most are rather well off and seldom, if ever, see or come to understand the decay and social trauma in the central city.

Unlike their ancestors, who had some first-hand knowledge of "the other side of the tracks," the people of the Outer City tend to exaggerate unseen threats—just as the people on the back roads of Mississippi fear the streets of New York and the people on the streets of New York distrust the back roads of Mississippi.

Over-all, there is a Balkanization of government and authority, a feeling of fragmentation and centerlessness and a sense that no one is in charge of this growing, pulsating thing.

Against this backdrop, it is not surprising that the people of the Outer City feel threatened in a number of ways—by poor blacks from the inner city, by crime and drugs, by pollution by high density and zoning change, and by declining values.

POLITICAL NEGATIVISM

Out of this has come a fervid, participatory brand of politics that is fundamentally negative. Proposed zoning changes, a decline in garbage pick-up, suggestions of new apartments or Federal projects that might import blacks—all bring citizens by the thousands out to the overburdened city halls and courthouses.

An observer of the American scene expects to find a degree of this. It is apparent in both national and local debate, in zoning battles, court bases and the mere appearance of the urban scene. But interviews with scores of community leaders showed the protectiveness and insularity to be surprisingly pervasive and widespread. Here are some of the signs:

In Garfield Heights, Ohio, the residents refer to their scrubbed city of 41,000, nestled against decaying Cleveland, as a last place of refuge for second- and third-generation Europeans, an enclave to be protected at all costs.

Along the Beltway around Baltimore are vast settlements of what one leader there called "the nouveau white collar," refugees from the central city who he says feel so insecure that they have injected a "paranoid mentality" into the body politic of Baltimore County.

In East Cleveland, a close-in suburb where blacks have spilled over from the central city until they make up a majority, the cry of both Negroes and whites is, "We don't want that mess from Cleveland coming out here," according to the black city manager, Gladstone L. Chandler Jr.

In Orange County, Calif., the beautiful city of Newport Beach is rich and removed from central city decay. Yet the people there feel no less embattled than those in Garfield Heights—by pollution, freeways, airports and the suburban sprawl from Los Angeles.

Garden Grove, Calif., a municipality of more than 100,000, is a segment of the sprawl around Los Angeles. "We call it the phantom city," said an Orange County planning official. "You can't tell when you enter it, and you can't tell when you're leaving it."

In De Kalb County, Ga., a white-collar, upper-middle-class satellite of Atlanta, the residents are constantly up in arms about such things as taxes and new apartments. "They raise hell 24 hours a day out there," said Howard Atherton, a state legislator from nearby Marietta. "It's enough to drive a normal person insane."

LIBERALS OFTEN SPLIT

All of this has not been without divisive effect. Highly emotional politics has split some liberals who ordinarily would be working together.

Carl B. Stokes, the Mayor of Cleveland, and Irvin W. Konigsberg, the Mayor of University Heights, a predominantly Jewish suburb with a median income of $14,000, are both liberal Democrats, but they have been fighting one another bitterly, each reflecting the views of his constituency.

Because Cleveland is left with the poor, most of the blacks and the old, and a declining tax base, Mr. Stokes has insisted that the only logical position he can take is that of advocacy for the poor and a refusal to submit Cleveland affairs to the mercies of the white majority outside the city. But this is little understood by the liberals of University Heights.

"Cleveland still wants full control," said Mr. Konigsberg. "Well, the day of the suburbs' being appendages of the city is over. The city is not going to dominate any more. The power is shifting to the suburbs."

The suburbs are the city now, but they are fighting each other as each twirls in its own orbit. Newport Beach seems at war with almost everyone. Once a village of summer homes, it is now a bedroom and pleasure city of 53,000 where there are more boat docks than auto parking places. A new development of 6,500 homes in the $250,000 class has scarcely caused a ripple.

"Newport Beach people don't want to identify with anything else," said Philip Bettencourt, 28-year-old Acting Manager, who, in white bell-bottom slacks and green blazer, looked as if he had just stepped off a yacht. "They came here because they don't like any other places. They like Newport Beach the way it is and they don't want it changed."

So the residents are fiercely fighting the proposed Pacific Freeway, which would cut through the city, a planned extension of the Orange County Airport and the encroachment of other cities.

A DEFENSIVE MOVE

When the neighboring city of Cosa Mesa, which has some poverty and social problems, grew close, Newport Beach annexed a strip, one foot wide and several miles long, around a large section of unincorporated land to keep Cosa Mesa from annexing it.

Consolidation, when it is proposed, is usually a defensive move. East Point, Ga., is willing to give up its identity and government and merge with five rival cities to stop the southward encroachment of blacks from Atlanta.

Mayor R. E. Brown is asking the Georgia Legislature to form the city of South Fulton, which would have a population of 120,000 and might eventually rival Atlanta. Under state law a city can locate public housing 10 miles outside its boundaries, and Mr. Brown says Atlanta has a deliberate policy of herding public housing projects in the direction of East Point and other blue-collar communities.

"If we incorporate all our own land into our own city," said Mr. Brown, "we would be immune from this public housing requirement."

The defensiveness seems to be more than a desire to avoid minorities, lowered property values and social problems. Perhaps a substantial portion of it stems from a real threat to the single-family home, which brought many to the suburbs in the first place.

THE APARTMENT ISSUE

Soaring construction costs and the high cost of land many miles from the central city are pricing the single-family home out of the reach of many who a decade ago would have considered nothing else. Developers across the country say the banks will readily extend loans for apartments but are increasingly reluctant to lend for single homes.

But the desire of families to have a private home, yard and swimming pool, if possible, runs deep, even as many people are turning to apartment living out of a desire to get away from mowing the lawn and repairing the faucets.

"The big issue in De Kalb County," said Georgia Representative Elliott Levitas, "is not whether blacks will come in. It is whether apartments will come in."

And apartments are coming in, in increasing numbers.

The people of the Outer City are disturbed, too, that they are running out of places to move to. Many have moved from a farm or another country to the central city, then to a close-in suburb, then to a farther-out suburb, and they are tired of moving.

In the small city hall of Garfield Heights, Ohio, there was a smell of lemon wax as Mayor Raymond A. Stachweicz, a short, stout man meticulously dressed in sport coat and wide tie, looked out on the manicured lawns and neat shops and said:

"We are a community of landlovers. We are mostly Polish and Italians, all mixed. Sixty-five per cent of our people moved out from Cleveland and they consider this the last place for them. They are determined to stay here and keep their houses as they are now."

The words and tone left the impression that no rational man would bring high density and low-income families to Garfield Heights.

In the Outer City, each resident has pursued his own dream and each community its own goals. Now in the babble and confusion, there are only the first gropings for order and community.

THE OUTER CITY: GROWTH CRYING OUT FOR GUIDANCE

(By Linda Greenhouse)

SANTA ANA, CALIF.—Growth, the snowballing, leapfrogging growth that for so long held out to the suburbs the promise of an endlessly prosperous future, has suddenly developed into a shadow across the future.

Everywhere in the new outer cities, politicians, planners and residents of subdivisions that were strawberry patches or orange groves less than a generation ago are taking increasingly worried looks at the growth rates they once welcomed and pointed to with pride.

Here in Orange County, the population doubled in the last 10 years, from 700,000 to more than 1.4 million. But public opinion has turned so decisively against keeping up that pace that the new chairman of the County Board of Supervisors can make a statement nearly unthinkable a few years ago.

"The Chamber of Commerce tells us that growth is wonderful," Robert Battin says. "I see it as a cancer."

In the last decade, the number of people living in the nation's suburbs climbed from 55 million to 76 million.

The most recent census figures, still uncompiled, will show that the suburbs contain more apartments, more office parks, more high-rise construction than ever before. A 29-story office tower in Towson, Md., a 103-warehouse industrial park outside Decatur, Ga., a planned city for 430,000 in Orange County tell only a fraction of the story.

Thirty years ago, only 2 out of every 10 Americans lived in the suburbs. Now the suburbs claim 4 out of every 10. Only recently have these people come to realize that the city they now live in—the new Outer

City—is becoming the city they thought they had left behind, with many of the same problems and responsibilities.

They know they cannot turn Santa Ana back into an orange grove, and for the most part they would not want to. People are seeking not to reverse the tide, but to hold it—or at least to channel and direct it, to soften the impact.

But for all the numbers and potential power, the outer cities remain largely masses of little islands, unable to work together to harness the forces shaping the future.

So development continues to accelerate beyond the grasp of a Santa Ana, which fears that apartment construction may soon bring in 50,000 new people, more than it can provide services for. Despite Mr. Battin's fighting awards, the outer city is not yet in control of its future.

ECOLOGY MOVEMENT

The turn against growth was gaining momentum even before the emergence of ecology as an issue in the last year or two. Suburban residents, like those in New Jersey's Bergen County, as well as California's Orange County, had already begun to worry about the traffic jams, the rising taxes to pay for more schools and public services, the spillover of racial problems, the first signs of what one suburban planner calls "the spreading great central crud."

Now the ecology movement has given these worries a new focus and momentum and, even among conservatives, a new respectability.

"Many politically conservative people want the natural assets of the county preserved for their own use, and don't want other people to come in and glop it up," says Forest Dickason, director of the Orange County Department of Planning.

HOUSTON VIEW

Even in Houston, which its boosters delight in calling a boomtown, one of the city's wealthiest men can muse: "Houston is still not prepared to say no to growth, despite the traffic and pollution. But I personally would like to see the streets rendered passable and the air cleared before I'd invite anyone else to come here."

And in Baltimore County, Dan Colasino, administrative assistant to the county executive, mentioned a proposal to build 25,000 units of low-income housing for blacks and commented: "We don't even have enough for whites. This county is growing very fast—too damn fast."

The rising public wariness toward growth has brought subtle shifts in the balance of power between the private market and the public planners, long the flabby stepchildren of local government.

When 1,700 people crowd into a junior high school auditorium in White Plains, N.Y., on a Saturday morning to hear the Regional Plan Association's presentation of "The Future of Westchester County," there is no doubt that suburban residents care about what planners have to tell them.

When the public outcry on behalf of the Baltimore County Planning Department, which last fall removed large sections of the county's vacant land from potential commercial development, is so great that the County Council has to withdraw the changes it tried to make on behalf of the developers, there is no doubt that the planners have acquired new muscle.

But visits and interviews around the country produced clear evidence that, despite the planners' new leverage, the private market remains by far the most powerful engine of growth, shaping the future of the new outer city as it once gave form to the old.

The new suburban landscape itself—with its growing concentration of high-rise office buildings, sprawling industrial parks, luxury housing in planned unit developments—offers dramatic evidence.

To support "high-density" development is still bad politics in most suburban areas, arousing such negative feelings that most planners are reluctant to squander their credibility by advocating more apartments.

But the private sector is not only building apartments at an astonishing rate; it is both creating and satisfying a rapidly growing public demand for them.

MANY WELCOME APARTMENTS

While many families still live in apartments because they cannot afford to buy houses, an increasing number of suburban middle-class families welcome the imaginative design, convenience and recreation facilities that the new developments offer.

"A child who has grown up in a typical suburb has had his fill of cutting all that grass," said Clark Harrison, chairman of the board of commissioners of DeKalb County in suburban Atlanta.

Mr. Harrison offers DeKalb as an illustration of the paradox reflected around the country—that suburban residents denounce apartments and seem to rush into apartments at the same time.

"It's the strangest thing," he said. "People around here complain when they can see a highrise building through the trees." Yet apartment construction in DeKalb is now outpacing single family homes by 2 to 1, and the ratio is certain to increase.

Just as residents of the outer cities are turning to these new forms of social organization, they are looking to new governmental structures to ease the impact of the growth.

Everywhere people talk as if the forms themselves matter. In Cuyahoga County, for example, civic leaders complain that county-wide cooperation on planning issues is impossible with Cleveland and 59 other towns and cities to contend with.

But liberals in Baltimore County, 600 square miles without a single incorporated city, make the opposite complaint. They insist that the lack of community governments makes it harder for individual views to be heard.

Meanwhile, many city leaders say that if only they had metropolitan government—to offset the flight of their tax base and middle class to the suburbs—they would have the resources to solve their problems.

NO PANACEA THERE

But Houston's experience indicates that structure alone can never be the panacea people seek.

Houston, in effect, does have metropolitan government. A strong Texas law allows it to annex the areas which in other states would become suburban rings.

But instead of using its resources to attack its poverty problems or improve its housing and schools, it chooses to tax itself at the lowest rate of the 25 largest cities.

Its school district, for example, spends $511 a pupil annually, $300 below the national average and less than half of New York's expenditure.

EMPHASIS ON QUALITY

The new public concern about unlimited development has challenged both local governments and the private market. Government's attempts to channel growth have been largely ineffective. For its part, the private market has responded to the challenge with new attention to quality in planning and design. It does not matter whether that change is born of conviction or is merely a concession to the mood of a public no longer willing to pay for unimaginative urban sprawl. The final product is the same, and it is often stunning.

Builders who admit that they might once have been content to put up rows of identical little houses say now that they are willing to spend the extra money that quality design requires.

"Good architecture pays off fast—and it doesn't necessarily cost that much more," said Gerald D. Hines, whose $50-million Galleria has become a new urban center six miles southwest of downtown Houston. "People now pay that little extra for quality."

NEW PROBLEMS CREATED

Nevertheless, the very scale and quality of the new growth, itself a response to problems of the past, is creating a problem that may eventually make the victories over poor design and unmanaged growth look pyrrhic indeed.

Here in Santa Ana, the seat of Orange County, that challenge is already dramatically apparent. While its population is only a tenth of the county's 1.4 million, Santa Ana already has two-thirds of the black population, a third of the welfare caseload and at least a third of the poor Mexican-American barrios.

Even its better areas, like those in much of the older portions of the county, are vulnerable to change. Eighty-five per cent of the housing in Orange County has been built since 1950. "Like the one-horse shay, it will all wear out at once," says Alfred Bell, principal planner for the County Planning Department. "Within the decade, our rehabilitation needs will be massive."

And now change stares Santa Ana hard in the face. The city lies adjacent to the 80,000-acre Irvine Ranch, said to be the single most valuable parcel of undeveloped urban land in the world, which already is being developed into a handsome, planned city for 430,000.

The city fears that the Irvine development will be a magnet, drawing people and resources away from Santa Ana.

Unless the Irvine developers can be persuaded to include substantial amounts of low-income housing in their plans, says Carl Thornton, the Santa Ana city manager, "our city will look like downtown Kansas City, downtown Detroit."

And so the cycle begins anew. It appears to be a new natural law that even areas that grew up as satellites to inner cities must, as they themselves grow, create their own poor cores, their own repositories for the infirm, the incapable, the unwanted.

Whether through lack of resources or lack of will, if local government remains powerless to guide the form or pace of growth—to make sure there is room for the poor as well as the rich, for people as well as cars—what is the future for the new outer cities?

Will the private market, motivated by the new public desire for quality, be free to create still newer forms, more daring and imaginative than anything we have yet seen—as different from the present as the glass towers of New York's Lexington Avenue are from the four-story, red-brick tenements that preceded them a generation ago?

Or, operating without consistent guidelines for balancing public and private needs, are the developers of the new cities bound to repeat the mistakes of the old?

Or will local communities themselves, with or without coherent government, somehow be able to compel virtue from the private sector through zoning or new government forms?

Edgardo Contini, a noted Los Angeles urbanist, is convinced that to rely on local governments to save the new cities from the fate of the old is to insure failure.

"Solutions have to come from a level higher than the problem," he said. "Don't ask for virtue retail. Don't ask local communities to martyr themselves. You are asking them to be noble, and people are not like that. The leadership has to come from the top, from the Federal Government."

The pace of growth this time around is quicker. The scale is bigger, and the stakes, in the Outer City, are vastly higher.

As Prof. Richard Baisden, dean of the extension division of the University of California at Irvine, said during dinner at the resort enclave of Corona del Mar:

"I came here in flight from smog and congestion and I've found relief from both,

temporarily. But after this, I don't know where people will go.

"I don't know where we can go from here."

ESTABLISHING A RURAL-URBAN BALANCE

Mr. HUMPHREY. Mr. President, the newly established Rural Development Subcommittee of the Committee on Agriculture and Forestry, of which I was named chairman, opened its hearings last month, and we were privileged to have former Secretary of Agriculture Orville L. Freeman, Gov. John A. Love of Colorado, and Gov. William L. Guy of North Dakota appear before us to testify.

Mr. Freeman was an early advocate of creating a "rural-urban" balance in this country regarding the location of industry, jobs and people. Both as Governor of Minnesota and as Secretary of Agriculture he championed this concept, and now his pioneering work is beginning to pay off.

The Nation is awakening to the call. It is now beginning to appreciate the interrelationships that exist between rural and urban America. It is now developing a new perspective—a "national" perspective—regarding the approach that must be taken in revitalizing both our cities and our countryside, recognizing that the problems of both must be attacked simultaneously; otherwise one feeds the other and both remain insoluble.

Governor Love of Colorado, in recognition of the population imbalances that have taken place in his beautiful and colorful State, has ordered his State Development Agency to discourage further expansion of the "Front Range" along the eastern slope of the Rockies and to encourage industry and people to locate and live elsewhere in the State, especially on the western slope.

Governor Guy of North Dakota has long advocated the establishment of a "balanced national growth policy" in this country. He was the first Governor to introduce a resolution at a National Governors' Conference regarding the matter, a resolution that has been introduced every year since and adopted unanimously by the Governors on each occasion.

The messages presented to the subcommittee by these gentlemen reflect the many years of experience, personal knowledge, wisdom, and insight that they possess regarding our Nation's growth and development and what must be done in the future to insure an improvement in the quality of life for all our citizens.

Mr. President, I ask unanimous consent that the testimony presented by these gentlemen before the Subcommittee on Rural Development on April 29, 1971, be included at this point in the RECORD.

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

TESTIMONY PRESENTED BY ORVILLE L. FREEMAN

Mr. Chairman, first I want to thank you and Senator Talmadge for extending me this opportunity to appear before this Subcommittee today. Having spent so much of my time and energy concerning the matters of rural development and national growth policy while serving as Governor of Minnesota and as U.S. Secretary of Agriculture, I am truly delighted at the formation of this Rural Development Subcommittee. During those years I was often portrayed as a King Canute holding back the tides of progress and growth when challenging the crowding of more and more people into less and less space of our cities. However I am happy to note today that many of our nation's leaders and individual citizens have not only joined me in these concerns but have become genuine advocates of balanced national growth policy.

The additions of Title IX to the 1970 Agricultural Act and Title VII to the Housing and Urban Development Act of 1970, plus the establishment of this Subcommittee, are all evidence that the Congress intends to meet its leadership responsibilities concerning the future development and growth of our nation.

In 1790, 19 of every 20 Americans lived and worked in rural areas of our country. It was not until 1920 that urban population caught up with rural population.

The shift from rural to urban America began early in our history, but it was not until World War II that the exodus from the countryside assumed dramatic proportions. In the ten years from 1940 to 1950 no less than 11 million Americans moved off the farms.

Since 1950 the rural population has remained at about 55 million people, but the farm segment of that population has continued to shrink and now makes up less than 5% of the total.

For many years the movement from the land to the cities was voluntary. It was also a healthy trend, for the growth of the great urban centers was a key factor in the phenomenal economic development of this nation.

But then the pendulum overswung. The phenomenal technological advances made in agriculture, mining and timbering in the last 30 years sharply reduced the number of people needed in those occupations and in ancillary trades and greatly accelerated the migration from the countryside to the city.

There ever-swelling numbers are smothering the cities' valiant efforts to fight themselves free of the endless problem of too many people for too little space at the same time the exodus is leaving in its wake a decimated rural America . . . a countryside bereft of opportunity and empty of people.

In terms of ability and training the migrants from rural America to the metropolis have been primarily the best-equipped and the least equipped. The departure of the best sapped the strength and dulled the promise and potential of rural America. The arrival of the worst compounded the problems of cities already sorely tried by unplanned growth.

Each feeds the other, and if the trend to megalopolis continues for the next thirty years, upwards to 100 million more Americans will be stacked onto the 140 million already living in our cities and suburbs. To look at it another way, if these hundred million Americans were to live in newly created communities, a city the size of Columbia, Maryland (10,000) would have to be created every *day* for the next thirty years.

It is understandable that we are perplexed and frustrated. No nation in history has ever been so productive or so wealthy. Yet the fact that 26 million Americans live in poverty literally stares at us with dulled eyes from the screen of the television documentary. The crisis of environment burdens our conscience. Most of us have seen the sign "Polluted Water—No Swimming", and we have seen the green scum on the lake, the gully-washed hillside, and the smog over the city.

We are troubled as a nation because it need not have happened this way. We are vaguely aware that we could have shaped our society with consideration for resources, people and space, demanding quality as well as quantity. Instead, we have rushed pell-mell in pursuit of "Progress", piling more and more people into less and less space on economic grounds that have been made obsolete by modern transportation and communication.

During the 19th century, we had a *national population settlement policy* . . . a policy of encouraging people to move westward . . . a policy fortified by the promise of opportunity and land grants. However, the same cannot be said of the 20th century! We not only have lacked any such policy in this century, but have even failed to appreciate its absence!

Some people are afraid of "planning". Well, let me say to those who express such fears, that the very worst planning in the world could not have made our cities and countryside any worse than they are today.

Myriads of decisions are being made and billions of dollars are being expended today with little or no thought being given to the impact they have on the "quality of life" of the total community, region, or nation. This process of uncoordinated, unplanned and thoughtless action has been the real basis of our nation's "crisis" in housing, energy, crime, transportation, education, health care, welfare, and environment.

I do not believe, as some do, that a continuation of the trend to megalopolis is inevitable. Certainly, a nation that has successfully explored outer space for ten years and has landed men on the moon can muster the energy and technology to create a life on earth that offers opportunity and something of grace for all—a life of quality. We must learn to accept as a fact that land, as space to live in, is scarce and taking priority over our older concept of land as an extractive resource—to be farmed or mined.

We made, as a nation, a clear commitment to reach the moon, and we did it. When the crews of Apollo 11 thru 14 rode that 10-year $25 billion commitment through the void of space, the earth they saw appeared as a clean, blue-green sphere, tranquil in the serene black sky. There is no reason why the view here of the earth itself can't be as enchanting. What is required is at least an equally firm commitment—a decision to take our national fingers out of the leaking dikes and go to work with both hands rebuilding them. We must shake off what John W. Gardner has aptly described as our "paralysis of will."

Here, I believe, are the things that we can, and must, do, to reverse what President Nixon, in his State of the Union Message, called the "emptying out"—of the vast areas of rural America—of its people and its promise.

First we must recognize that the relationship of people to people, and people to living and breathing space is a *nationwide* challenge. That means our policies must be based on *nationwide* geography, and not just political geography. We must achieve what I call a rural-urban, or people-space, balance. We now have, and will continue to have space to spare, that is, if we properly plan its use. But we cannot use it properly if in planning space, it is constrained by the city limits, the county line or the State border. *We need a national growth and settlement policy covering the geographic distribution of economic opportunity, jobs and people.* That policy must be guided and facilitated at the Federal level and flow to the states, counties, cities and smaller communities, not as a flood to inundate them, but as a stream on which they can float constructive remedies and man their own oars to help reach the national goal.

Until we have an active national policy and with commitment of national resources, the problems of city and countryside will remain insoluble. The interaction between

them will continue to compound the problems of each. It is past the time for rhetoric. We must create a national policy with a capacity to coordinate a national effort, designed to use the combined resources of government, business and 205 million plus people to erase the damaging effects of fifty years of unplanned growth, and to create a land where Americans can live at ease with each other and their environment.

It cannot be emphasized too strongly that to do this will take a total national effort with participation at every level of government, the private sector of our economy, the professions, organized labor, and individual men and women and young people everywhere.

So far, we have gotten little more than words these past two years in this regard from the White House. Although I took some encouragement from President Nixon's State of the Union Message to the Congress in 1970 and on a few other occasions since, he has not spelled out any specific program as to how we achieve a "balanced national growth pattern" in this country. While his "revenue sharing" proposals may offer some financial relief to state and local government, they fail to make any contribution to the development of a "national growth policy."

The addition of Title IX to the 1970 Agricultural Act hopefully should help begin to shed some light on what is . . . and is not . . . happening throughout Rural America today! But, more importantly, through the efforts of this Subcommittee, attention can now be focused on what specifically must be done not only to curtail further migration from the countryside to our big cities, but to reverse it.

To accept this challenge of a nationwide effort by and for a people and their land would be to mount a revolution—not the violent kind, but nonetheless one to quicken the spirit and kindle hope equally with that of 1776, and with equally far reaching effects. We no longer have the luxury of time to continue our reflections on the subject—also, words are not enough! Action is desperately needed, and now! Therefore, I wish to recommend that the following steps be taken:

1. *Stimulate town and country governments to improve local community services and to develop their human resources.* Although numerous efforts were launched and great strides made during the last ten years to assist smaller towns to improve community medical, educational, housing, utilities, and recreation services, much more is desperately needed in this regard to meet our national requirements. If a community wishes to attract industry and the jobs that accompany it, it must be able to provide an adequate amount and quality of such basic services. This often requires that the community increase its taxes to finance the development or enhancement of such services. Most of our smaller and medium-sized communities either are unwilling or unable to take such action. Although many have been encouraged to move in this direction, with the help of federal and state financial assistance, such has been more the exception than the rule. Some 35,000 rural communities now lack modern central water systems, and 44,000 lack adequate waste disposal systems. There are 43 doctors for every 100,000 residents of isolated rural areas, compared to 171 for every 100,000 residents of large metropolitan areas. The same poor record essentially applies with respect to the development of the human resources of these communities. Welfare assistance programs are usually minimal, educational standards low, and few training opportunities exist for upgrading or diversifying job skills. Schools in small town and rural areas still lag behind those of the larger cities in facilities, curricula, budgets and teacher pay. This educational gap not only handicaps millions of our young people in learning how to live successfully as human beings, but nearly ruins their ability to win the better jobs in a society where skills are at a premium.

It is necessary to develop capacity in every non-metropolitan area to provide basic education, as well as training and counseling service for all. A number of states have pioneered the concept of community two-year colleges and training institutes where young people can have greater access to higher education, make up deficiencies or prepare for jobs requiring special skills. The concept has been proven—the program must now be extended to reach all of town and country U.S.A.

Employees and employers are increasingly becoming more insistant on having a full range of high-quality services available to them in order to satisfy their individual, as well as family and corporate needs. A failure to create or maintain such services, will make it impossible to achieve any progress toward creating new national settlement patterns. A combined local, state and Federal effort, in cooperation with the private sector, supplying both financial and technical assistance, will be required to create and maintain such services.

2. *Encourage the development of local leadership within smaller communities and areas having growth potential.* A major deterent to economic and social progress within many of our smaller and medium-sized communities today is the extreme conservatism of their local officials and community leadership. Progress to many of these individuals is "keeping things just as they are." Even when they possess the desire and willingness to encourage community growth, they often lack the understanding and skills required to make it happen. Special efforts should be undertaken to train and assist local leaders in the skills of community planning and public administration. Some state governments and foundations already have recognized the need, and are increasingly supporting leadership training endeavors in one form or another. The North Carolina Institute of Government is one such effort. The Office of Economic Opportunity also has come to realize that many of its Community Action Programs were failing or falling short because local program leaders failed to stimulate and direct the community action that would make the programs work. As a result, OEO has since funded efforts to teach leaders how to lead.

Also, incentives should be developed to help retain and attract well educated young people to these smaller communities so they can begin preparing to move into the leadership and professional positions of these communities.

3. *Enlist the cooperation of large metropolitan areas to stabilize and reduce their population.* More and more big city mayors, legislators and residents are beginning to demonstrate and voice their concerns about the continued growth of their communities. Oregon Governor Tom McCall was recently quoted in the New York Times as telling people today "Come and visit us again and again, but for heaven's sake, don't come here to live." In Florida, State Senate President Jerry Thomas was recently quoted as saying "Florida no longer desires to be known as the fastest growing state in the union. We have our hands full taking care of over 6.8 million permanent residents without encouraging more." And, in Colorado Governor John A. Love has announced that the State Department of Commerce and Development will no longer promote the "Front Range", the area east of the Rockies which includes Denver. Instead, industry will be sought for less developed regions in the state.

The quality of life in our larger cities will continue to deteriorate as long as no effort is initiated to curtail further expansion of their population and industrial growth. It is becoming increasingly apparent that when a city gets too big, diseconomies-of-scale begin to occur. More and more we see per capita taxes spiralling upward in our larger communities, while the quantity and quality of services continue to decline.

Attempts have been made to quantify some of these diseconomies-of-scale. According to one study, police protection costs $4.60 per capita in cities with 100,000 to 300,000 people, and $18.40 per capita—almost five times as much—in cities of 500,000 to 1,000,000. In New York City, the cost is $39.80 per capita—almost nine times as much as in a city of 100,000 to 300,000. Similar cost rises are found for hospital and other services.

When a New Yorker moves to the suburbs he costs the city $21,000. In capital outlay to provide facilities so he can drive to and from work in the city every day. In Washington, D.C. the cost of every added commuter is even higher—$23,000. Contrast that with the $500,000 street Department budget for an entire year in Fargo, North Dakota, a city of 50,000.

A recent report issued by the Fairfax County Taxpayers Association revealed that for every 1000 residents added to the county, the county government records a *net* deficit of about $800,000 in capital costs.

As Mayor Davis of Kansas City has said, "A city can get too big simply because the cost of providing services increases all out of proportion to total population growth. This becomes perfectly clear when put on a per capita basis, which is about $120 a year in Kansas City. In a city twice this size, per capita cost would rise to more than $200 a person."

Continued increases in population within our already overcrowded cities, combined with expected increases in per capita income and expenditures, will result in demands on our nation's resources and impact on our environment that could be catastrophic in dimension. More people with more money in less space will surely mean less opportunity to improve the quality of life in America. Unless something is done soon to relieve these pressures these cities will become unmanageable as communities and intolerable as places in which to live.

We should pay more attention to what is happening in Europe in this regard. The master plan of London, England, actually calls for fewer people. London's population fell from 8.5 million in 1939 to 8 million in 1961 and is now estimated at 7.8 million. Further reductions are planned, with some planning experts favoring a drop to 6 million by the mid-1980's. The Strategic Planning Committee of the Greater London Council states last year "Our task is to create an acceptable environment for our people and allow London to function, and if we cannot do this adequately for 7 million, we have to accept an even smaller population." Greater London's 400,000 acres are locked by law in a green belt of parks, pastures and forests. The Council plans to keep it that way to avoid American-type urban sprawl.

4. *Take deliberate action to create new economic opportunities within town and country America:* Job patterns determine where people live. Although the economic forces that control where employers create those job patterns are undergoing change they still by-and-large tend to limit the options of industry, favoring the larger cities. Without incentives and leadership from government, these patterns will likely continue to be reinforced—resulting in more, not less, concentration of people in our already over-impacted and congested metropolitan centers.

Government is probably less subject to the same economic forces that control industry location decisions and is uniquely suited to initiate an effort *immediately* to give preference to smaller and medium-sized communities in the location of new installations and facilities. The same should apply when relocating existing facilities or in the awarding of its procurement contracts. By taking such action, Government can both demonstrate to industry the merits of such decentralization as well as provide business with some spin-

off benefits. Through such action, Government can make a major contribution to the development of nonmetropolitan growth centers consistent with national policy of environmental development. In fact, every Government policy or program should be measured in terms of how it can be administered to help improve and restore the balance between people and living space. The impact of government policies on which people live—and how they live—has seldom been appreciated. But you need only to look at Huntsville, Alabama, or the manned space flight center at Houston, Texas, to understand the power of one government decision to transform communities and lives. Expenditures for the functions of federal, state and local governments comprise more than 20% of our nation's gross national product today. Government—local, state and federal—is our biggest business and in its business dealings, it should take the lead—be the model—to launch an intelligent national population settlement policy and pattern.

New incentives are also needed to encourage industry to locate more of its new plants and facilities in town and country America. New national tax incentives, including liberalized depreciation allowances, environmental impact restrictions, and other special location subsidies and assistance should be developed and made available to industry to encourage its location in less populated areas of our nation. The cleaner air, cleaner water, more elbow room and available work force in town and country America should comprise powerful added inducements to industry to locate there. However, we must recognize that some help from Government will likely be needed to get industry's cooperation. Also, we must recognize in doing so that haphazard industrialization of these areas would be to repeat the mistakes that we have allowed to happen in our larger cities and suburbs. Caution must be taken in planning efforts in this regard to assure that a proper mix of industries and jobs is created. We do not want to encourage the establishment of "one industry" or "company" towns, nor do we wish to pirate industries from one part of the country for the benefit of another.

5. Provide increased levels and new methods of financial public and private investments to support national growth and resettlement policies:

Although implementing an effort of this magnitude will require billions of dollars, we should keep in mind that the purpose in this case is to provide development financing which is to be implemented within a "planning" context that embraces national, regional, state, and community objectives. As opposed to the manner in which such expenditures are made currently, communities would be able to proceed with their development efforts, based upon priorities and plans—a process which should permit the development of more and higher quality services, at far *less* cost—both social and economic. To provide the funds necessary for such an undertaking, a special financial system should be developed with the help of the Federal Government. A special Town and Country Development Bank should be created, similar to the National Urban Development Bank that already has been suggested, which could be financed through funds subscribed from state and local governments, as well as from private sources. Federal under-writing of the unusual risk elements that will be involved in meeting development challenges would provide such a bank with the borrowing and lending authority to do the job. Eventually, a ten billion dollar loan fund might be made available. There is nothing entirely new in this public-private approach. The Farm Credit Administration, created over 50 years ago by Federal legislation to help farmers, has loans outstanding of over 13 billion and a net worth of about 1.7 billion. It has repaid the Federal caiptal and now operates without subsidy. The system is now wholly-owned by its farmer-borrowers.

In addition to the Federal funds that would be provided to start this development bank, funds could also be generated through the sale of bonds, guaranteed by the Federal Government, which would be sold by the Bank to private investors. These banks could then: a) guarantee loans made through private lenders for community and district-wide development and improvement; b) fund non-profit community development corporations whose purpose it would be to improve and establish new community institutions and services; c) fund semi-public housing and recreational development corporations; d) provide loans to industry and businessmen who are willing to establish or relocate businesses in smaller communities; e) provide direct loans to communities for special community facilities and services; and, f) provide a full range of technical and planning assistance to those groups or individuals eligible to borrow money from the bank. Such banks, with an assured source of funds, would encourage long-range planning for area development purposes, which is now discouraged because the resources to implement those plans are often not available.

6. Create a new national and regional planning framework to develop and coordinate planning efforts to assure consistency with national, regional, state, and local objectives:

There are thousands of individual projects, programs, and area planning efforts operating at various political subdivision levels within our country today. However, few of them are related, coordinated, or integrated into the development of a comprehensive planning effort. If national growth policies, embodying resettlement objectives, are to be pursued with any degree of effectiveness, a workable planning framework must be established to help assure that government, industry, and individual decisions affecting those objectives, are kept consistent with them. A National planning policy is necessary if for no other reason than because what happens in one region affects another. The Atmosphere Sciences Research Center tells us, for example, that the last clear air in the United States—noted at Flagstaff, Arizona—disappeared six years ago, the victim of air pollution from the California coast. And there are our rivers, running, as many of them do, through several states, one bisecting almost the entire nation where local agencies alone cannot control pollution without national guidelines.

Perhaps one way to begin to tie together and implement action of government with that of local people would be a system of regional institutes, which in themselves could be located in small or medium-sized growth oriented communities to agument their growth. These institutes could provide research, training of professional planners and public administrators, help develop local leadership, and supply technical and consultant services—each tailored especially for the region in which it is located. They should be funded, initially at least, by the Federal Government because their benefits would cross state lines. However, the states served by each institute should participate in its management, operation and funding. Through such a consortia, new techniques, institutions and systems might be developed to provide a basis for an eventual higher level of civilization in this country—one which takes into account an individual's concern for the quality of his *entire* environment, not just one or another part of it. Through such institutes it also might be possible to break the barriers of political boundaries—local, county and state—that often stifle the orderly development of many communities.

Designation by President Nixon of ten multi-states regions to expedite delivery of services offered by Federal Departments is a move in the right direction. However, what is required is a more specific planning and development system within which Federal, state, multi-county, county and local governments can interact to achieve the best possible results for all the people. Therefore, these newly created multi-state Federal Regions might be transformed into Regional Planning and Development Commissions similar to the existing New England, Appalachian, Coastal Plains, Upper Great Lakes, Ozark and Four Corner Commission, which, when tied together with: 1) the administration and delivery of federal and state services; 2) a system or regional institutes; and 3) a Town and County Development Banking System, would form a new basis, or nationwide framework, for restructuring existing geographic settlement patterns in the nation.

One closing point I would refer to our national leaders. There are hundreds of thousands of men and women in rural America who need help now, and they need it as badly as any of the deprived in the cities. Unprepared, untrained, unemployed or underemployed, many hungry, they cannot wait for actions that will help them in a few years or longer. They must have interim help now. This means an all-out effort to provide all Americans in need the basic necessities of food, shelter and health care. It means giving them access to training that will build their skills, and, most important, give them hope, without which no development, community, or human, is possible. It means an investment in humanity—an incredibly small investment in terms of Gross National Product and in terms of the average annual incomes of the non-poor. The Council of Economic Advisers in January, 1969, estimated that if the *non-poor* would cut their average annual increase in real income—not income, but merely increases in income—from 3 percent to 2½ percent, with the difference going to the poor, this nation could quite soon be free of poverty.

Every American has the right to food, to health, to education and to dignity—the right, as someone put it, to die a timely death unhurried by malnutrition or the lack of health care. There are no barriers to this recreated America today except the single one without which it cannot be achieved—national apathy.

What I have set forth is but a rough outline of the course we must take if we are to restore a people and their land and cease being pawns of our own progress and slaves of our own technology. There are no simple responses to the problems that beset us, but I believe that the purposeful planned use of the space and the resources of America for the people, and on a total national basis, holds the basic solution.

We cannot paste new labels on old approaches and call the job done. It will take a serious national effort in the barn-raising spirit of an earlier day. Everyone must participate. Congress has provided an important beginning and the President some good intentions. However, as I said before, words are not enough. *Action* is what the nation needs if it is to achieve a higher and better quality of life for its people.

TESTIMONY OF THE HONORABLE JOHN A. LOVE

Mr. Chairman and Members of the Subcommittee: I am very pleased to have this opportunity to offer you my thoughts in an area of great concern, both in Colorado and nationally.

I know that each of you is cognizant of the problems attendant upon further concentration in urban and suburban areas of our nation's population, for I have read many of your public statements in this regard. However, I am not persuaded that any sizable percentage of our population is equally knowledgeable, and I believe that these problems and potential solutions to them, comprise one of the most important areas for concerted effort with which we can deal at this time in our history.

I will not attempt to quote the rate of urbanization which has occurred in the past, and which still continues, for I am sure that these statistics are already a part of your record. Only briefly will I mention that we all recognize the magnitude of the problems in our great metropolitan areas and the need for attention, at all levels of government, that these problems demand. However, simply to concentrate on the New York City-type of problem without attempting to do something about the continual movement from rural and small-town America to the cities, seems to me to be dealing with the symptoms, as difficult and painful as they may be, without getting anywhere near the root of the problem.

Obviously, we are going to continue to have large cities in the United States, and equally obviously, large cities will continue to have problems. But the problems we have now will only magnify unless we devise ways by which growth can be planned and productively channeled.

To do otherwise, simply accept the common forecast that a greater and greater percentage of our population will be concentrated on a smaller and smaller percentage of our land, is to give up.

I believe that it is not too extreme to say that New York City, for example, has almost come to the point where it is no longer viable as a social organization; if it is not in truth ungovernable, at the very least, it is most difficult to govern. The traditional American epic that bigger is better seems to have run its course. It is increasingly apparent that tremendous concentrations of people create economic problems, social problems, psychological problems and perhaps even biological problems. It seems clear to me that the States and the Federal Government need to devise policies of population dispersal which will give to those who presently live, and those who would like to live, in rural and small town America, the chance to do so.

The thought that the government should undertake the responsibility of distributing population may, at first glance, seem radical, but I recall, as do you—for I believe it has already been stated here—that such policies are not new to this nation. The Homestead Act, for instance, and similar expressions of federal policy, did more to move people into new and unpopulated areas than even the dramatic and emotional gold rushes. We need such a policy today, couched in terms relevant to the present and to our future.

In discussing the problem, I would like to tell you something of the State of Colorado, not only because it is the area of which I am most knowledgeable, but also to suggest to you that it can, in a general way, serve both as a model and a microcosm of the nation and its problems in this area of deep mutual concern.

Just as in the nation as a whole, population growth has not been the problem—we grew some 25% in population in the last decade—it is in the distribution of that population, and of that growth, where problems lie. The relatively few counties along the Eastern face of the Rocky Mountains which bisect the State of Colorado contain about 1,750,000 residents. The balance of the population of Colorado, less than one-half million people, inhabit all the rest of the State, or to put it another way, the geographic western half of the State, the beautiful Western Slope, contains only 10% of our population.

We continue to grow, but unfortunately, the major part of the growth continues to add simply to the urban and suburban areas. Many of our counties reflected declining populations in the last census period. We have only recently realized the full depth of this problem in Colorado and devoted our attention to it. Just a few years ago, growth and industrial development were almost as sacred as motherhood and certainly were a sound plank in any political platform. As a matter of fact, I ran on such a plank myself.

But fairly recently, a growing number of Colorado citizens have been saying "stop—that's enough", recognizing that growth simply for growth's sake is not an appropriate goal. They have been recognizing that growth, particularly in the urban areas, brings with it increased costs, increased problems, and increased frustrations.

I remember very well some years ago leading a group of Colorado businessmen on a mission to entice industry. We happened to meet in Philadelphia. As our group left the airport in two buses, to move to our downtown hotel, we were caught in a traffic jam and one after the other of our group started to look around at the numbers of vehicles, the pollution and the other problems and say to each other—"What in the world are we doing—is this what we want to transplant to Colorado?"

So, in Colorado, we have devised at least two approaches to the problem. We recognize that neither of them will be cure-alls, and further we realize that in order to make them fully productive, it will be necessary to bring federal programs into appropriate focus.

First, in looking at the growth along the Front Range of the Rockies, it has become very apparent to most of us that if we do not act quickly we could well end up with a great urban sprawl which would stretch roughly from Fort Collins on the north, through Denver and Colorado Springs, to Pueblo on the South—a new Los Angeles. We have also looked at poorly planned bulldozer subdivisions along our foothills and mountains, and the damage that can be done to a beautiful mountain valley by poorly planned ski, or other recreational, resort developments.

As a result, I have suggested, and the Legislature has enacted, a program of statewide land planning. The program realizes, to the fullest extent, both local activities and responsibilities, but at the same time, recognizes also that the State has a stake in growth and development which must on occasion transcend some local viewpoints. Long range, innovative planning techniques are the core of this program. Through its implementation we hope to preserve the open spaces, and develop the greenbelt and cluster city concepts which, together with a planning base to meet need as it arises, can effectively channel the growth which is sure to come, and at the same time preserve the grandeur which is Colorado.

Secondly, we have given up industrial development programs which simply seek to bring economic activities to the State in general, and have zeroed in on our attempt to help those less populated parts of the State which badly need economic activity and job opportunities.

I have taken a tour with businessmen from our Western Slope to other sections of the nation, telling some potential prospects about a part of the country that still has time enough and room enough to live. The first part of May, I will be taking a similar trip with some of our Southern Colorado businessmen.

This program to help underdeveloped areas needs great assistance if it is to succeed. For you know and I know that given their choice under the present circumstances, most businessmen are going to choose to put their new or expanded plants in areas in which there are readily available services: a labor market, good air transportation, and all of the other factors they seek. We have had many other programs which are designed to help rural and smalltown Colorado, some of them the product of federal grants in aid and some not. To explain my viewpoint on these programs, I would like to tell you about the San Luis Valley in Colorado. It is a beautiful, broad, relatively high valley, dependent almost solely upon agriculture and peopled in large percentage by Hispanos. As a matter of fact, the valley encompasses the first settlement in Colorado, which was Spanish and considerably pre-dated the settlement by the rest of us.

We have had programs in that valley for manpower training, and vocational education, and the programs themselves are good. But the net result of them is that when someone is trained the only thing he or she can do is leave the valley to find a job. The economy of the valley is predominantly agricultural, and fragile in the extreme; we must take care that remedies applied meet actual, rather than theoretical, need. A raise in the minimum wage, for instance, might well result in substantial unemployment in the valley, as the marginal employer must contract his work force as the result of his simple inability to meet a mandated increase.

We have also had programs to improve water quality and sewage treatment, health care and school systems, and the people of the valley have benefited thereby. But these programs, together and separately, do nothing at all to reverse the outflow of people from the progressive mechanization of agriculture, and the often false lure of the city in a city-oriented society.

What we need in the Valley and in other areas in the nation like it is heightened job opportunities, the kind of opportunities that will allow the graduates, both from the local schools and the college we have built in the San Luis Valley to remain there and to help to build the valley to the level of achievement it can have.

I know that job opportunities alone will not necessarily solve all of our agricultural problems, for it still remains true that the producer of food and fiber must have a fair share of the national income.

But job opportunities which would provide healthy, growing communities would do much to alleviate some of the most pressing problems in the farm areas and, of course, such opportunities would, in addition, be the strong undergirding necessary to provide for population dispersal, for balanced growth, and for a healthy and greater America.

There is no need for me to tell this committee that we must look at, but also beyond the present and projected programs by which water supplies, sewage treatment, schools, and other vital services are brought to the rural community. For beyond human need is human aspiration; we look to you and to your colleagues to devise the methods by which those investments in human resources are made which will attract the investor and the industrialist to rural America as his place of residence and business. I know that this problem, which is at once of the first urgency, and great complexity, will receive your full attention, its ramifications explored, and incentive provided.

Thank you, gentlemen, both for the opportunity to appear before you, and for the evident concern demonstrated by the meetings of this Subcommittee. Let me conclude by saying, very simply, that I am very pleased and greatly reassured by your willingness to explore and effect the programs by which rural America can be restored to the vitality which has been so gravely eroded.

STATEMENT OF WILLIAM L. GUY

We've discovered in America that there is a big difference between *standard of living* and *quality of living*.

Standard of living refers to technological advances such as the automobile, color television, nylon hose, golf carts, jet airplane travel, cinerama, Salk vaccine, electric mixers, air hammers, vacuum cleaners and on and on.

Quality of living refers to the environment in which we live—the noise level, the purity of water, the wholesomeness of air, the esthetic view of flowers and mountains, the

freedom to think and live according to our own designs, the absence of fear from crime or disaster, and a low level of the frustration that can plague the life of a human being.

We find the standard of living rising while the quality of living is lowering in the United States.

It is obvious that two major factors are involved in *standard of living* and in *quality of living*. One factor is technological advance, the supporting structure to a rising *standard of living*. A second factor which dominates is our increasing population and its distribution as the root cause of a diminishing *quality of living*.

It is ironic that technological advance can raise the standard of living and yet be a secondary factor in diminishing *quality of life*. Uncontrolled or misdirected technology can lower the *quality of life* through such abuses as air, water and noise pollution of the environment.

Our economic system calls for technological advance and competition and, therefore, we can expect our standard of living to continue to rise rapidly in the future. Will this rise add or detract from the quality of living?

The distribution of our population, however, as it affects the *quality of life* can be quite separate and apart from the relentless change that goes on in our technical and economic system. Population distribution has long been a direct or indirect concern of people the world over, but especially in the United States.

Exploration of new lands and colonization or settlement of the frontier have long been a policy pursued by civilized men. Our United States has pursued population distribution programs in several forms over the years.

The Homestead Act was designed to attract people into underpopulated areas of the country.

The land grant to railroads was designed to open up new opportunities in the West.

Land grants to schools, colleges and universities were a part of a program to furnish educational opportunity that would make life in the underpopulated part of the country more attractive.

A 160 acre maximum for irrigation units was imposed upon Bureau of Reclamation projects so that opportunity for irrigation benefits would accrue to many people.

Horace Greeley's population distribution program was: "Go west, young man, go west."

In recent decades, the old policies and programs to distribute population have become overrun and almost ineffective because of the increased national population, the onslaught of technology and the disappearance of the western frontier.

Why is our nation suddenly concerned about population distribution?

The violence and the low quality of life that has been known in the crowded ghettos of our largest cities for decades is now spreading to the urban areas and to the smaller cities. Part of this cancerous spread can be attributed to congestion of people.

Overpopulation and congestion are extremely costly, both in economic cost and in social cost.

The economic costs of congestion as reflected in transportation cost, insurance cost, air and water pollution control cost, fire and police protection, hospitalization, education and recreation, are staggering.

The social costs of hopelessness, frustration, mental illness, fear, lives turned to crime, and reduced productivity of individuals are impossible to measure, but we know they are substantial and real costs.

The nation's attention is pointed to the vast problems of uncontrolled population density and the fading of opportunities for a good life in congested areas.

It is natural that the attention of the news media, the politician, and the sociologist be directed toward the problems of the cities because that is where most of the people are.

And measured in the number of those who cry out for help, it would appear that the problem of population distribution exists mainly in the city.

But the high economic and social costs of city congestion are only one side of the coin. The other side of the coin, with problems that are just as real if not as dramatic, is the problem of underpopulation.

There are areas, states and regions where people are leaving the farms and ranches and small town communities seeking opportunity elsewhere.

This movement away from the rural areas results in lower tax base and a gradual diminishing of the number of people necessary to support such essential institutions as schools, hospitals, churches, and recreational facilities. The standard of living and the quality of living then diminishes in the underpopulated areas.

We are told that with the present trend of population growth in this country, we will have 100 million more Americans living here in the year 2000 than we have at present.

Where will they live? Can they be absorbed without further destruction of the quality of life that we have in this country today?

The answer should be obvious, even without scientific documentation. One hundred million more Americans crowded into the present congested areas in this nation will create the impossible situation of continuing deterioration of services that is already plainly seen in some of our largest cities.

The United States desperately needs a population policy that could guide both the private economic sector and the levels of government.

This policy should state that it is possible to maintain and even increase the quality of life for all Americans if we distribute the opportunities, and hence jobs, and hence people, over a wide geographic area of our country.

The planning of our private sector of the economy should be voluntarily directed toward the following of such a policy.

Whether you call the policy one of voluntary population distribution, opportunity distribution, or rural-urban balance would not matter so long as the principle is applied.

But most important, perhaps, is the need for our federal government to be pursuing a goal of population distribution. *The federal government at present, through its myriad of unorganized, inadvertent programs, is the greatest factor in this nation's maldistribution and shift of population.*

It does not need to be that way. This is not a natural phenomenon like the rising of the sun. It is man-made.

A brief example of government policy becoming the root cause of population shift could begin with Defense Department higher education grants. A university research department built up in a specific discipline by research grants causes a brain drain in that field to the university. This brain drain sets up a situation which perpetuates large federal educational grants to the university.

Defense industries expand and locate near the institution of higher education which has a government-stimulated research expertise. These defense industries then set in motion a skilled worker drain.

The primary defense industries, of course, then generate satellite industries and service industries which further cause a shift or an inflow of people.

This rapidly growing complex, triggered by Defense Department grants and contracts, now requires increased educational and medical facilities.

Federal government programs are implemented to provide more primary and secondary school classrooms and junior college facilities. Hill-Burton funds are made available to build hospitals and clinics. These new additions cause educators and health professionals to shift from other areas to this new area of demand.

This process is even carried out in the field of recreation and cultural advantages to include federal programs to assist in recreational facility development, art galleries, drama theatres, and the like. This in turn causes people to gravitate to this area who are skilled in recreational direction and teaching and participation in the arts.

This wrenching and tearing was provoked by the federal defense effort and fed by other federal programs. Problems were created in underpopulated areas by causing people to be attracted out in an attempt to fill the manpower needs of federal programs to alleivate problems in overpopulated areas already overcrowded by other federally induced population shifts.

I believe quality of life can be enhanced for all Americans by government programs following a single national policy of distribution of opportunity and population.

For example, the Department of Defense must be made conscious of the vast power it has in shifting population by actions it takes through such programs as its educational grants and defense procurement contracts. The same is true of other federal grants and projects of course.

We might take the pressures off both the congested areas and the underpopulated areas of our country by considering some programs in an integrated plan under a national population distribution policy. I would suggest consideration of the following:

1. A complete overhaul of the Interstate Commerce Commission and its archaic freight rate-determining mechanism, in order that areas which now are denied adequate transportation rates and service can be made economically competitive with other areas now enjoying economic advantage.

2. A national plan of water resource protection, preservation and development so that water resources would remain available in underpopulated areas rather than diverted to already congested areas for further population growth.

3. Incentive programs to encourage small industry to expand to areas designated by the federal government as underpopulated through devices such as these:

A. Federal tax incentives.

B. Federal Small Business Administration loans with subsidized interest rates.

C. Manpower training programs to assure a supply of trained labor.

4. Placement of major federal installations in areas of underpopulation.

5. Major federal research grants to colleges and universities located in those states or areas which can gracefully absorb a larger population.

6. Federal procurement contract preference to industries which are small and which might be located in an area in which greater population growth is being encouraged.

7. An agricultural price support and farm credit program that would be adequate to make it possible for farmers to continue as producers on individual units rather than the present trend toward large-scale corporation farming.

You will note that the suggestions I make here are those which would increase opportunity in areas not suffering from overpopulation and, therefore, only indirectly deal with areas already badly congested with too many people.

My view of the passing scene for the past decade has been that of Governor of North Dakota, a state with a very high quality of living but a low density of population.

Our state's population decreased from 632,446 in 1960 to 617,761 in 1970. Our Upper Midwest farm states of North Dakota, South Dakota, Montana, and Wyoming lost population or increased only slightly in the last decade.

I have watched an average of nearly 10,000 North Dakotans leave each year because job opportunities do not exist in sufficient numbers to hold them in their native state.

The loss of these young, productive, well educated and trained North Dakotans is difficult to accept when they are needed so urgently in North Dakota. When these young people leave our state, drawn by the lure of job opportunities elsewhere, they become part of the problem of overcongestion in another state.

North Dakota does not seek a large influx of new people, but we believe we should somehow be able to hold those 300,000 of our own children who will probably migrate to other states in the next 30 years. North Dakota also feels some responsibility to take its place in absorbing the national population increase.

North Dakota is the most agricultural of all the states. Its geographic location in the center of the continent is one major factor which has kept manufacturing growth down, and hence job opportunities outside of farming are scarce.

This nation's policy of federal programs which guarantee food to the nation's consumers at very low prices, along with the technological change in farm machinery, has shifted tens of thousands of people out of the business of farming into other pursuits.

Twenty years ago, there were 254,487 people living on North Dakota farms. Today there are approximately 157,500 people living in the country on farms. Most of these people have abandoned farming. Others still farm from a base in town.

This replacement of human resources by mechanical resources might be justified in terms of cheap food to consumers, but it has raised havoc with the social and economic structure of rural communities.

There are proposals that our nation's population growth can be absorbed by new model cities started from scratch. This is certainly part of the solution and a good one, but does it go far enough?

If each state were to build a new model city to serve 250,000 people by the end of this century, we would have accommodated 12.5 million people in those model cities and there would still be 88 million more Americans asking where they were expected to live. And it is necessary to provide job opportunities as well as residences.

There are those who say that certain cities should be designated as growth centers and that those growth centers should be cities which have at present 50,000 people or more. I cannot agree.

I believe every city and village in rural America, no matter what its size, has a potential to be a growth center. No matter what size we find a city in America today, it was once a tiny village.

I emphasize that some villages and cities have certain advantages from the standpoint of geographic location, water resources, and so forth, but under no circumstances could I support a program that would recognize only certain sized towns and cities as potential growth centers.

If there is an emphasis on programs to promote growth, it should include the smallest village that seeks to increase its size.

What needs to be done in the already overcrowded cities and urban areas is another vast story and I do not attempt in this paper to offer solutions for conditions of present overcrowding. My suggestions on population distribution are an attempt to peer into the future.

The number of programs that could be adopted under a national population distribution policy is endless.

The major hurdle now is to admit as a nation that quality of life is rapidly diminishing in many areas and that unless we do have a national policy of opportunity distribution, and hence population distribution, we are headed for ever-increasing economic and social problems as integral parts of a rapidly diminishing quality of life.

There has long been an attitude in America that the king can do no wrong. Yet, evidence abounds that the king, or those who hold economic or government powers, can do wrong and are doing wrong. Wrong is being done because there is not enough federal leadership to do right.

It is already too late to retrieve the lives of millions of Americans who have already passed away or are finishing out a life of suffering because we believed that every person, organization, business or corporation and governmental unit should be allowed to do their own thing unhampered by any national policy of voluntary population distribution. I believe the day of that questionable luxury is past.

The shrinking farm population of the countryside and the dying rural communities in North Dakota are experiencing serious problems to the people remaining; less dramatic perhaps than the teeming, crimeridden, congested, poverty stricken, frustrating existence of those people who push and shove and fight their way toward the imagined opportunities that quite often do not exist for them in the cities and urban areas.

I have seen the federal government for years trying to beat out a few little brush fires while the forest fire behind them rages out of control.

I think it is time for national planning to attack distribution of opportunity on a comprehensive and total front.

Population maldistribution is the root cause of so many seemingly separate social and economic ills of our nation. It should be treated first.

THE FARM CRISIS

Mr. HUMPHREY. Mr. President, there appears to be a growing awareness of the mood of disenchantment and discontent that prevails today in the rural areas of our country. At long last we have reason to hope that a much broader segment of our entire population is beginning to sense the gravity of the economic problems that beset rural America, and to attach greater urgency to the task of combating those problems.

In addition, definite signs suggest that farmers, or more precisely farmers and those who make a living serving farmers, are flexing their political muscle to gain recognition for their economic goals. That fact is clearly documented in an 80-page analysis of the impact of the farm vote on the 1970 congressional elections. This study was compiled earlier this year by the National Educational Institute for Agriculture, a nonprofit, nonpartisan research and informational organization based in Washington.

The results of the Institute's study, as well as a discussion of the far-reaching effects of low farm income, are presented in further detail in the April 12 issue of the U.S. News & World Report. This excellent article, entitled "The Farm Crisis," contains a clear warning to all who discount, minimize, or downgrade the importance of the farm vote.

Mr. President, I ask unanimous consent that this article be included at this point in the RECORD.

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

THE FARM CRISIS

KANSAS CITY.—Farming, an uncertain business in the best of times, finds itself today beset with more than the usual problems. Inflation is hitting the farm business harder than most others.

Interest rates are slow to ease in rural areas. Farmland prices are turning soft, yet taxes on that land keep rising with no end in sight. Hogs, the basic source of income for many farmers, are down drastically in price.

And, on top of these things—

The threat of corn blight, which raced across the country with devastating effect last year, is spreading deep gloom. Nobody—not even the experts—is willing to predict how wide-ranging this pestilence will be in 1971.

LAGGING SPIRITS

There is a feeling of crisis in farm country. A swing through mid-America just before planting time finds the spirits of many farm folk failing to rise with the promise that traditionally arrives with spring.

Large, well-financed farms appear to be doing relatively well. Some, obviously, are prospering. But even operators of many good-sized farms say that economic survival is difficult.

"Agriculture just doesn't seem to get the prices for its products that it needs to exist," says Jack Vanier, a stockman at Brookville, Kans. "It's not only a lack of economic power but a lack of political power as well."

While many individual farmers are finding somewhat more funds available for operating loans this spring, money problems are by no means over.

Country bankers are looking at borrowing requests with a critical eye. Walter W. Braun, vice president of the Beatrice National Bank in Beatrice, Nebr., tells why:

"Credit is definitely tightening for the marginal operator. We've got more loan applications than we can handle. Naturally, we're giving preference to the farmer whose record shows he can make a profit."

SELLING OUT

Farm mortgages are rarely foreclosed as in depression days. But the staccato cry of the auctioneer is heard up and down the country roads. Hard-pressed farmers are selling out before the creditors close in.

Pages of farm-town newspapers are plastered with notices of farm sales. One of these advertisements proclaims in part:

"Having sold my farm, I will sell the following at public auction: 4 tractors, 2 trucks, 1 combine. A hip-roof barn will be sold to either tear down or remove."

The barn will no longer be needed since this man's land is being absorbed into a neighboring farm. It is part of an inexorable process that is leading to fewer and bigger farms in the U.S.

The Government estimates the number of farms in 1971 at nearly 2.9 million, down more than a million from 1960. In the same period the average size of U.S. farms has climbed 31 percent and is now 389 acres.

While neighbors sell out, other farm families hold on, but say they don't know why.

"A lot of us are broke, but just don't know it," is the way a Nebraska stockman tells it. "Only the value of our land keeps net worth up."

Even that drop of the farm balance sheet has been showing discouraging signs of weakness.

SINKING VALUES

For years, farmland values had been rising steadily at about 5 per cent annually, as a nationwide average. In 1970, the increase fell off to 3 per cent. In some regions, values actually declined for the first time in memory of younger farmers.

A drop of 5 per cent in over-all farmland prices was reported from Kansas in 1970, and values were off by 3 per cent in California. An Iowa State University study found a loss of $6 an acre in the average price of farmland in western Iowa in 1970.

Land prices would be even softer except

for contract sales, says Roby L. Sloan, agricultural economist at the Federal Reserve Bank in Chicago.

But buying land on contract can be the undoing of a farmer. It works this way:

The owner of the land takes back a mortgage, instead of insisting that the buyer get financing from a bank or other lending institution. Usually, the owner is willing to accept a small down payment, but demands a higher price per acre. Thus, the buyer can wind up with heavy debt on acreage for which he paid more than the going price.

While land prices are easing off, there is no slackening of the increase in taxes on farmland.

In 1970, the U.S. Department of Agriculture reports, farm real estate and personal-property taxes went up by more than 8 per cent to about 3 billion dollars. The increase in such taxes over the past two years has been greater than the percentage gain in land values.

EXODUS OF YOUNG PEOPLE

A complaint that you hear time and time again in rural areas is that too many young people are leaving the land.

It is not uncommon for country bankers to provide 100 per cent financing for a young physician or lawyer who comes to town. But it doesn't work that way for young farmers.

"Unless a young man has some financial help from his family or some other private source, he might as well forget about setting up in farming today," says a Nebraska banker. "It's just too expensive a proposition—and too risky."

That economic fact is understood in farm families. But understanding does not soothe the bitterness so many of them feel as soon and daughters depart for the city.

Farm folk get bitter, too, when they are blamed for the high cost of living. Says a farm wife in Nebraska:

"No matter how big a dip or drop in price of an agricultural commodity, the consumer very seldom feels it. However, when the farm price recovers and moves back up, the consumer price will start moving up at the same time.

"A prime example is in prices we get for hogs and prices consumers pay for pork. Hog prices dropped rather severely some months ago, but the price of pork over the counter remained about the same. When and if hog prices recover, you can almost bet pork will rise in price. When the housewife protests, the groceryman will point the finger at the farmer."

In July, 1970, hog prices at major Midwest markets averaged $25.13 a hundredweight. By December, they had plummeted to $15.67. There was some recovery early in 1971, but by late March, the price had slipped back to between $16 and $17 a hundredweight.

Agriculture Department figures show that in the period from July to December, the retail price of pork did not fully reflect the drop in live-hog prices.

The spread between the farm value of hogs and prices paid by consumers for pork rose from 36.1 cents per pound in July to 43.7 cents in November, and held at 41.2 cents in December. By February, spread between farm and retail prices was down to 35.5 cents.

SPECTER OF BLIGHT

The most immediate farm worry is the dreaded corn blight. In 1970, this pestilence swept up out of the South, its spores carried on the wind.

The four leading corn-producing States of the South—North Carolina, Tennessee, Kentucky and Georgia—harvested only 70 per cent of an average crop. In Ohio, Indiana and Illinois, blight cut the crop to 85 per cent of average. The Western corn belt was not hard hit, but it could be this year, depending on weather conditions and aspects of this plant disease that the experts do not fully understand.

But farmers do know that where blight struck in 1970, healthy ears of corn, almost overnight, became coated with a stinking, gray moldy powder.

There is a desperate scramble for supplies of blight-resistant seed that are too small to go around. Official estimates are that no more than one fourth of the seed corn available is resistant to blight. A black market is flourishing in which prices for blight-resistant seed are two to three times those on the legitimate market, and buyers have no assurance that they are being sold the real thing.

If there is a silver lining in the cloud of gloom spread by the blight, it is that the short 1970 crop has boosted prices for corn and other feed crops.

Average prices for corn are up 26 per cent from a year ago, and soybeans are up 18 per cent. Even wheat, which is in heavy supply, is 6 per cent higher in price than last year at this time.

WHO IS SQUEEZED

Farmers despair of ever getting the upper hand in the cost-price squeeze. As they see it, inflation has turned into a raging fever.

Bill House, a cattleman near Cedar Vale, Kans., suggests a comparison of prices farmers and ranchers got for cattle in 1950 to what they get today. It is about the same—no increase in 20 years.

"Now," says Mr. House, "check the price of a tractor or a car and see who's boosting prices. It's not the farmer."

Official figures show inflation's bite on agriculture. In 1970, gross cash receipts from farming in the U.S. hit a record of 52.4 billion dollars. But cash outlays for operating expenses went up faster, reaching a record 39.8 billion dollars. Result: Net cash farm income in 1970 totaled 12.6 billion dollars—down 400 million from 1969. Net farm income, including value of farm products consumed by farm families and rental value of their homes, was 15.8 billion dollars in 1970.

Economists in the Agriculture Department predict that net income of farmers will drop again in 1971, due in large part to the crushing pressure of high and rising farm expenses.

What this means in the lives of individual farmers is explained in these terms by Donald Haug, cattle and grain farmer of Papillion, Nebr.:

"What we raise isn't worth much, and everything we buy is too high. The farmer just isn't getting anything out of it."

CRIME OF UNEASE

Soundings in many areas turn up growing unease with the Nixon Administration. Much criticism is aimed at the proposal to abolish the Agriculture Department and divide its activities among four new agencies.

"It's kind of discouraging," says an Iowa farmer. "Maybe agriculture has been around so long that people forget how important it really is."

One study of election returns in several farm areas shows "massive shifts" in votes from Rpublican to Democratic candidates over a four-year period, 1966–70. This report was published Feb. 10, 1971, by the National Educational Institute for Agriculture in Washington, D.C.

Complaints against the Administration's program for bolstering farm income, however, seem to be subsiding. Many farmers say the plan gives them more freedom to decide what crops they can grow and still be eligible for Government payments and price-supports.

But the Administration farm program, like those of the past, provides biggest benefits to the largest farms. In 1969, for example, 3.8 billion dollars was paid out by the Government to bolster farm income. Three fourths of the money went to one third of the nation's farmers who have the largest operations, as measured by gross sales.

In the opinion of many farm economists, the wide disparity of income between large and small farmers is at the root of much rural discontent.

The 1969 figures—latest available breakdown of how farms of various sizes fared—show that more than one third of net farm income went to 211,000 farms. The remaining income was divided among 2.8 million farms.

The great majority of these 211,000 farms were operated by farm families. Their average net income in 1969 was $27,503, of which $5,280 was derived from Government payments.

By comparison, average net income of all farms in 1969 was $5,437. Thus, for many farmers, pickings were meager.

These trends, farm economists say, are continuing, and hundreds of thousands of farm families face a difficult fight for economic survival.

WHY REPUBLICANS WORRY ABOUT THE FARM VOTE

A survey of 45 farm counties in seven States by the National Educational Institute for Agriculture found that total votes for Republican congressional candidates declined by an average of 12.4 percentage points between 1966 and 1970 elections—from 58 to 45.6 per cent of the total vote. Five farm counties were checked in each of nine elections, with the following result—

CHANGE IN REPUBLICAN SHARE OF THE VOTE IN PERCENTAGE POINTS

Kansas—House seat, second congressional district, down 14.9 points.

Minnesota—House seat, seventh congressional district, down 18.2 points.

Nebraska—Senate seat, down 10.9 points.

New Mexico*—Senate seat, down 1.1 points.

North Dakota—House seat, second congressional district, up 0.5 points.

North Dakota*—Senate seat, down 3.9 points.

South Dakota—House seat, first congressional district, down 19.3 points.

South Dakota—House seat, second congressional district, down 9.3 points.

Washington—House seat, fourth congressional district, down 19.4 points.

*Elections of 1964 and 1970 compared.

THE ENERGY POLICY

Mr. BELLMON. Mr. President, President Nixon's message today is an indication that the administration has recognized the reality and the gravity of the energy crisis this Nation faces. His willingness to take action to meet the crisis is to be commended. The President's concern should serve as a signal to all agencies of the Federal Government and to the Congress to correct the short-sighted policies of the past which have produced our present crisis.

The President's call for increased investment in research to accelerate development of new kinds of energy is also to be commended. However the lack of emphasis on incentives to our existing energy industry is another in a long series of mistakes made by the administration, the Congress and the Federal regulatory agencies.

The mistakes comprise the collection of inept programs which we refer to as this country's energy policy. The President's advisors on energy matters have apparently become so confused by the already existing hodgepodge policy that they are ready to put the carriage before the horse. They are asking this Nation to go off on a spending tangent to re-

search unproved new sources of energy at a time when it is more imperative that we accelerate development of known energy resources.

Mr. President, there is an abundance of energy resources in this country. Geologists tell us that more than half of the oil and gas originally in place in the United States still remains undeveloped. Studies by the Colorado School of Mines show we have proved reserves of natural gas totalling 290 trillion cubic feet and an estimated reserve of undiscovered natural gas totalling 1,178 trillion cubic feet, or four times the proven reserves. The National Petroleum Council estimates on the basis of information secured from 135 geologists that the United States has ultimate petroleum reserves of 432 billion barrels.

Technology must be vastly improved to make our remaining reserves totally recoverable, but we do have an unproduced reserve that at present consumption levels will provide us with domestic oil for about 75 more years. Our supply of natural gas at the present consumption level will last us about 53 more years.

But we know that present levels of consumption will not continue. They are rapidly increasing. Our energy needs are expected to quadruple in the next 20 years, long before significant supplies can be forthcoming from new research, however successful. These new requirements are putting even greater demands on the energy industry to bolster its programs of technological research, exploration, and development. Unfortunately, governmental policy has denied the energy industry a level of economic return which makes such activity attractive or even possible.

For this reason the growing energy demands are being met from past proven reserves. Presently we see dwindling levels of oil and gas exploration. In 1955 more than 2,600 oil and gas drilling rigs were drilling more than 57,000 wells. So far this year only 900 rigs are operating in less than 30,000 wells. In 1970 the number of exploratory oil and gas wells drilled was the lowest in 22 years. The reason for the decline is simple: Unrealistic economic and regulatory policies by the Congress and the administration make investments in oil and gas development financially unattractive.

Clearly our Nation is far from realizing the full potential of its oil and gas resources, indicating our Government should institute an energy policy embodying every feasible measure to encourage new and intensive oil and gas exploration and exploitation. But it has not. Our policy has for too long been designed to hold energy prices down to uneconomic levels despite the discouraging effect on new ventures. The administration should stop kidding the country about meeting national energy needs from exotic unproven new energy sources. Unless realistic economic incentives are offered to the traditional energy industry now, this Nation will be on a starvation energy ration long before significant supplies from new sources are available.

Mr. President, the energy crisis is here, now. The refinement of the coal gassification process and the development of nuclear power will not be accomplished on a significant scale for many years. And even then we are not sure whether their unproven processes will meet environmental parameters or provide a low-cost, dependable energy supply to our people. The President's message seems to say—"ignore the energy sources which have served the Nation and the world faithfully and abundantly in the past. Let's begin a flirtation with an unborn child."

There have been estimates that 1,000 cubic feet of coal gas could cost as much as $1.25. Natural gas at the wellhead now sells for only 16 to 24 cents per thousand cubic feet and, except in unusual cases, it does not return costs of production to producers. The President's message ignores the huge quantities of natural gas which will remain undeveloped until economic realism becomes a part of our national energy policy.

If the accelerated program of coal gassification remains on schedule, 36 plants will be built by 1980 to provide 10 percent of the expected gas consumption at prices probably five times existing natural gas prices. How much wiser it would be for the Nation to allow a realistic natural gas price, which would bring into production known reserves of this dependable, nonpolluting energy source.

Mr. President, I cannot support a program of accelerated research of unproven forms of energy until Government policy is altered to encourage recovery of the resources already available.

The President's recognition of the lack of an integrated energy policy and his proposal that a comprehensive, unified approach be taken to meeting our energy demands is encouraging. The piecemeal approach to formulating energy policies and decisions only adds momentum to the developing crisis.

Yet I recall being encouraged earlier this year, and I stated so here on the floor of the Senate, by what appeared to be a sign that the administration had recognized that greater economic incentives are needed to develop domestic oil and gas resources to meet our growing needs. In March a top White House advisor, Dr. Paul McCracken, took note in a speech of the need for adequate economic incentives to increase production of natural gas and crude oil. But I have been disappointed because the incentives have not been forthcoming.

Unfortunately the only direct note taken by President Nixon of the existing energy industry has been to criticize, to condemn, and to threaten. His most recent statement was to suggest a rollback of the 7-percent increase in the price of crude oil. This action was taken in spite of the fact that the real price of oil and gas is less now than it has been for many years.

Government restrictions on natural gas prices remain tight. Growing imports of undependable foreign oil keep accelerating. The oil depletion allowance cut still stands. And long delays in securing permits to drill in Federal offshore waters are still being encountered. Furthermore Government environmental policies are imposing heavy costs on the energy industry to produce clean fuel at the same time pressure is exerted to hold prices below costs of production.

The President's message today contains no mention of any real incentives for accelerated exploration and development or intensive oil and gas research by the energy producers who must carry the bulk of the responsibility of getting power to our people. The President has outlined a good, orderly approach to developing new types of energy compatible with a clean environment for the future. Such an approach is needed. What is most disturbing is what he left unsaid about needs now and in the future in the traditional energy industry.

The implication of the message is that the administration intends to emphasize energy sources which exist only in test tubes and ignore immediate and pressing needs of our troubled energy industry. Such emphasis will contribute to an already disastrous energy policy. If we continue to drain off proven energy reserves at below replacement prices, and rely upon expanded imports from unreliable offshore sources, while researchers scramble to solve technical and environmental problems of unknown magnitude, we will be taking further tragic steps toward an immediate national energy crisis of staggering proportions.

RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess for 30 minutes, with the time to be charged equally against both sides.

The motion was agreed to, and at 1:40 p.m. the Senate took a recess.

The Senate reassembled at 2:10 p.m., when called to order by the Presiding Officer (Mr. TAFT).

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Mississippi (Mr. STENNIS), I yield 15 minutes, or such time therein as he may require, to the Senator from Louisiana (Mr. LONG). Following the remarks of the Senator from Louisiana, on behalf of the Senator from Pennsylvania (Mr. SCHWEIKER), I yield 15 minutes, or such time therein as he may require, to the Senator from Indiana (Mr. BAYH).

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

(The remarks of Mr. LONG when he introduced S. 2003 are printed in the Routine Morning Business section of the RECORD under Statements on Introduced Bills and Joint Resolutions.)

QUORUM CALL

Mr. LONG. 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. SCHWEIKER. 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. SCHWEIKER. I yield to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

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. BAYH. Mr. President, today the Senate considers a legislative matter of awesome importance. While the President has declared it his purpose to disengage and withdraw American forces from Vietnam, nevertheless that war continues. Though the number of American casualties ebbs lower, the cycle of death and depredation spirals on. Despite profuse and strident criticisms of the Presidential policy that sustains this war, we in Congress have not taken action to end the fighting.

Today, surveying the various proposals to extend or eliminate the draft, one must consider the equity and effectiveness of selective service procedure in general. One must also recognize the possibility that men whom Congress authorizes the President to induct may be obliged to fight and to die in a war that I believe is illegal, immoral, and utterly senseless to continue. I do not believe we can separate the issue of draft extension from that of terminating this war. The Senate cannot—and I suggest the Senate should not—seek to avoid the implications of our actions here today on the war that hangs heavy over us.

ENDING THE DRAFT

We are now being told that as long as the war in Vietnam continues, there is a need for the flexibility in force strength afforded by the present draft system. Translated in the context of our current military involvement in Southeast Asia this could mean the President would like to retain the power to increase draft calls in the event of an escalation of the American combat role in Indochina—without congressional interference. I, for one, am not prepared to grant him that kind of unfettered authority. I am not prepared to share responsibility for the kind of escalation in Indochina that additional manpower makes possible—the kind of escalation we saw in Cambodia and in Laos.

That is why I have concluded that the need to end this war, the need for Congress to take every possible action to stop the war, demands that we vote in Congress to take the steps necessary to end the draft. That is why earlier I supported the amendment offered by the distinguished Senator from Wisconsin (Mr. NELSON) to prevent the President from assigning draftees to combat in Vietnam. And that is why I a few moments ago supported the amendment of my distinguished colleague from Oregon (Mr. HATFIELD) to end the draft altogether when the present act expires.

These have not been easy decisions for me, because I am not yet convinced that the volunteer army is a viable and equitable way for the United States to deal with the problem of military manpower in a war-time situation. I continue to be troubled by the charges that we could not gain sufficient volunteers, that the Army would become a magnet for the poor and the black in our society rather than all of us bearing the burdens of national defense, and particularly by the charge that we would face real dangers from an elitist military force.

I would like to see this war ended so that we could require a lower level of military manpower, and military pay and benefits increased, and thus achieve a de facto elimination of the draft. This country has operated successfully in this manner before, and I believe we can do it again, once we bring peace to Vietnam. But, unfortunately that is not the situation that presents itself today.

But we here in Congress do not face this question of a volunteer army and the broader question of eliminating the draft in some theoretical, abstract vacuum. The war in Vietnam hangs over every word we say in this chamber, and every vote we take. And it is toward ending that war that we must bend our efforts and lend our votes.

THE 1-YEAR EXTENSION

We must face the plain fact that those of us who share this view have been unsuccessful in our efforts to stop the draft. I will continue to support these efforts as long as the war in Indochina continues. I know that the Senator from Oregon, the Senator from Wisconsin, and others will continue.

But in the face of the clear Senate support for extending the draft, I believe there is no excuse for an extension any greater than 1 year. At a time when the complexion of the war and our strategic needs can change dramatically within a few months, Congress should exercise at the very least an annual check on both the level of troop strength and the method of induction. An appropriate means to achieve this is a single-year extension of the draft. I believe that a single-year extension can provide the needed accountability in the use of the induction powers. That is why I have joined my distinguished colleague from Pennsylvania (Mr. SCHWEIKER) in sponsorship of such a proposal.

In extending the authority for but a single year, we provide a responsible means by which we might effect the changes needed to sustain our Armed Forces on a voluntary basis. An annual authorization, I submit, is hardly an unusual congressional procedure, nor does it preclude the possibility of adequate manpower planning by the military. Draft calls have traditionally been projected on an annual basis and, moreover, provide the means by which our overall manpower levels—which we already determine on an annual basis—are maintained.

Extending this authority for a single year places the selective service on a par with a large number of Federal programs with annual congressional authorization, of which these are but a few:

Public Law 91–95, sections 3, 4, and 5—Extension of National Defense Education Act of 1958 Loans to Students in Institutions of Higher Learning and the Higher Education Act of 1965 (the educational opportunity grant and work study programs).

Public Law 91–152, section 107 (a), (b)—National Housing Act—mortgage credit—extension of programs, rental, and cooperative housing for lower income families (12 U.S.C. 1715–1); "July 1, 1970" to "July 1, 1971."

Public Law 91–152, section 216—United States Housing Act of 1937—Management and services in public housing projects (42 U.S.C. 1415 (10); "July 1, 1970," to "July 1, 1971."

Public Law 91–152, section 304—Housing and Urban Development Act of 1968—authorization for new community supplementary assistance grants (42 U.S.C. 3911); "July 1, 1970" to "July 1, 1971."

Public Law 91–152, section 305(a)—Housing and Urban Development Act of 1965—grants for basic water and sewer facilities (42 U.S.C. 3102); "1969" to "1970."

Public Law 91–152, section 401—National Housing Act—veterans' home loan program—flexible interest rate authority (12 U.S.C. 1709–1); "January 1, 1970" to "October 1, 1970."

Public Law 91–121—Armed Forces appropriations authorization.

Public Law 91–491—Coast Guard procurement and construction appropriations authorization.

Public Law 91–85—Department of Commerce—maritime programs, appropriations authorization.

Public Law 91–119—National Aeronautics and Space Administration, appropriations authorization.

Public Law 91–120—National Science Foundation, appropriations authorization.

Public Law 91–142—Military construction authorization.

Public Law 91–99—Peace Corps, appropriations authorization (22 U.S.C. 2502).

Public Law 91–123, section 301(2), 303—Public Works and Economic Development Act of 1965, appropriations authorization—grants for public works and development facilities (42 U.S.C. 3135), "June 30, 1969" to "June 30, 1970." Technical assistance. Research, and information (42 U.S.C. 3152), "and $50,000,000 for the fiscal year ending June 30, 1970."

Public Law 91–175—Foreign air authorization.

Public Law 91–15—Continue the National Council on Marine Resources and Engineering Development (33 U.S.C. 1102(f); "June 30, 1969" to "June 30, 1970."

Surely, if Congress and the military can orchestrate their efforts to regulate military construction programs every year, it is not infeasible to consider a facet of military manpower in this manner. And what of NASA? Certainly, in extending draft authority for an additional year, Congress does not relinquish its prerogative to extend this system for an additional time when this year's authorization expires. Thus, we cannot dismiss Senator SCHWEIKER's proposal amid charges that its enactment would lead to the ultimate loss of congressional power to review the draft again. Indeed, we would have that power on an annual basis.

By pledging ourselves to review the draft again next year, we insure that the full weight of our national will, fully at-

tentive to the formulation of public policy in a national election year, will focus on this issue. It will enable Congress to see if at the end of the coming fiscal year the American presence in South Vietnam that has necessitated the extensive application of this power has been terminated.

As my distinguished colleague from Oregon (Mr. HATFIELD) indicated Wednesday in his lucid statement, extension of the power to conscript has been one of the primary factors in court decisions purporting to establish the legitimacy of Presidential war policy subsequent to repeal of the Gulf of Tonkin resolution. Thus, if we in Congress intend to respond to the moral malaise that now afflicts this land, if we intend to end this war, it seems to the Senator from Indiana, there is no other course, no other alternative. Despite the fact that I harbor certain doubts about the long-term ability of our military to sustain itself on voluntary accessions alone, despite my publically expressed belief that in the event of combat situations, the burden of military service ought to be equitably distributed, I will pursue every reasonable legislative means to limit the extent of this war.

I believe that Congress must hold to an absolute minimum any grant of authority for the President to continue to employ young men against their will to prosecute and expand a war that neither Congress nor the Nation can sanction.

INDUCTION CEILINGS

It is equally important that we place strict limitation on the number of men inducted. As testimony by Col. Edward King has exhibited and a report by the Institute of Strategic Studies has revealed, America is today afflicted by an armed force grown fat and complacent on multiyear extensions of the power to conscript. There may be as many as 200,000 superfluous men within existing army divisions alone, according to Colonel King. At a time when domestic ills and explosive urban crises command the Nation's attention, America can ill afford to see her most precious resource—her young people—hoarded and embittered by the military.

Thus, I fail to see the need to delegate to the President the authority to induct a maximum of 150,000 men through the coming fiscal year. According to statistics supplied to the Armed Services Committee by the Department of Defense, should a pay increase and the overall manpower reduction proposed in the Armed Services bill be enacted, voluntary accessions will fall short of required additions by no more than 40,000 men at most. Why is it that the Armed Forces require additional padding of over 100,000 men? I cannot sanction the disruption of educations and vocations for such a wasteful exercise as this. If Congress is to effectively reestablish its constitutional controls over the size and mission of the military, the President must be compelled to give ample justification for this additional authority.

To date he has not done so. In fact, the Secretary of Defense, not too long ago, was talking in terms of a zero draft call sometime before this 2-year extension would expire. Yet we have an additional 200,000 level in the bill as it now stands.

BASIC PROCEDURAL FAIRNESS

Those of us who seek to end or limit the duration of the draft must recognize the need to insure that—if the draft is to be continued—it is continued in a manner consistent with the fundamental rights and basic fairness to which every American is entitled. Therefore, we must make a series of basic procedural reforms in the administration of any selective service system. Senator KENNEDY has proposed amendments to effect these needed changes and I intend to support him in these efforts.

DEFERMENTS AND RANDOM SELECTION

As long as we maintain the draft machinery, we must insure that all young men subject to its pressure are under the full protection of the law. I applaud the Armed Services Committee in its efforts to reduce the inequities of the present system of selective service classification. Deferment has become the nearly exclusive prerogative of the educated and the wealthy, while those less fortunate are consigned to military service. In abolishing all deferments, the committee has made significant progress toward making the system more equitable and reasserting Congressional power. By the same token, their enactment of a national system of random selection will reduce the possibility of a registrant's status being determined by mere accident of geography.

RIGHT TO COUNSEL

The committee has, however, made a significant omission in its treatment of selective service registrants. While the imposition of military service and the consequences of violating the selective service law can result in penalties as harsh as any inflicted by criminal law, those men who must contend with the regulations of this system are unable to utilize legal representation. While some contend that it would be too time-consuming to allow registrants to be accompanied by counsel at every stage of the hearings and appeals process, I submit that it is also time consuming to allow defendants in criminal proceedings the right to counsel: both of these privileges ought to be considered fundamental procedural rights.

JUDICIAL REVIEW

Complementary to this right of legal counsel, but no less important, is the right to submit a classification decision to judicial review. As our procedure stands now, if a registrant's recognized rights are in his estimation violated, he must either submit to induction or overtly violate selective service law and await prosecution by the Federal Government before his classification is ever reviewed by the judiciary. This is analogous to a requirement under criminal procedure that would force a man who is accused of a crime to commit another crime before the original decision to convict him could be appealed. With the diverse interpretations of classification procedure emanating from our presently decentralized Selective Service System, iniquitous classifications are all too frequent. To entrust the fate of registrants to the obduracy of this system without recourse to judicial review is intolerably unfair.

CONSCIENTIOUS OBJECTORS

It is just as unfair to restrict the receipt of conscientious objector status to those men who are adherents of a conventional religion. Our Federal courts have found this procedure to be unconstitutional, in direct violation of the first amendment. The measure to be considered in granting these exemptions ought to be sincerity rather than the degree to which men subscribe to the tenets of what a particular draft board considers to be an organized religion. I believe as well, so long as our gage is to be sincerity, that Congress study seriously the possibility of granting this objector status to those men who object to a particular war.

BOARD MEMBERSHIP

The committee's action in increasing the length of board members' terms from 15 to 20 years is a step backward. The elimination of the House requirements regarding composition of local boards is a greater mistake yet. At a time when induction resistant has reached an all-time high—when as many as a third of those called refuse induction—further isolation of these boards from their constituency can only be a divisive influence. The average age of those determining the fate of young registrants is now 58 years, with at least one-fifth of them over 70. Only 1.3 percent of those sitting are black. To perpetuate this system would further embitter a generation of young people already disdainful of the military.

FREE DISSEMINATION OF DRAFT RULES AND PROCEDURE

By the same measure, steps must quickly be taken, as Senator KENNEDY has suggested, to insure that registrants and interested citizens are fully and quickly informed of changes in selective service procedure. While ignorance of the law is no defense for violation, some of the procedures and laws of the draft machinery are so arcane and complex as to complicate the attainment of justice.

THE PAY RAISE

Whether we continue the draft or not, steps must be taken to counteract the erosion of public confidence in our Armed Forces. Indeed, if we are to engender the proper respect for the military, Congress must enact military pay increases that can remove service in the Armed Forces from the realm of involuntary servitude. Today, some 50,000 or more of our enlisted men and their families would be eligible for welfare if they were in the civilian economy. Furthermore, the quarters allowance for servicemen has not been revised since January 1, 1963, while housing costs have risen dramatically. Defense Department tables indicate that the average married sergeant, an E–7 in military terminology, is allotted $114.90 for housing, while his average housing cost in the civilian economy is $190. Thus this enlisted man, unable to find military housing, is forced to expend some $75 from his basic monthly pay—reducing his already substandard disposable income. This imposes in effect a $75 per month tax on a man because his Government will not provide his family

with housing. This should not continue, particularly as it impoverishes those men whose income is already out of step with the demands of our modern economy.

The only pay proposal that approaches these needs is that passed by the House and introduced by the distinguished junior Senator from Iowa (Mr. HUGHES). In addition to the significant effect this proposal has on bringing first-term military salaries into line with the cost of living, the Hughes proposal corrects the gross inequities worked upon enlisted men through the acute shortage of adequate military housing. Under this proposal, more than 50 percent of those benefiting from the increased quarters allowance would be married personnel of E–5 pay grade or lower. In the interst of equity alone, I believe this increase is essential, and I was pleased to support Senator HUGHES' amendment.

Moreover, as the high cost of defense is measured against new and urgent domestic needs, it becomes increasingly important for Congress to be cognizant of the true cost of maintaining an adequate armed force. We can no longer afford—though Secretary Laird has suggested as much—to write off the cost of expensive and extraneous weapons systems against the implicit tax we levy on draftees. The true solution to our budgetary dilemmas does not lie in finding complex and often useless hardware through savings realized from cheap manpower.

While I am not yet certain that increased salaries or expanded benefits can bring about an equitable apportionment of the burden of military service, I have supported these measures with the hope that their enactment would bring about changes in the character of military life that would motivate young men to enlist out of a justified sense of pride in the institutions within which they serve.

By the same token, I vigorously opposed the combat enlistment bonus provision of the pending selective service and compensation legislation. The very idea of a combat enlistment bonus of this magnitude—up to $6,000—contradicts a basic, underlying purpose of the men who founded our country: that is, to engender a genuine and justified sense of public pride and respect for the institutions through which our civil rights are administered and maintained.

To suggest, as this provision most certainly does, that the act of defending one's country has become so repugnant as to require the remission of a substantial cash bonus to recruit men for combat duty implies that we have abandoned hope of developing a foreign or defense policy worthy of the public support or defense. I believe that if the Congress and the President cannot evoke a favorable public response to their actions within our national community and the community of nations, our course is not to enact a massive combat enlistment bonus, but to reassess and possibly to change the direction of that action. It is a grave mistake to believe that the instincts of the American people are so insensitive and so venal that they could be persuaded to accept mistaken direction from the leaders of this country by blandishments of substantial cash.

CONCLUSION

Some 355,000 Americans have fallen in Vietnam, victims of a war repudiated by the conscience of our Nation. In the final analysis, it is that war we are discussing today. We can and we should bring basic procedural fairness to the Selective Service System. We can and we should bring fair and equitable pay to every American serviceman. But no reform in procedure, no reform in pay, can begin to substitute for a just and defensible foreign policy.

If we are to reestablish the confidence of the American people in our foreign policy and the necessity of an adequate defense, we must first set our sights on a policy that reflects our real national interests. We must set a date and end the war. Only then will we see the Government of South Vietnam move toward the kind of meaningful structure that can have a chance for peace and rehabilitation when we have gone. Only then will we have an opportunity to secure the prompt return of our brave prisoners of war languishing in the prisons of North Vietnam. And only then will we restore the faith of the American people in the fairness and responsiveness of their Government.

The PRESIDING OFFICER. Who yields time?

Mr. SCHWEIKER. Mr. President, I yield 10 minutes to the Senator from Missouri. (Mr. SYMINGTON).

ONE-YEAR DRAFT EXTENSION STRENGTHENS DECISIONMAKING ROLE OF CONGRESS

Mr. SYMINGTON. Mr. President, although as a member of the Senate Armed Services Committee, I am somewhat reluctant to do so, I disagree with the majority of our committee on the question of the 2-year extension of the draft.

I do not believe it either prudent or necessary for the Congress at this time to extend for more than 1 year the active operation of the Selective Service System; and therefore have cosponsored the amendment on which a vote will be taken this afternoon to provide a 1-year extension of the draft authority.

To interpret and oppose a 1-year extension of the draft as a mere device to institute a year from now under any and all circumstances a volunteer military force is to avoid the true question of congressional responsibility for military manpower decisions.

On this mistaken theory, some have urged their colleagues to vote against the amendment on the basis of their predilection against the volunteer military force. In due course, the Congress may decide whether it is desirable, and if so when it may be possible, to fulfill our military manpower needs by volunteer methods; but these are not the issues which should concern Members of the Senate as we approach this vote on this amendment to authorize a 1-year extension of the draft.

We are considering the draft bill during a time of serious concern in the Congress about the exercise of our constitutional powers in war and peace. When a number of resolutions are under consideration in the Senate Foreign Relations Committee that seek to define and strengthen the constitutional role of the Congress in decisionmaking in war, how ironic it would be for the Senate not to consider an annual review of the military manpower system as a practical and effective method of exercising what should be the important responsibilities with which our form of government entrusts the Congress.

As presented earlier in this debate, it is my belief that so long as we are involved in a shooting war, or disengaging from a shooting war, it is more fair and in accord with democratic principles for men to be chosen for military service by means of a lottery draft system. Nevertheless the time is at hand for Congress to end the concept that it will automatically extend the draft as an infinite method for military manpower procurement.

By extending the President's authority for only 1 year, the Congress responsibly encourages an end to this tragic war in that 12-month period.

As also mentioned earlier in this debate, I am inclined to support in peacetime the concept of an all-volunteer military force. To halo an infinite draft in terms of fairness, or of democratic principles, fails to take account of the fact that the number of age eligible young men overwhelmingly outstrips the estimated need for the military services. When only a few of those eligible may be required, and when, as is my judgment, there would be many young men, some rich, some poor, who would seek and desire a military career, the fairness claimed for conscription as a method of procurement is highly questionable.

The question involved in this amendment is whether Congress will renew on an annual basis, the Nation's military manpower system; and regardless of how one views the concept of a volunteer military force, I submit this question should be answered in the affirmative.

Congress should take as great an interest in the operation of the military manpower procurement system as it does with respect to the procurement of military hardware. Moreover, in an era when it has become essential to the Nation's security to review and revise international commitments, it is particularly important that Congress have an opportunity to review on an annual basis the Nation's military requirements.

In any case, surely the crucial relationship which exists between the needs and size of our military establishment and the character and extent of our international commitments suggests that we need to tailor one to fit the other.

In that connection, Mr. President, I note that some have stated their belief that it would be virtually impossible to obtain the type of military manpower needed through a volunteer system. In their view, the brighter men with the competence to understand the technology of modern nuclear and non-nuclear weapons are the draft motivated men and the true volunteer has not proven, on the average, to be capable of performing complex jobs.

These comments interest me not so much from the standpoint of the questions they raise about the volunteer mil-

itary force, but rather from the standpoint of just what are our military manpower needs in terms of quantity as well as skills, also how they might better be fulfilled under the draft system.

Knowledgeable and talented men are now required to man the increasingly complex military weapons systems. That argument suggests consideration be given to the overhaul of our entire draft system—if it is to be maintained—in order to provide for the selected conscription of particularly talented citizens of all ages, not exclusively the 19-year-olds. Consider the problem we continue to have, for example, with doctors and dentists.

Our military system might afford greater security, with fewer men, but men more highly skilled to carry out particular defense missions.

If this premise is correct, a selective draft system which reaches out for the more highly qualified men who are needed in the military may well be worthy of consideration as an alternative to the present or a voluntary system. That would seem but one more reason to afford an annual review of the draft system.

Some have said, "Be practical." We all know that next year is a presidential election year, and under those circumstances neither the candidates nor the Congress, faced with going before the electorate, would vote an extension of the draft.

I do not buy this political theory. I do not believe that the people of the United States, the candidates or Members of the Congress would be so irresponsible, in the face of a demonstrated need for extension, to refuse approval. For my own part, if next year the necessity for a draft extension is demonstrated, as is entirely possible, I will support an extension for another year.

There is no need to reach that conclusion today, however. In the bill itself we are making a number of changes, one example being the provision for the institution of the uniform national call; also changes in deferment policies.

The Congress should also have the opportunity to review the workability of these new operations of the Selective Service System in the coming year.

Actually, a 1-year extension creates a healthy stimulus for the military to continue to move ahead with reforms in the use and deployment of manpower.

It is for these reasons that I again urge the Senate to adopt the Schweiker-Hughes amendment for a 1-year extension of the draft.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time for the quorum call be equally charged against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. GRAVEL. 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. GRAVEL. Mr. President, will the Senator from Pennsylvania yield me 5 minutes or so?

Mr. SCHWEIKER. I yield 5 minutes to the Senator from Alaska.

Mr. GRAVEL. Mr. President, I should like to underscore a point made by the Senator from Missouri. I believe the senior Senator from Missouri said it very well, and I think it has been the major thrust of the entire 1-year argument.

The Senator from Missouri said that if we do not have the confidence in ourselves to go before the electorate with a hard decision such as the draft next year, it is an implication that this body is irresponsible; and, of course, it is not.

But there is an underlying argument even more serious—that is, that we do not want to have an extension of the draft for 1 year because it would bring up the issue in an election year and that, for some reason, this might be bad. It might be bad to talk about a volatile issue at the same time we are talking about the elections. So that there must be some virtue in not taking up these important issues in the process of an election because we might get the people involved. And, God forbid, what a tragedy it would be to have the people involved in the course of a political campaign.

This is exactly the parliamentary system in Canada and in Great Britain, where a volatile issue could conceivably bring down the government. An issue such as that occurred in the crisis of the 1956 war in Suez. The government of Anthony Eden, in Great Britain, was brought down because of the policy that was undertaken.

The great difference between our system and the parliamentary system is that we adhere to a chronological order of decisionmaking, totally unrelated to the exigencies and the problems we face in life. This, I think, is one of the weaknesses of our system vis-a-vis the parliamentary system, because I think it is important, when we have a vital issue facing the people, that the people have something to say about it. At present, they do not have anything to say about it.

I wonder how the Nixon administration would have fared had the Cambodian issue been resolved in a parliamentary fashion—that is, basing the existence of his administration on that issue—or how it would have fared with respect to Laos. I think we would have seen a different situation—a much more, to my mind, responsive situation.

Of course, I am not essentially for the 1-year extension of the draft; not at all. I do not think we need the draft. But I will vote for the 1-year extension. I want to make my position clear. It is not that I am for the 1-year extension, but, as any realistic person in public life, I am for the lesser of evils. I do not know whether I will be entirely successful in my efforts with respect to the filibuster, because I will not be the only one to make that decision. That will involve 33 other Senators. So, assuming that I am not successful, I would hope that we would have the lesser of evils; and, in my opinion, the lesser of evils would be a 1-year extension of the draft. That is the reason why I will vote for it. But I also will vote for it mainly because if there is a chance to make this Government more responsive, it is to bring these issues out in a campaign, in a political year. If we are ever to decide the course this Nation will take, probably the best time to do it is in the course of a presidential campaign.

It is interesting, when we talk about the draft, that when Richard Nixon ran for office in 1968, he promised the people of this country that he would stop the draft. In order to keep that promise, during the first few months after his inauguration he appointed a presidential commission to go out and get the facts; an intelligent, sophisticated, academic study as to what the situation was. He formed the Gates Commission.

On that commission he placed some very interesting people; very prominent people; very erudite people, very knowledgeable people. Mr. Gates, himself, had been the Secretary of Defense under President Eisenhower. President Nixon placed on the commission many other prominent people; from the military point of view, no less prominent a person than Alfred Gruenther; no less prominent a person than Lauris Norstad.

This group labored almost a year and came back with numerous studies. By and large, their source of information was the Department of Defense itself, because this is where the Army is; this is where the Armed Forces are. They took their data with the greatest scientific expertise. Many academicians were on the staff of the Gates Commission, and they came out with the most definitive study on this subject in the history of this Nation, backed up with large volumes of data.

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

Who yields time?

Mr. GRAVEL. Will the Senator from Pennsylvania yield me a few more minutes?

Mr. SCHWEIKER. I yield 2 additional minutes to the Senator.

The PRESIDING OFFICER. The Senator is recognized for 2 additional minutes.

Mr. GRAVEL. This study was rendered. It recommended very simply, after all this effort, that the United States of America would not need the draft after July 1, 1971. That is next month. This was a decision that was rendered more than a year ago.

Did the President of the United States, based upon this knowledgable, erudite, sophisticated report, then decide to keep faith with his promise, an election promise, a political promise? Of course not.

I do not know why, but we saw a vectoring of course, a changing of minds. Then we saw what really transpired was conflicting testimony by very high officials of this Government. When these people come in and start changing the figures, start changing the ground, start changing the rules after a definitive study has been made, I think it is tragic evidence that in many respects, many facets of our Government we act, unfortunately, like hound dogs—that is, they will hunt with whomever feeds them.

The chairman of the Armed Services

Committee came forward with a letter from the Joint Chiefs of Staff saying, "We all agree with the President." This was supposed to be a great revelation. There was no revelation. It was to be expected that the Joint Chiefs of Staff would agree with the President. It would be a great revelation and cause great consternation if some of them would say really what is in their bosoms. In that way we could rejuvenate the pride this Nation has in the military, and we could rejuvenate our military.

The PRESIDING OFFICER. The 2 minutes of the Senator have expired.

Mr. SCHWEIKER. Mr. President, our side has 12 minutes remaining. The other side has approximately 30 minutes remaining. We are awaiting the arrival of the chairman of the committee. I suggest the absence of a quorum, and I ask unanimous consent that the time be charged to the other side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE INDUCTION AUTHORITY: A 1-YEAR EXTENSION

Mr. WILLIAMS. Mr. President, once again, the Congress of the United States is debating the draft laws by which American citizens are inducted into our Armed Forces. The debate has been extensive and heated. It is altogether fitting that it should be. For this issue, like another which is likely to confront the Congress this year, has implications for the future direction of our society and concerns questions of conscience of grave import to the individual. The other issue I refer to is the forthcoming attempt by certain Senators to reassert the prerogatives of the Congress, with regard to war-making powers, as is provided in the Constitution.

Both of these issues have their genesis in the discontent arising from the Southeast Asian conflict. Yet, each man in this Chamber has sufficient historical perspective to know that both the first question of whether or not involuntary servitude should be virtually a permanent feature of our society and the second question of whether the decision to commit a nation to war should belong to one man or to many, are dilemmas of more far-reaching import. Our policies not so much in Indochina but in other lands and at other times, will be affected by what we of the 92d Congress decide on these vital questions.

In each case there are issues which transcend political differences to a large extent. In the latter case, the hallowed doctrine of the constitutional balance of powers is at stake, and the preservation of the traditional role of the Congress has stimulated a wide cross section of defenders. In the case of the draft, the traditional American abhorrence of involuntary conscription as well as a national concern for the rights of the individual have produced a coincidence of views among broad segments of our society.

I am pleased that President Nixon has taken a position in favor of the volunteer army. The Gates Commission, which he appointed, has reported to him that this could be achieved with a reasonable budget increase—$2.7 billion—and within a short period of time. The President has not yet endorsed a pay proposal sufficiently generous to make the volunteer army a reality, although he has proposed an investment of $1.5 billion in fiscal year 1972 as a start in this direction. The House of Representatives has recommended a pay and allowances package totaling $2.687 billion, only $20 million short of the Gates Commission recommendation, and the Senate, while it has rejected the House figure, is considering other pay proposals to substantially increase military pay. If the President should thus see demonstrated the willingness of Congress to provide sufficient incentives to stimulate the necessary levels of voluntary enlistment, it would be hoped that he would be persuaded to move ahead immediately with the transition to an all-volunteer force.

I have not seen any convincing justification for the administration's attachment to a 2-year time period as the length of time that the induction authority should be extended. In a January 28, 1971, message to the Congress, the President has said:

> No one knows precisely when we can end conscription. It depends on many things—including the level of military forces that will be required for our national security, the degree to which the combination of military pay increases and enhanced benefits will attract and hold enough volunteers to maintain the forces we need, and the attitude of young people toward military service.

I think that this is an entirely acceptable statement. Certainly a trial period of time will be needed, to determine whether or not these pay increases will be sufficient, and whether volunteers will continue at an acceptable level in the absence of a draft. However, it occurs to me that with the extensive, monthly statistical recordkeeping presently done by the selective service, such patterns or trends could be noted fairly quickly over a matter of several months, and, in order to take into consideration seasonal factors, certainly within a year. Since the President has admitted that "no one knows" precisely when conscription can be ended, I would maintain that it would be much fairer to the young men involved to begin the "no draft" experiment as quickly as possible, realizing that any error on the side of haste could be corrected by reinstituting or further extending the draft. Congress would not hesitate to do so in the face of real evidence that such action was needed.

In any event, the truest test of the validity of voluntarism would take place in the absence of the induction authority. Why the 2-year period is preferred, when the President has actually admitted an uncertainty as to timetables, can only be surmised. While the 1-year extension proposed by myself and several other Senators has been strongly resisted, I have not heard any compelling arguments that 2 years would be that much more advantageous than 1.

There have been several proposals introduced with regard to the extension: for 4 years, 2 years, 18 months, 1 year, 6 months, and not at all. These differences in time are an indication that few are certain as to what the ideal amount of transition time for the volunteer army would be. The most exhaustive study which we have available on the issue, the Gates Commission report suggests that the transition could begin with the expiration of the present induction authority this June.

It would be tragic if we were to err on the side of an unduly long extension of the draft, when there is a possibility that the transition to the all-volunteer army can be accomplished more rapidly. For in essence, I believe the prognosis for an all-volunteer army is good. If the current withdrawals from Vietnam continue—and while that is a big "if," it is one about which we have been given some very definite assurances—if the Senate Armed Services Committee's recommendation to reduce overall force levels to 2.5 million is carried out; and if a substantial military pay increase is agreed upon by the Congress, then the need of the Armed Forces for inductees will decline even further.

I will not outline in detail the advantages of a volunteer army or the disadvantages of the current draft law, as they have been fully debated in this forum in the past. The inequities of the present classification system, the disruptions resulting to men's lives, the waste in terms of earning potential and career development are all too familiar. The young men who go to college not for an education but for a deferment, to the detriment of themselves and the educational system; who have married or fathered children not for love but for exempt status, and who have been denied employment not for lack of merit but because of their eligibility, can testify as to the hardships of the draft. We must also, increasingly, take into account the mounting evidence that our youth are being forced by this system into evasions, as reflected by the increasing expatriations to other lands, by a failure rate on preinduction physicals that is almost 50 percent for the Nation, a soaring rate of no-shows and delinquencies, and the virtual breakdown of the system in some areas.

We can also take note of the increasing resort to conscientious objection by potential inductees. Although this is in no way to be compared with some of the illegal methods of avoiding the draft mentioned above, the rise in conscientious objectors must be considered indicative of the general discontent with the induction system. From a level of 11,000 annually in 1955, the number of objectors has risen by approximately 1,000 each year until 1967. In that year the number of conscientious objectors rose by 3,000, in 1968 by 5,000, in 1969 by 6,000 and, in 1970 by 17,000 to over 52,000 yearly.

One interesting observation, incidentally, is that there are substantial numbers of men who file claims for conscientious objection even though their lot-

tery number was above 195 and they would obviously not be called. As Selective Service Director Curtis Tarr has observed, this would tend to rebut the challenge of insincerity directed toward many who claim status as conscientious objectors.

The all-volunteer army would not only eliminate these unfortunate byproducts of the present draft system, but would provide various efficiencies and improvements over the present Armed Forces.

First, the volunteer soldier represents a vast saving in overall expenditure. In contrast to the inductee, who generally does not re-enlist and leaves active duty after 2 years, the volunteer soldier is likely to remain much longer, in many cases until retirement. Vast savings are possible in the area of training by reducing the rapid turnover of manpower, and operations will tend to go more smoothly without the constant replacements required by the present system.

The career man will also undoubtedly prove to be more efficient than the inductee if only because of his motivation. There can be no doubt that an individual who has freely chosen the Army as his career, and who will wish to make a success of his profession, will perform much more creditably than the individual who has been impressed into the service and is resentfully counting the days until he is allowed to return to whatever he was doing before the Army's interruption of his life.

Mr. President, I am familiar with the argument that has been advanced by some proponents of the draft that an all-volunteer army would not only be dedicated, but might even be a little too dedicated—that the termination of induction would eliminate the allegedly benign influence of the civilian in the Army.

I am not concerned about the dangers of politicization of the Army which are implied by this argument. At present, inductees serve primarily in the lower ranks of the Army. The influence which they have does not extend into the officer corps, however; the contention that these draftees are presently acting as a check upon the militaristic inclinations of the officer corps, is in my opinion totally unwarranted. I do not even believe that there is presently such a tendency on the part of the military. Our officers, most of whom are the product of either our military academies or other institutions of higher education, are highly educated men, and thoroughly imbued with a dedication to our constitutional form of government. They are thoroughly aware of the traditional principle of strict civilian control of the military. I do not believe that if the approximately 11 percent of the Armed Forces that are now inducted become professional soldiers, that there will be any appreciable change in the political complexion of our forces.

Another argument that has occasionally been advanced is the claim that the poor and the black would be disproportionately represented in an all-volunteer force. The facts are that these groups are disproportionately underrepresented now. The bottom 15 percent or 20 percent of the population who are excluded by aptitude scores and the hundreds of thousands of applicants rejected annually on the grounds of health, or criminal records, contain, not so surprisingly, many persons from the lower economic strata. If the increased pay raise should attract many from this group, it would, still not create a situation dissimilar to that existing in the country in general.

The situation with regard to blacks is roughly similar. The Gates Commission has estimated that in a future army of 2.5 million, blacks would constitute approximately 14 percent of the enlisted men in a conscripted force and 15 percent in an all-volunteer force. This would not indicate a racial composition differing radically from that in the general population. I think the reaction of the black community itself is significant in this regard. Twelve of the 13 members of the black caucus in the House voted in opposition to the present bill H.R. 6531, and, as is indicated in many of their statements at the time, were not concerned by the prospects of an all-volunteer army.

Finally, one major argument that is frequently offered as a reason for avoiding the all-volunteer army is that it would facilitate the decision of a President to commit the country to war. Some fear that by granting the President the instrument of an army which is entirely professional and which does not require the President to go before the Nation to urge the people's support, an important inhibition on his proclivity for waging war has been eliminated. He would, the argument goes, have a fairly cheap and easy decision to go to war. I am totally in agreement that the initial decision to commit our Armed Forces should not be too easy, and should require the most thorough and critical examination of the issues.

However, I tend to believe that the existence of the draft makes this decision even less difficult than it would be under the existence of an all-volunteer army. It was comparatively easy for the commitment in Southeast Asia to be escalated as it was, simply by increasing the draft calls. With a volunteer army, it will be necessary to persuade the Congress to appropriate the extra money required to finance military activities, and while this will not be difficult in a time of real international danger for the United States, it would require the President to state more clearly the pros and cons of committing troops in less crucial situations, thereby avoiding the dangers of an unnecessary involvement.

Mr. President, I am aware of the arguments of those who claim that the projections of the Gates Commission study—the most extensive and thorough examination of the Selective Service System ever made—are unreliable because the Commission did not take fully into account the higher costs needed to persuade men to join combat units in particular. It is true that a rather high level of compensation would be required to induce an individual to join combat units certain to face hostile action. We have had enough experience with mercenaries to know this well. However, it must be remembered that a volunteer army, like most of the standing armies in the world, is essentially the nucleus of an expanded army, one which would be swelled to the necessary size by a congressional declaration of war and the actions which would flow from such a declaration—an increase in voluntary enlistments, a call-up of existing Reserve forces, and a reinstitution of the military draft.

The elimination of the induction authority would not mean that a greatly increased force could not be made available at a time of national emergency. In fact, the history of our country in meeting challenges to our security has been a commendable one, as those who remember the national reaction to Pearl Harbor can attest.

If, however, these critics of a volunteer army are alleging that it will be difficult to encourage men to risk their lives in a cause which has little popular support and has little or no relevance to the national security of their country, I can certainly agree with them. And if they assert that it will be hard to persuade men to fight in a war which has not been declared by the Congress, and for purposes which are difficult to explain, or, when explained, difficult to endorse, I will also have to agree. And furthermore, Mr. President, it is fitting that this is so. For I do not think that any of us wish to send any more men to die fighting in a war begun in behalf of an ideology of confrontation no longer applicable to present realities; or which is waged in behalf of a government which does not trust its own people sufficiently to hold truly free elections open to all candidates. I sincerely hope that such a tragedy shall never again be repeated.

We can guard against this eventuality in many ways. But there is no more direct way than by establishing the principle that no man can be compelled to risk his life in a military action that the Congress will not have the opportunity to sanction.

This can be accomplished by providing for the creation of an all-volunteer army and the elimination of the induction authority. The Congress will not deny the President induction authority in the event of a national emergency or a situation justifying the commitment of American resources or lives.

In closing, Mr. President, I would like to state once again my support for the 1-year extension amendment which is being offered by Senator SCHWEIKER this afternoon. I wish to give the benefit of the doubt to those who claim that this additional time is needed to insure the smooth transition to a volunteer force.

However, in the absence of concrete evidence that the administration is utlizing or intends to utilize this time to insure the success of the all-volunteer army concept, it is increasingly difficult to avoid the conclusion that the extension of the draft authority is a matter of more urgency to the administration than taking the first tentative steps toward an all-volunteer defense force.

DRAFT EXTENSION FOR 1 YEAR IS ADEQUATE

Mr. RANDOLPH. Mr. President, I shall support the extension of the draft for 1 year. It is regrettable that our Nation must continue to invest so much in human and monetary sacrifice for security and defense. However, it is my

belief that our alternatives to this course are severely limited at this time.

Conscription is a burden borne primarily by our youth. It is a system which plays havoc with their early years of manhood and plans for the future. Understandably it is being questioned by them and many Americans. That questioning and critical analysis should continue. I have listened to and studied the arguments of both sides of this issue and have reached the decision to vote in favor of a 1 year extension, as advocated by the Senator from Pennsylvania, (Mr. SCHWEIKER). The 1-year extension will insure that the Congress continues its review of the Selective Service System, just as we conduct an annual review of military authorization programs. I do not subscribe to the argument that a 2-year extension of the draft is necessary for planning and development of military manpower needs. I cannot believe that the military is not capable of developing its manpower program with a 1-year extension and the projection of alternatives and options in the future.

I feel that our consideration of this issue should not be delayed for 2 years by extension of the President's induction authority for that length of time. It is too important and too vital to the lives of many Americans.

Mr. President, we are presently involved in an unpopular war far from our borders. The course of our participation is uncertain. As long as America remains in active combat or in combat zones in Southeast Asia those who are required to carry out this policy should be selected under the draft system—the tragic burdens of a wartime military should be distributed as evenly as possible across our society. In my thinking ending the draft is no way to attempt to end our involvement in this conflict. That is a determination which must be faced by direct affirmative action rather than from a negative approach.

There are many uncertainties in the development of an all-volunteer military. I am concerned particularly, that in these times of high unemployment, an all-volunteer army might be comprised primarily of persons from the lower levels of our economic and educational spectrum—especially from rural and urban poverty areas. The options of this class of Americans is clearly not as great as those of the middle and upper income levels. In many cases it could be the only alternative to underemployment, unemployment, or welfare. By indirection, we could easily force certain classes of persons by virtue of their environment into the military system.

A transitional period is necessary during any initial attempts to create an all-volunteer force. This 1-year period will afford the President and the Congress the opportunity to continue a thorough examination—planning, development, and implementation—of the possibility of moving completely to an all-volunteer force and to again assess our manpower needs for military security. Obviously uncertainties still remain regarding the number of real volunteers who presently enter the armed services and level of pay and benefits needed to provide incentives to enlist.

Mr. President, my vote will be cast for the 1-year extension of the draft for members of our Armed Forces. I hope the amendment, No. 76, will pass.

Mr. KENNEDY. Mr. President, I rise in support of the amendment by the Senator from Pennsylvania to extend the induction authority for a single year.

Although many endorse this measure in the belief that it will lead to a volunteer army, I support it for totally different reasons. If a year from now, American men are still dying in combat, I will continue to oppose a paid professional force.

However, I believe a 1-year extension should be supported for separate and distinct reasons.

First, I believe that the Congress must reassert its responsibilities to determine the defense posture of this Nation. For too long, we have allowed Defense Department manpower estimates to pass unquestioned. For too long, we have given the President an unrestricted power to draft. For too long, we have effectively delegated the constitutional power over the size of the Defense establishment to the President.

One method to assure closer congressional control over defense manpower policies is to provide an annual review of the President's power to induct men into the Armed Forces.

A corollary method is contained in the amendment which I will call up early next week which will place an absolute ceiling on the number of men the President can induct and on the size of the Armed Forces, removing the escape clauses now contained in the Senate Armed Services Committee bill.

Each year Congress should make this determination so that the constitutional prerogative of the Congress to "raise and maintain" the armies is unmistakable.

Already that debate this year has prompted a reevaluation of our military force levels in Europe, a reevaluation which is long overdue. The debate now is about to extend, as it should, to the continuing war in Vietnam and the role of U.S. military forces in prolonging that conflict. I sincerely hope that we will resolve this issue through passage of the McGovern-Hatfield amendment.

But what is critical to the processes of Government is that the Congress have the opportunity to undertake these extensive inquiries into our military force level and our manpower procurement policies on an annual basis.

Second, I believe that each opportunity to debate the power of the President to induct will mean a fresh debate on the inadequacies of the existing draft system. Each such debate will provide an opportunity to incorporate additional reforms in the Selective Service System.

The last time we acted on the power of the President to induct was in 1967. At that time, we succeeded in the Senate in passing a measure containing certain basic reforms. Although the House dropped many of those provisions, the debate was critically important in inducing two presidential administrations to undertake far-reaching reforms through administrative action.

In that way, the exposure of an individual to the draft was limited to a single year: the random selection system was established and the order of selection was shifted to youngest first. Also graduate and occupational deferments, which established an inequitable system of exemptions, were curtailed.

This year, the debate over the extension of the President's authority to induct has offered another opportunity to move the system closer to the ideal described by the Marshall Commission of a system "as consistent as possible with human dignity, individual liberty, fairness to all citizens, and the other principles and traditions of a democratic and free society."

The House and Senate bills move closer toward that model by ending undergraduate student deferments and establishing a policy of national calls, effectively ending the previous quota system.

However, there are additional reforms which are desirable, including the reorganization of the draft system along the lines recommended by the Marshall Commission. I am suggesting many of those reforms in several amendments to the bill. If I fail this year, I do not believe that we should wait 2 years before the Senate has the opportunity again to consider these reforms.

Therefore, Mr. President, in order to permit an annual examination of our manpower policies and an annual review of the Selective Service System, I shall support the amendment to limit the extension of the President to induct men into the Armed Forces to 1 year.

Mr. STENNIS. Mr. President, I yield 5 minutes of my time to the distinguished Senator from New York (Mr. JAVITS).

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, I appreciate the generosity of the manager of the bill, in view of the fact that I am for this amendment. He is doing his utmost to accommodate the time problems, and I am very grateful to him for that.

Mr. President, while I am a cosponsor of the Schweiker amendment—and believe it should be agreed to—to reduce the term of the draft to 1 year, I want, at the same time, to express my recognition of some very important reforms which have been written into the bill in committee, under the leadership of the distinguished Senator from Mississippi (Mr. STENNIS). These reforms have shown that the Armed Services Committee, under his leadership, has been responsive to the will and the opinion of a number of Senators, including myself, who are not members of that committee. The committee has also been responsive to some of the deep feelings of the American people.

Mr. President, there are three reforms in particular which I find gratifying. First is the setting of a ceiling of 150,000 inductees a year although I note that the ceiling is not an absolute one in certain circumstances. The second reform concerns student deferments, and the third provision deals with authorization of active duty military personnel strength for the Army, Navy, and Air Forces.

I think that these provisions are one way in which Congress is asserting its constitutional authority with respect to the war and the issue of war powers.

Now, Mr. President, with regard to the particular issue now before the Senate, I believe deeply that the 1-year extension which has been specified in the Schweiker amendment is the right one.

I intend to vote for the draft as I do not believe in the concept of a volunteer army. I have many reasons for that, among them the fact that citizen's service, in my judgment, is the best way to assure peace.

However, the whole concept of the constitutional sharing of authority in the war powers area between Congress and the President, which is the essence of what I consider to be one of the most important aspects of my service in the Senate, the so-called war powers bill, is very much better dealt with if we do not give the Executive an open ended ability to raise military forces. It is far better that Congress should have the ability to periodically review the Nation's military manpower needs on a yearly basis. Congress can then better exercise its authority over this particular aspect of our national life.

Also, we are undergoing a tremendous crisis of motivation in this country which shows itself in productivity, a matter deeply worrying to me. It also shows itself in the disorientation of our youth and in the drug syndrome.

I believe that at such a time it is important for each of us to continue to face the national responsibility which is involved with respect to the draft.

So, Mr. President, as I have stated, I support the draft. However, in view of the quagmire of Vietnam, and in view of the need, in these dangerous times, for active congressional participation in the decisions which we must take in this awesome field of war and military force, we should have our hands on the controls in a direct, effective, and continuous way. I do not believe that the controls are best administered through the appropriations power because of the seeming inability to deal with the constitutional problems by appropriations.

Therefore, I think that when we have a substantive bill like this one before us, we should act to assert congressional authority. It is argued that a 2-year draft extension is better than 1 year in terms of training, assurance, and so forth; but in the trade off between that and the urgent national necessity that we face, a 1-year draft is all that we should approve at this time.

For all these reasons, Mr. President, I shall support the Schweiker amendment.

I thank my colleague from Mississippi very much for yielding me this time.

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

The PRESIDING OFFICER (Mr. TAFT). The Senator from Mississippi has 40 minutes remaining.

Mr. STENNIS. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 15 minutes.

Mr. STENNIS. Mr. President, in the course of this debate, and it has been a good debate in the view of those of us who have been making it, although we have not had many hearers, every conceivable major point that both sides could think of has been gone into and rather thoroughly discussed.

The pending amendment has been exhaustively considered by most Senators. In fact, the entire bill has, as to its essential features.

I am going to try to sum up now some of the points that pertain to the question of a 1-year or a 2-year extension of the draft.

Mr. President, I take it that the matter about whether or not we are going to start a volunteer army on July 1, 1971, has all been settled. It has all been abandoned, first by the President of the United States and then abandoned by the Department of Defense, and not recommended by the committee. It has also been voted down on the floor of the Senate by a great majority of the Senate.

That brings us to the proposition that we must have some kind of an extension of the Selective Service Act. The question now is whether it will be for 1 year or for 2 years. We will just go back to the men who have to carry on the burden of carrying out the laws and see what they say.

It was in the atmosphere here 15 months ago that they were going to try for a volunteer army beginning on July 1, 1971. The Gates Commission so recommended a little over a year ago.

As I said, that has passed by, and the men who have to carry on the burden of carrying on these military services, beginning with the President of the United States, have all said that it should be a minimum of 2 years. That is the issue that is pending before us now, whether we will have 2 years. I submit, Mr. President, that 2 years is the minimum time we need.

Under the Schweiker amendment, this whole act would expire on June 30, 1972. So before the ink hardly got dry upon the bill that was signed by the President, we would be starting the consideration of a new bill and would have to come in here in January of next year, with the work not finished but a great deal of the work already done on it, and would have to have hearings and the bill would have to go before the House and would then come before the Senate. We would have another extended debate. Four weeks ago yesterday debate was started on this bill.

In the meantime what would be happening? Just about the time that debate came to a climax, we would be close to the national conventions. The parties would be competing with each other for power and for political favor. All the Members of the House would be up for reelection. One third of the Members of the Senate would be up for reelection. The campaigns should be beginning or would have already been started in the case of many.

Would that be the best time for this matter to be passed on? I think not. I think it is the worst possible time, except for one that I will mention in a moment. So, if we really want to get this sticky matter gummed up in the political channels from top to bottom and plagued by the uncertainty of all the problems that go with it, we should just vote for 1 year. That is the worst way to do the thing, as I see it, and I say that with all deference to those concerned, unless it is the way that has been proposed here and withdrawn, I believe.

Someone suggested that the House had voted 2 years and if the Senate would vote for 1 year, we would come back and compromise at 18 months. That would put the matter back in our laps right after the scheduled elections and in a lameduck session of the Congress.

I cannot conceive that a responsible Congress would let a thing like that happen or that we would want to consider it at that time and let all the people be uncertain.

So we come back to the proposition of 2 years. The amendment calls for 1. What would 1 year mean so far as the service is concerned?

Mr. President, over and over again I have emphasized that I am not supporting this 2-year provision to take care of the war in Vietnam. That will involve, at the worst, some manpower. But the reasonable expectations are that our part of the fighting over there would be over—maybe not entirely, but they would be over within 12 months from now.

I hope so and everyone else does. However, I am not saying that we will be entirely out of there 12 months from now. However, certainly the reasonable expectations are that the major part of the active fighting will be over.

I am not trying to get this bill passed in order to fulfill NATO requirements. That is another incident, and it is an important one. However, it is not the major one. The major reason we need this provision is to protect our people in all these 48 States, in this one solid body of land, plus Alaska and Hawaii.

I say that because it is through the Selective Service that we get the missile crews that are our chief deterrent in many ways against a possible nuclear weapon attack.

Forty-two percent of these men that are on that assignment are first-term men. They come in through the draft directly or are draft induced.

I point out here again figures to show that on one of these submarines, 246 U.S. Thomas Jefferson, with a New London, Conn., home port, 22 percent of the number of crewmen are draft motivated. It is 54 percent in the Air Force strategic missile. Forty-seven-point-four percent of those crewmen—that is the ICBM—come in through the draft or are draft induced. That is the Air Force. They say they are all volunteers.

However, an analysis shows that 47.4 percent of those crewmen are first term men and came in through the draft or were draft induced.

Take one of the missiles out at Malstrom Air Force Base in Montana. Three hundred fifty men assigned to that unit came in through the draft or under its influence.

Strategic bombers, the same percent. One hundred ninety-two men out of 800 assigned there. In a group in Texas we

have the actual figure; 192 came in through the draft or were draft induced.

Those men have to be trained and retrained and tried out. They have to undergo all kinds of tests. Sometimes it takes 12 or 18 months or even 24 months. These are men whose term of service is more than 2 years. To have a system that will have the continuity of flow that will supply these men, this is what we need. And I could go on giving instances over and over here.

Even in the Marine Corps, 33 percent of those in the Marine Corps today came in through the draft or draft inducement. At Camp Pendleton in California, the 1st Marine Division, 28 percent by actual count are draft induced.

So, we must have a system that will operate and not a system that will be a stopgap proposition every 12 months.

We, of course, annually review the manpower needs of our military service. This year the Armed Services Committee recommended a significant reduction, about 100,000 in-strength in the entire Armed Forces. They review the military manpower. It is an important function. And it is one that will require the intensive effort of the Senate.

This is the way the military manpower should be reviewed. The level should be reviewed annually. We are talking about the method of reviewing the military manpower level.

To argue here that we should review every year the giving to the President the power to induct men into the armed services is a bit like arguing that every year we should review the general type of tax system we should have.

Our military system, our Selective Service System, could not operate. I state that as a fact. It is impossible to operate effectively with the kind of disruption which would be produced by perpetual uncertainty over the very existence of the system that would be used.

Now, Mr. President, we have gotten into a lot of figures. I think all of them are honest figures. They show how many men are going to be needed, and no one can tell exactly because the terms of these men who are in the service now expire not so many every year at a certain moment, but the number of men whose terms expire in 1971 depends on how many were brought in in 1968, or in 1967 in one service. They go out in proportion to the way they were coming in a few years earlier.

Mr. Laird, at my request, for the benefit of all of us, has given his ideas about what will be needed:

> Without the draft in fiscal year 1973, even with further strength reductions and higher pay, the military manpower deficit in 1973 would be substantial.

That is 1973, the year we are talking about.

There have been many people playing with this figure during the debate but this is the man at the top, the man with the responsibility. He has the facilities to find out and on his responsibility and on his honor he said:

> Even if the higher pay bill passed by the House is enacted and further strength reductions are made, our best estimate is that the Department of Defense would fail to meet its needs for military manpower in fiscal year 1973 by 130,000–210,000. The exact manpower shortage within this range would depend on the final strength decisions for fiscal year 1973, early release actions and other policy changes and the success of the Project Volunteer program.

But even with all those things considered, he gave us his very best estimate as to what the situation would be unless we have the benefits, the persuasive power, and the inducement of the Selective Service Act for fiscal year 1973. If those facts are correct, and I believe they are correct, how in the world could we better the situation by postponing a decision on this matter for fiscal year 1973? I state it is absolutely impossible, in my opinion, based on my knowledge of how these matters work and the problems involved for them to have this manpower bank of men or the necessary men for that critical fiscal year 1973 unless we give them the power now through this extension to have this control and this strength and this system that will bring in these men.

I am not talking about men for Vietnam, or NATO, or Western Europe; I am talking about the men who man these weapons here at home, men who man these weapons at sea, and on the sea, and in the air, almost all around the world.

Certainly, these are matters that affect our welfare and our security. I am willing to bottom this entire case on the need to have these men available.

Mr. President, I wish to say a word about those who favor the volunteer army. I respect their opinion. However, if they really want the volunteer army and want to prove it can be made to work, vote for this 2-year extension; but if Senators who believe in it do not vote for the 2-year extension, they are going to choke it to death. That is what the President thinks or he would not have recommended 2 years. The volunteer army will be choked to death by not giving it enough life blood, enough running room, or enough chance to live. It is a delicate estimate. I do not believe it will live, but the decision has been made to give it a chance. Even bonuses and those things have been expressly approved on the floor of the Senate in rollcall votes. All of the money was not approved, but that is part of the program for next year if the plan goes on to try out the volunteer army.

So I warn Senators who believe in it and think it should be given a trial not to knock the props out from under it or to take the air out of its tires; give it a chance to get started.

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

Mr. STENNIS. I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. STENNIS. Mr. President, this is a hybrid proposition when we talk about going to a volunteer army. I have not heard anyone in a position of authority and responsibility estimate that we can do all of this within 1 year. I said "in a position of authority." The Gates Commission recommended it could be done, but that is a milestone in this history, long since passed. It is far back down the road. It has been voted on directly here twice and repudiated each time I do not like to use the word "repudiated" but the White House turned it down because they did not think it would work, not that fast, and that it was not practical.

Therefore, we are at the jumping off place. We can stretch this matter farther. There has been made a decision, in effect, to give the volunteer army a chance, and now to come in and cut the lifeblood of the plan to furnish the manpower for the period until the so-called volunteer army can walk with its own strength, would be to doom it to double failure and certain death.

I think we have to make the hard choice here, as I said before. The Senate has been facing up to hard choices and down the line has been taking the hard way because they thought it was the necessary way. I believe that is what will happen here this afternoon.

As attractive as it may be to vote for less than 2 years, or as desirable as it may be on the part of some people who have not had a chance to fully know the facts, we are going to have to face up to this matter and sustain this position because the facts overwhelming sustain it and the circumstances demand it.

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

Mr. STENNIS. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, the proof is uncontradicted that men who go into the services who are draft motivated on the average have a higher intelligence, better training, more talent, and better aptitudes, and they are more proficient at getting into these key places that are so essential, so highly essential, where there is required integrity of the very first order. We would not want to entrust one of these ICBM's in anyway to a man unless he is 24-carat gold. He must have integrity, intelligence, reliability, responsibility, and dedication unquestioned. There are hundreds and thousands of them. There are more than I realized that have been brought in through the Selective Service System.

> The primary supporting study of qualitative requirements of the Armed Forces points out that there is good evidence to support the proposition that both in years of schooling—

And I am quoting now—

> And in comparative test scores, draftees score higher than volunteers.

And then on and on and on.

So I submit here we have one of the gravest questions that we are going to decide in this entire bill. We have had many already, but, having made these other decisions, are we going to supply the machinery? Are we going to give a niggardly 1-year provision here that does not have a chance to meet the needs and demands?

We will regret that day, and we will pay for it by its costing us more in money, in manpower, in lost time, and in every other way. The worst way we will have to pay for it, though—let us be frank about

it—is that we will downgrade the quality, on the average, of the men in our services, and leave us with not enough of the keymen I have described in detail.

I will retain the unused part of my time, and I yield the floor.

Mr. SCHWEIKER. Mr. President, I yield 3 minutes to the Senator from Iowa (Mr. HUGHES).

The PRESIDING OFFICER. The Senator from Iowa is recognized for 3 minutes.

Mr. HUGHES. Mr. President, in a few short weeks, the Selective Service Act is scheduled to expire. It should expire—not because this Nation may never need to call men to its defense but rather because the present system is so riddled with inequities and abuses that it should be mercifully put to rest.

Although I want to commend Dr. Tarr and his staff for making important reforms in existing procedures, I still believe that the draft must be ended as soon as possible. An immediate termination is not acceptable to a majority of the Congress. I hope that an extension for only 1 year will be.

Persisting in injustice is no fairer in our draft system than it is in our judicial system or in our involvement in Vietnam. No longer should we let this system take men against their will and send them to fight a war which they and even their parents overwhelmingly consider wrong.

I recognize, Mr. President, that some people fear that an all-volunteer force would be composed primarily of men from poor families, whose opportunities have been stifled by years of discrimination. I am convinced, however, that this need not be the case and that proper steps can be taken to safeguard against such an eventuality.

Economists for the Gates Commission predicted that the maximum number of blacks in an all-volunteer force, for example, would be only 15 percent, compared to 14 percent under a truly fair draft system.

Yet now, blacks receive only half the medical exemptions per capita that whites receive. Why is this so? Who would argue that blacks get twice as good medical care as whites? The answer was put simply by Congressman STOKES of Ohio: the $300 bounty of Civil War times has been replaced by the $300 medical examination which only the affluent can afford.

This is not only a racial question, because the poor are drafted disproportionately for other reasons as well. They can more easily get the counseling and legal advice to find loopholes in the law. The college-educated young man can often articulate his philosophical objections to war more persuasively than the man with less exposure to such ideas.

I know that there are important social questions involved in moving to an all-volunteer force, Mr. President. For a long time I had strong doubts as to the wisdom of such a force. But I have been persuaded—persuaded that the draft system cannot be reformed enough to make it truly fair, and persuaded that our society can build safeguards to prevent the growth of a powerful, isolated military corps.

Building on our long history of military subordination to civilian control, I believe that we can preserve that control. So long as men can choose military careers and be promoted on the basis of ability and not favoritism, we shall preserve an open and democratic Armed Force.

I believe also that we can keep military men fully integrated into civilian life and infused with civilian values. They are now—even in those services which do not depend on draftees for their manpower. There is no reason to doubt that this would be the case under an all-volunteer force.

Although I have criticized our policy of enlarging and continuing the war in Indochina, I have never criticized our military men for carrying out their orders to fight. This tragic war was begun and continued by political leaders. They deserve whatever blame we choose to affix—just as they—and we in the Congress—bear the responsibility for ending this war.

The important question for us is whether an all-volunteer force makes war less likely or more likely. I believe, Mr. President, that the source of our military manpower is irrevelant to the question of war or peace.

What will protect us—or lead us into another Vietnam—is wise policies, determined by responsive political leaders.

I believe that the greatest restraint on unwise military action in the future is a system in which the people and their representatives have a say in our commitment to hostilities and then share the burden of the costs of war.

When America fights, our whole society should feel, share, and decide upon that burden. Under the draft, however, only the young felt the burden; for a long time, mainly the poor shared it; and only the President, with his unlimited draft authority, decided on it.

Under an all-volunteer force, the Congress would be required to act on both force levels and activating, if necessary, a standby draft. And every taxpayer would be required to pay his share of the costs of paying our servicemen a decent wage.

I do not expect that President Nixon, or any future President, will act hastily or unwisely to involve the United States in another Vietnam. But I firmly believe that any President would think twice before engaging in a conflict if he knew he had to persuade men to volunteer to fight it, the Congress to vote the funds and manpower, and the people to pay the costs. A volunteer army would be a safety catch to slow our involvement in future wars.

Even if we cannot end the draft immediately, I believe it is the duty of the Congress to limit its extension to only 1 year.

How else can we have the review of military policy demanded by our constituents and necessary if we are to resume our proper role in the determination of that policy?

If I were a draft-age young man, or had one in my family, I would not like to sit through 2 more years of uncertainty about the volunteer force—worse, be inducted by an unfair system. Nor would I like to have to sit through another political campaign of promises to end the draft. Such delays after so many promises weaken people's faith in our political system.

The important question facing us now is whether an all-volunteer force is feasible, either now or in another year.

One important test of feasibility, of course, is whether adequate numbers of men would volunteer if they were to receive decent pay. Although my own proposal, offered along with my distinguished colleague from Pennsylvania (Mr. SCHWEIKER) was not approved, I am hopeful that the amendment intended to be offered by the distinguished senior Senator from Colorado (Mr. ALLOTT) will be adopted. For simple justice and for an acid test of pay inducements, we must raise military pay.

The other distinguished Senator from Colorado (Mr. DOMINICK), my colleague on the Armed Services Committee, discussed the feasibility question in his own supplemental views to the committee's report on this bill. He showed that, under the committee-approved force levels and pay, the most pessimistic Defense Department estimate of the deficit in enlistments in fiscal year 1972 was 30,000 and the most optimistic estimate was only 10,000. Thus, the worst case situation is a military end strength only 10,000 to 30,000 below the Armed Services Committee's determination of national need.

These figures, I might add, probably exaggerate the shortfall. They do not consider the increases in enlistments which might occur under the expanded recruiting effort. Nor do they consider the savings in manpower which could be accomplished through civilianization.

Current plans call for a doubling in the number of recruiters, who would also receive special duty pay. In addition, the advertising campaign already underway is likely to add to the number of enlistees beyond the present projections.

Civilianization offers other possibilities for preventing a shortfall in enlistments. A study for the Gates Commission concluded that civilian substitution for a total military force of 2¼ to 2½ million would range from 192,000 to 212,000 people. The practical limits of such substitution, however, are probably only about half that amount. Nevertheless, that still means that an additional 100,000 military slots approximately could be reduced through civilian substitution in the next year. Even a small fraction of such substitution would easily cover the deficit in enlistments.

An end to the draft 26 days from now is feasible, Mr. President, even without the full pay increases recommended by the Gates Commission. And for those who continue to doubt, a 1-year extension should give us all the proof we need.

Mr. President, the question before the Senate at the present time is the extension of the draft—1 year versus 2 years. Certainly, this matter has been debated and discussed in the committee, as the Chairman indicated, and has passed on to the floor of the Senate; but I think it is important to point out that all the arguments that have been presented against a volunteer army certainly do not

apply against a 1-year extension of the draft.

We are talking about the question of whether we extend the draft for 1 year, review it again next spring, and in the review of it next year determine whether it needs extension for the period of another year, or a larger term, in view of the problems facing us internationally or in our country which may demand it.

So I think, in these few short weeks when the Selective Service Act is about to expire, we should extend it for 1 year primarily for the reason that we need to keep pressure on the administration and ourselves, the Congress of the United States, for a constant review of the question of drafting the young men of America into the military service.

The Secretary of Defense responded that, in fact, they are moving toward an all-volunteer service, that they expect they can move to it fully in 2 years. He did respond to a question that I presented to him that they could move to it in a year's time.

Although I want to commend Dr. Tarr and his staff for making important reforms in existing procedures, I still believe that the draft must be ended as soon as possible. An immediate termination is not acceptable to a majority of the Congress. I hope that an extension for only 1 year will be.

When we consider this matter, as we are in this body today, I think it is overwhelmingly fair to have us realize that we are going to have to face this question again. The only question is when we face it. We are going to have to move ultimately to the responsibility of deciding the question, because whether men have been drafted as against whether they have volunteered is not the one which speaks to the real question on its merits.

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

Mr. STENNIS. Mr. President, I yield the Senator 2 minutes.

Mr. HUGHES. I think what we are talking about is the basic policy of the Government of the United States. The basic reason right now for continuing the draft is our involvement in Indochina, our involvement in—which has been debated here—and our continuing our forces in Europe. As a result, we are discussing the national policies of the country in relation to our total manpower needs. The extension of the draft does not question the manpower needs; it simply shortens the span of time so that we may reconsider the matter at an earlier date. I think that is very important. I think it is very important that we have an opportunity again next year to review this matter.

In my opinion, there is absolutely no logical reason for extending the draft for 2 years when we will have a full opportunity for a full-blown review next year, and see whether any contingencies have arisen during that period of time, when this body and the House will certainly have every opportunity to consider these contingencies.

I yield the floor.

Mr. SCHWEIKER. Mr. President, I yield such time to myself as I may consume.

Today we vote on the question of extension of the draft. I am somewhat perplexed by official and unofficial opposition to the amendment I have proposed to extend the draft for only 1 year. The administration has taken the lead, which no other administration has done in recent years, to work toward, and express a general commitment toward, the eventual all-volunteer army. My amendment for the 1-year extension of the draft is designed to be totally in keeping with that general commitment.

I cannot emphasize enough that my amendment does not bind us to anything. It does not commit us to the all-volunteer army. It does not create an all-volunteer army. However, it does give us the necessary flexibility to be able to create an all-volunteer army as soon as we want to.

I also cannot emphasize enough that my amendment is entirely consistent with total scrutiny, review, and decision-making by the entire Congress. After 1 more year of the draft, if we are not ready for it, for whatever reasons, then we simply extend the draft again. Congress will be in control of the situation.

Thus, what is the concern over my amendment? All it really represents is a commitment on our part to debate. It is a guarantee that we will look at the draft, and our military manpower situation, next year. The Defense Department will be able to provide their analysis and review of the situation. The distinguished Armed Services Committees of the House and the Senate will be able to look at the situation. And we will then, as an entire Congress, consider the recommendations of the administration, and of the military experts, and then make a decision. If we are ready for the volunteer army, then we can implement it. If we are not, we can extend the draft again.

I appeal to my colleagues to consider the amendment from this perspective. It is a commitment to debate, to study, to review, and to give ourselves the maximum flexibility.

Mr. President, the issue on the pending amendment is whether the Congress annually will and should consider the extension of the draft. In the past, this responsibility has been avoided by the enactment of draft extension of four or more years. However, our experience in Indochina and the disillusionment of our young people with the Government, and the military establishment in particular, and the movement toward the all-volunteer force environment led by the admininstration, should cause us to pause and consider the role of the draft, how much longer it may be needed, if at all, and whether the Congress should assume a more active role in the decisions involving the Selective Service System. In other words, should not the Congress now begin to insist that annually it consider the Selective Service System and deliberate on the extension of the authority to induct. I feel very strongly that the Congress should affirmatively establish this policy.

It seems illogical that the Congress would review annually the budget of the Department of Defense and determine the moneys to be spent on each of the various defense and weapons systems, the equipment, the ships and planes, the buildings, barracks and quarters, and the single largest item in the defense budget, manpower, and not, at the same time, review the primary source of manpower, the Selective Service System. Manpower costs represent over 50 percent of the defense budget. We have already acknowledged that military compensation is not adequate and we can expect that needed increases in this area will provide additional pressure for larger manpower costs. This year, for the first time, Congress will determine the size of each of our Armed Forces. The decisions of the Congress with respect to these force levels will have a significant impact on the level of inductions through the draft. Depending on the average active duty personnel strengths that we establish, it may not be necessary to resort to the draft. Volunteer enlistments may provide all the necessary manpower.

Mr. President, during our debate on the draft extension, the Department of Defense has admitted that projected manpower shortfalls during fiscal year 1972, depending on the size of the pay increase, will range from 20,000 to 40,000 in the absence of the draft. Shortfalls of such minor proportions, in a force level of 2.4 million men, have raised serious questions about the need for any continuation of the draft, much less a 2-year extension of the induction authority.

The Pentagon has developed a new set of statistics, which create a concern over massive shortfalls in fiscal year 1973. The new figures press the claim that in spite of the fact that we are withdrawing from Vietnam, and in spite of the fact that we are reducing our force levels, Army enlisted accessions will double from 170,000 in fiscal year 1972 to 336,000 in fiscal year 1973. If we were to accept this large figure, it would mean that during fiscal year 1973 nearly one-half of the enlisted men in the Army would be new men. If the DOD's accession figure of 336,000 is to be accepted, the predominance of inexperience would raise grave questions about the ability of the Army to provide an effective fighting force. I would submit that the real threat to national security comes not from those who end the draft, but from those who would have allowed a situation to develop in which our Nation's defense would rely upon raw recruits.

Fortunately, I believe that the Army has enough interest in its own viability to insure that such a huge accession requirement not be needed for so small a force. Analysis of the data confirms this belief.

When the huge losses for fiscal year 1973 were developed, I asked DOD to supply me with a detailed analysis and explanation of their estimates. I expected a series of complex computations—but instead I received the explanation that the fiscal year 1973 figure had been calculated by the recently updated loss projection model.

Mr. President, I find it intolerable that we are constantly confronted with new data, late in the debate, and that we cannot get meaningful answers before we have a vote. How can we have a rational discussion if we are to simply put our

faith and trust in some unknown loss projection model. Now I have no doubt that there is a recently revised and updated loss projection model which justifies a 2-year extension of the draft—and I also have no doubt that if that 2-year period is granted, DOD will be back here, a few days before the draft is to expire, with another updated loss projection model, which will undoubtedly show massive shortfalls for fiscal year 1974.

As a result of several other questions I asked DOD, regarding accession requirements and length of service distribution, we have an indication of the inaccuracies in the vaunted loss projection model—in fact, their data shows errors of up to 16.5 percent in the differences between budgeted and actual losses.

Dr. Walter Y. Oi, director of research for the Gates Commission, has analyzed the data provided by the DOD. By computing the recent experience implicit in the DOD data, Dr. Oi estimates that the Army's loss for fiscal year 1973 will be only 259.8 thousand, thus cutting by 50 percent the shortfall anticipated by DOD.

I ask unanimous consent that my correspondence with DOD, and Dr. Oi's analysis be printed in the RECORD. One may quarrel with Dr. Oi's assumptions, but you cannot quarrel with the fact that the Army has been as much as 16.5 percent wrong in estimating losses.

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

(See exhibit 1.)

Mr. SCHWEIKER. One final and very important word must be added about these hypothetical shortfalls for fiscal year 1973. They are predicated upon the belief that there will be no further reduction in end strength below 2.4 million during fiscal year 1973. Yet, if we reduced the end strength by 100,000 in fiscal year 1973, we will likewise reduce accession requirements to the point where the shortfall would disappear.

Will we have a force of 2.4 in 1973? All evidence says no. Let us assume that the President merely continues his withdrawal rate of 14,300 a month. This will mean a force of 87,000 in Vietnam at the end of 1972—and all indications are that there are no plans to keep a force of this size in Vietnam by the end of 1973. Therefore, if we subtract these men, plus a conservative assumption of 17,000 associated trainers and Conus based suppliers, we will be reducing our fiscal year 1973 end strength by a minimum of 100,000, thus eliminating the shortfall. These figures are not based on secret loss projection models—they are the plain facts.

Let us assume the worst—that the DOD's loss projection model is accurate, and that we will have a large residual force in Vietnam on June 30, 1971. We can still reduce the end strength by 100,000 and have a more effective force. Gen. George I. Forsyth, Special Assistant to the Army Chief of Staff, noted, in the May 17, 1971, edition of the Armed Forces Journal, that there are 35,000 GI's engaged in KP, and another 60,000 cutting grass and engaged in similar nonmilitary household chores.

Mr. President, this means that we have 95,000 men doing jobs that should be performed by civilians; 95,000 men in uniform should be engaged in military training and performance—but instead they are peeling potatoes, trimming hedges, chauffeuring the brass, and tending bar. If we civilianized these jobs, we could eliminate the shortfall under the most pessimistic of conditions—but we are told that we must continue the draft for those slots.

These 95,000 slots, Mr. President, are what this debate is all about. In the name of national security we are being asked for a 2-year extension, so that men in uniform can provide domestic service to their superiors. The draft has divided the country, alienated our young people, and weakened the morale of the Armed Forces. Each Senator must now decide whether these costs are worth the types of service being required of the 95,000 men involved in the so-called shortfall.

Two points must be repeated.

First of all, nearly every other congressional commitment, particularly in military matters, is made on the basis of annual cycles. Authorizations and appropriations alike are made on a fiscal year basis. One of the rationales for this is that the Congress can have more decisionmaking authority and more power of review if commitments are reviewed annually. Whether we talk about an ABM system, or a ship, or manpower levels, or any other part of our vast defense system, we consciously allow ourselves this flexibility to be able to adjust to fast-breaking developments in the world, and in our own country. I favor this congressional review, and believe it is particularly necessary in the fast-moving modern world.

Well, then, I ask, why should we have a different policy with the draft? As I have pointed out before, why should a component part of our overall manpower policies, the draft, have less scrutiny and less flexibility than the general manpower levels themselves? If we review manpower levels annually, why do we not also review our draft policies annually?

A second point we must consider is congressional inertia. We all know how difficult it often is to get the wheels rolling on legislation in advance. We always seem to operate well in a crisis, and can respond when a bill is about to expire. But somehow, we do not do quite so well in planning ahead of time. We always criticize labor and management for not negotiating labor contracts in advance of the contract expiration dates, and we criticize them for last-minute crises when contracts are about to expire and national strikes are threatened. In crucial areas, like the recent railroad situation, we sometimes end up acting ourselves.

But we rarely turn this criticism on ourselves. And we also rarely set a very good example by considering legislation long before our own expiration dates. To the contrary, just as we are now facing the draft expiration date, and the threat of a filibuster going beyond this expiration date, we often wait until the last minute ourselves.

My reason for mentioning this congressional inertia is to point out what I think will happen next year with the all-volunteer army if we extend the draft for 2 full years: Nothing will happen. No matter how favorable the climate for the all-volunteer army, and no matter how much support develops for it within the military system, if we do not have to consider the draft extension question, we will not. We all know it, and I think it is a false hope to expect that we could bring up the draft extension next year if we do not have to.

What could happen between now and then? A number of things could happen.

First of all, the administration is committed to winding down the Vietnam war, and by next summer we could be down to 50,000 American troops, and maybe even zero. The President is deeply concerned with ending this war, and maybe some important breakthrough, such as the recent SALT talks breakthrough, could enable us to totally end the war. This would have an important impact on the draft and all-volunteer army concept.

Second, this bill will raise military pay. Some of us differ on how much we should raise the pay, but even the administration pay request is an increase over current levels. This will provide some additional measure for volunteer enlistments into the military. In addition, many of the so-called harassment policies of the military are being corrected, and we may have a better climate, and more volunteers, to help show that the volunteer army can work.

Third, through the leadership of the administration, through the work of the Gates Commission, through the outstanding efforts of many Senators, who have led the Congress in deliberation of the volunteer army, through the dedication to strong military protection by the members of our Armed Services Committee, we will have a year in which to continue to debate our military manpower levels. We will not be reviewing a new subject next year. We will be debating one of the most studied, and documented, proposals in congressional history. I think I can say with certainty that whether we pass a 1-year or 2-year extension at this time, debate on the all-volunteer army will continue. This subject will receive continued scrutiny within the executive branch, within the Congress, and within the general public. Next year, we will know considerably more about this subject, and will be able to know precisely what we are doing.

Fourth, the Defense Department, which has already provided research and data on this subject, will be able to predict much more accurately just what their demands and needs will be. This is related to the winding down of the Vietnam war, and to the year of debate I just referred to. The Pentagon just may decide that the expenses of retraining and the advantages of having more career personnel could combine to make the volunteer attractive from their standpoint.

On all of these points, I also cannot emphasize enough that these conditions may not occur. If that happens, then we will not be ready for the all-volunteer army. And if that happens, we will extend the draft again.

But what if they do occur? What if we are ready for the volunteer army? What if we do want it? Let us at least preserve the options for us. Let us at least give ourselves the flexibility to take the most responsible action next year. Let us at least not just blindly foreclose the possibility of taking positive action next year. And to repeat, we all know that if we extend the draft for 2 years, it will take a miracle for us to act before that expiration date, no matter how favorable the climate and no matter how favorable congressional opinion.

I believe that my amendment is completely in keeping with the principles, and the commitment of the administration. I believe that my amendment to extend the draft for 1 year can enable the Nixon administration to carry through with their important initiatives in this area. If we are ready for the volunteer army next year, it will be their work, their ideas, and their commitment which have carried it out. If we are not ready for it next year, the study and debate to be carried on in the next year will enable the administration to be further ahead of schedule in 2 years.

A final point at this time relates to the timing of debate on the draft next year. Debate will be in the winter and spring of an election year.

If this debate would fall on the eve of the November election, I would be concerned over a negative effect which could color the very positive aspects of military manpower policies that are involved in the question of the volunteer army.

However, by coming early in the year, we combine the best of all possible worlds. The volunteer army debate, by coming in an election year, can attract the maximum attention of the general public, but by being so far away from the actual election date, cannot be distorted by personal political issues.

I ask you, is there any subject of policy that Congress will be deciding that should have more personal attention of the citizens of this country than the question of the draft? The draft laws cross all economic, social, class, racial, educational, and political lines. It affects all young men, all young wives, all parents, and all families. As I have pointed out in previous speeches, it affects our entire military capabilities. I think intense public focus on the question of the volunteer army can contribute to the debate. I think intense public scrutiny on the positions various political figures take on the volunteer army can contribute to the debate. I think intense public debate on the volunteer army can insure that any step Congress takes in this respect represents the thinking and the wishes of the general public.

In short, I think the placing of the volunteer army debate in an election year can bring out all the positive elements of public consciousness to help Congress, and the administration, make a wise decision.

EXHIBIT 1

MAY 14, 1971.

Mr. ROGER T. KELLEY,
Assistant Secretary of Defense (Manpower and Reserve Affairs), The Pentagon, Washington, D.C.

DEAR ROGER: During the forthcoming debate on the extension of the authority to induct and the amendments in this regard to the Selective Service legislation, there will be an extensive examination of the accession requirements for the Armed Forces.

I would appreciate very much your assistance in obtaining a detailed explanation and justification of the loss rates and other data used in computing the Army enlisted accession requirements for Fiscal Year 1973, as shown on page 15 of the Armed Services Committee Report on the Draft, Compensation, and Manpower Bill (Senate Report 92–93).

I am particularly interested in being provided for Fiscal Year 1972, and the previous four fiscal years:

(1) the planned Army enlisted end strength, losses, and accessions which were used in the preparation of the budget;

(2) the actual Army enlisted end strengths, losses, and accessions; and,

(3) the Army enlisted length of service distribution for zero, one, two, three, four, five, and six plus years.

Thank you for your prompt consideration of this request.

Sincerely,

RICHARD S. SCHWEIKER,
U.S. Senator.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., May 21, 1971.

Hon. RICHARD S. SCHWEIKER,
U.S. Senate
Washington, D.C.

DEAR SENATOR SCHWEIKER: This is in response to your May 14, 1971 letter requesting detailed strength, loss and accession requirement data for Army enlisted personnel with particular reference to the estimates for fiscal year 1973 as shown on page 15 of the Armed Services Committee Report on the Draft, Compensation, and Manpower Bill (Senate Report 92–93).

The estimates of net enlisted losses appearing on page 15 of the Senate Committee report were computed through use of the Army's Enlisted Loss Projection Model. This model continuously updates the factors used to project losses on the basis of recent actual experience. In making these updates the model takes into account changes in such factors as the proportion of inductees, two and three year enlistees entering service, initial and subsequent reenlistments and retirements, the volume of overseas returnees and the proportion of these returnees eligible for and accepting an early release from service, and the number of discharges for hardship and disciplinary reasons (including those for drug abuse). The current model is a result of an extensive staff study completed in the last part of calendar year 1970 to determine the cause for a downward bias in the previous projection methods. Following development of the current model, estimates were prepared on a retrospective basis for a number of months to determine the model's predictive ability. The model's estimates tracked quite closely with the actuals reported during this test period.

We believe that use of this model is justified at the present time as it permits use of currently observed loss rates during the immediate future.

In accord with your request, I am enclosing tables showing (a) the planned enlisted end strengths, losses, and accessions which were used in the preparation of the original budget request for each specific year 1968–1972 together with the actuals as reported by Army and (b) the length of service distribution for Army enlisted personnel for June 30, 1968, 1969 and 1970 as well as the distribution for December 31, 1970 (January 1, 1971).

I trust this information will meet your needs.

Sincerely,

ROBERT C. TABER,
Lieutenant General, U.S. Army
Principal Deputy.

ENLISTED END STRENGTHS, LOSSES AND ACCESSIONS BUDGET PLAN AND ACTUAL, FISCAL YEARS 1968-72

	Enlisted end strengths		NPS accessions [1] (male and female)		Net enlisted losses [2]	
	Budget plan	Actual	Budget plan	Actual	Budget plan	Actual
Fiscal year:						
1972	808.7		244.1		394.0	
1971	1,084.9	[3] 971.1	339.0	[3] 316.8	447.2	[3] 498.6
1970	1,332.4	1,152.9	462.4	376.0	489.4	560.0
1969	1,333.7	1,336.9	412.0	455.2	446.5	520.0
1968	1,362.0	1,401.7	481.0	[4] 552.0	427.5	446.7

[1] Includes enlistments for officer candidate school.
[2] Net losses equal gross losses less immediate reenlistments, reenlistments within 90 days, R. & D. to military control and other prior service gains.
[3] Projection based on actuals through March.
[4] Actual includes Reserve callup.

YEARS OF MILITARY SERVICE COMPLETED FOR ARMY ENLISTED PERSONNEL ON ACTIVE DUTY, 1968-71

[In thousands]

Years of service completed	June 30, 1968	June 30, 1969	June 30, 1970	Jan. 1, 1971
0 to 1	517.6	426.9	344.3	282.2
1 to 2	416.9	464.0	357.3	349.1
2 to 3	168.8	159.9	177.0	154.4
3 to 4	32.9	43.5	40.1	43.0
4 to 5	22.9	19.6	23.4	25.3
5 to 6	18.1	17.3	15.5	16.6
6 or more	218.1	202.6	191.1	187.2
Unknown	6.4	3.2	4.3	11.6
Total	1,401.7	1,337.0	1,153.0	1,069.4

COMMENTS ON THE LETTER OF MAY 21, 1971 TO THE HONORABLE RICHARD SCHWEIKER FROM LT. GEN. ROBERT TABER

(By Dr. Y. Oi, Director of Research, President's Commission on an All-Volunteer Armed Force)

1. Are the budgeted losses for FY 71 & 72 based on the new loss model referred to in your letter?

If I compare the actual to budgeted losses for the last four fiscal years, I find that the actual exceeds the budgeted losses by the following percentages:

Fiscal year 1968	4.5
Fiscal year 1969	16.5
Fiscal year 1970	14.4
Fiscal year 1971	11.5

Even if your model has been updated, it still missed FY 1971 by 11.5%, a far greater error than you had in FY 1968. In light of these considerations, it must seriously be questioned whether we can rely on your loss projections for FY 1972 and beyond.

2. Continuation Rates

From the data you have supplied, I have computed the implied continuation rates for the first 6 length of service year categories. The continuation rate Cj is defined as the strength of men with j years of service at the end of FY T, Sj (t) divided by the strength with j minus 1 year of service in the preceding year, Sj minus 1 (T minus 1). Cj equals Sj (T)/Sj-1(T-1).

In computing for fiscal years 1969 and

1970, I obtained the following continuation rates:

RATES OF ARMY ENLISTED PERSONNEL, DERIVED FROM LENGTH OF SERVICE DISTRIBUTION

Length of service	1969	1970
0 to 1	0.9378	0.9157
1 to 2	.8964	.8370
2 to 3	.3835	.3815
3 to 4	.2577	.2508
4 to 5	.6106	.5379
5 to 6	.7555	.7908

The figures for years 1–2 indicate that in 1968–69, 89.64% of the men completing 1 year of service remained in the force the following year.

3. Implied Accession Requirements with FY69–70 Loss Rates.

I have computed the year 0–1 end strength that would be needed to meet the FY 71 actual end strength of 971.1 thousand and projected end strength of 808.7 thousand in FY72, and assuming level strength of 808.7 thousand in FY73. While the loss experience may be somewhat different in the future (see #4 below), the exercise is instructive. Since on the average, 6–7% of Non-Prior Service (NPS) accessions are discharged during their first year, I have inflated the year 0–1 end strength projection to NPS accession requirements. By using the implied continuation rates characterizing the recent loss experience, I get the following implied Army accession requirements:

	End strength	Implied accession requirements
Fiscal year:		
1971	971.1	267.5
1972	808.7	212.9
1973	808.7	307.5

It should be noted that I have used the average loss rate over the last two years, and still find that the implied accession requirements are below yours.

4. Probable Change in Loss Rates.

I suspect that the major reason for the underestimation of losses has been the Army's early release program combined with limitations on eligibility for reenlistment by Mental Group IV (new Standard Men). The large loss rate in 1969 and 1970 occurred in a period when over 300,000 Army men were stationed in Vietnam. Our force level there will be down to 184,000 by December 1, 1971, and probably below 100,000 by next June. I question whether these considerations were incorporated into the loss model in developing loss projections for 1972–73.

If a competitive pay package is adopted we should expect sharp increases in reenlistment. Moreover, if the present Army recruiting effort is successful, the fraction of 2 year draftees and Army 2 year enlistments will fall sharply, and these will reduce the loss rates for FY73. The DoD letter tells us nothing about what assumptions were used regarding the fraction of 2 and 3 year entrants in the DoD loss model.

5. Reduction in the Loss Rate

When forces are withdrawn from Vietnam, when larger fractions of men are enlisted for 3 year terms (as they are now under the European enlistment option, etc.) and as conditions of service life improve, we should anticipate sharp reductions in the loss rate. When less than 100,000 men are stationed in Vietnam (as we can anticipate for FY73), there will be no motivation for a continued early release program.

I have made some plausible assumptions about the reduction in loss rate and in the light of these, I have developed rough estimates of accession requirements. Assuming: a/ the high loss rate used in Part 3 above: and b/ the lower loss rate. In the table below, I compared the accession requirements by the Army with these two accession projections. All assume the same end strength.

Three Projections of Accession Requirements FY71–73:

	Fiscal year 1971	Fiscal year 1972	Fiscal year 1973
High loss rate	267.5	212.9	307.5
Low loss rate	167.5	190.3	259.8
Army projection	316.8	244.1	
Army enlisted end strength	971.1	808.7	808.7

6. Enlistment Capabilities

Although the Army and DoD have not ventured estimates of the enlistment capabilities given the pay increases and expanded Army recruiting effort, they have suggested figures in the neighborhood of 160–170 thousand regular Army enlistments. This suggests, given the lower rate of losses, that draft calls in FY72 will be only some 20–40 thousand. As this corresponds to the shortfall figure supplied to Sen. Hatfield by the DoD, I feel extremely confident that my projection of losses for FY73 is correct, and that the DoD has inflated their figures for that year.

7. Finally, the Tabler letter of 21 May 1971 does not show how the Army has arrived at their estimate. The all elusive and secret loss projection model is still secret. If one examines these data, we see that the Army has made major errors in their projected losses (underestimating losses) and overestimating accession requirements. The budgeted accession has exceeded the actual accession—and budget accessions bear little relation to budgeted end strength and losses in these tables.

Mr. SCHWEIKER. Mr. President, the only real issue on this bill is not whether we need a draft, not whether there should be an all-volunteer army, not what our manpower resources are. The only real issue on this particular amendment—the 1-year amendment instead of 2 years—is whether we shall establish the principle of annual review. That is the issue.

It is rather strange and perhaps backward in our society that we have an annual review for new ships, that we have an annual review for planes, that we have an annual review for tanks, that we have an annual review for bombers, that we have an annual review for Lockheed and the C–5A, that we have an annual review of every appropriation bill that comes before the Congress that runs every phase of our Government.

In short, we have somewhat of a double standard. When it comes to materialistic things, when things that are nonhuman, when dollars are concerned, we have an annual review; but when it comes to human life, whether a man has to go to fight in a war against his will, whether he has to give up 2 years of his time on a nonvoluntary basis—ah, ha, we do not give an annual review to that.

Four years, 2 years—let us take a long time to think that over. Let us not have an annual review for human beings, as we have an annual review for anything that is dollar oriented or otherwise oriented. So we have a double standard.

Yet, oddly enough, this is the only bill the Senate will consider that sends a young man to his death against his will. But no annual review for that. This is the only bill that can send a young man to his living death in Vietnam. I think recent testimony and public attention have shown that, unfortunately, a number of young men who go to Vietnam and get hooked on heroin have, in fact, contracted the living death. We are sending young men to their living death. We are sending them where some of them get hooked on heroin. Whether it is 10 or 15 percent, or whether it is 20,000 or 40,000 a year, we are sending them there against their will.

That is our responsibility. Yet we do not even want to review annually a policy that has slovenly developed since World War II. We do not seem to want to question whether we are doing the right thing in sending men, against their will, anywhere in the world.

There was no question involved when we had the draft in World War II. The vital interests of the Nation were at stake. The whole country was aroused. Our young men willingly gave their time and lives and willingly were conscripted. But that is not the case now.

In fact, the draft as it is now constituted is serving as a very rotten question that is cropping out across this country, deluding, defusing, and denormalizing our lives in a way that causes the rebellion of youth and the questioning of our moral and spiritual standards. The question is what our values in this society are. I say those questions are rightly asked when we have an annual review for just about everything else in this country, but not for human life—not for human life.

I think that whether we have the ability to end the draft next year, as I certainly hope we do, or whether we have to go on beyond that point, the 1-year amendment does not address itself to that situation. If, next year, the bill comes before Congress at the end of its year extension, and we have a crying need for military manpower, I have confidence in this body that its Members will rise to that occasion. They will stand up and be counted.

What better issue to have to face the voters on than the issue of sending our young men, against their will, to be killed somewhere across this world? What better, more relevant issue could we be debating? What more relevant issue should the Members of this body and the other body stand up and be counted on, than the vote on human lives? Why should it not be that way? Why has it not been that way?

Because America is off the track. Because we are not doing things right any more. We are not thinking straight. We got hung up on a draft that we needed in World War II, and now, like the heroin addict, we cannot let go. We have got to keep doing it; it is the thing to do. It is somehow built into our society; and yet the Founding Fathers who set up this country intended it to be just the opposite.

They said, in essence, "We do not need a draft; we do not want a draft; we came to this country from other countries in Europe and the rest of the world to escape a large standing army, to escape the evils of militarism, where king fought

king with the people who were used as cannon fodder."

That was the idea on which this country was founded, that the young people would not have to face the involuntary service we now conscript them for. For the first 100 years of our history, we decided that that would not be the lot of our country, we did not have to do those things, we did not have that kind of a country. Briefly during the Civil War and briefly during World War I we made exceptions. Then, unfortunately, we made another exception that stuck, that became permanent, like an American institution, in World War II; and somehow we cannot seem to divorce ourselves from that last situation whereby we started something we do not quite know how to stop.

I can think of a number of situations in which the young people can wonder why they should have to be drafted, when we could well pay our soldiers a living wage so that we could get men who want to go as a ready source of manpower, without compulsion. By lowering some of our troop commitments around the world and by getting other countries to do more of their share, we could well lower our manpower needs to where it is feasible and practicable.

So the young people of today rightfully cannot understand why they have to go, when some of our allies and friends abroad do not even have a draft, and when some of our allies and friends abroad are not doing their share. Why should they have to go and meet a situation that someone else should be meeting?

So, I frankly believe that we lose nothing by extending the draft for 1 year. All the arguments that the distinguished chairman of my committee made in his very able and articulate way will apply next year, when we have the option to renew, if there is in fact a national emergency, if that in fact is a real need for this country, if it is a life and death issue. Then, in fact, we will have the option to renew. We are not deleting that option. We are not degrading any military position. All we are saying is that for once since World War II, we have the courage to look once a year at our manpower needs, and figure whether or not we have to send our young men to Vietnam, otherwise, whether or not we have to draft our young people to get hooked on heroin and dope in the Army because of the compulsion and boredom and monotony of military life, and because we force our young people, like square pegs into round holes, to fit a need that does not really exist and has not existed since World War II.

Yes, that is the issue here today. That is what we are talking about: the right of annual review, and the placing of a higher priority on human resources than dollars, ships, guns, and tanks, which receive that annual review automatically.

Why do not our young people, our human resources, the human element, get the same right of annual review that just about any other economic bill, any other grant, any other program, any other procurement legislation gets on the floor of this body?

I see nothing wrong with that. In fact, I think it is a step toward equity, and a revitalization of our priorities, so that the human priority gets the highest connotation.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. STENNIS. Mr. President, I shall take only 2 or 3 minutes, and it will be all right with me, then, to start the roll-call vote.

Mr. President, the Senator from Pennsylvania is a hard worker and a fair speaker, but I respectfully submit that his argument about the annual review does not cut chips in the bark. We have the President of the United States making a review every month of how many men they need, and the call is issued on that basis. A review is going on all the time. Then Congress makes an annual review of the maximum levels for all the services, and it reviews the matter again every year, in setting how large appropriations it will pass, how many dollars will be appropriated to take care of the numbers that Congress thinks is necessary.

The President does not have to call anyone every month. He can quit any time he wishes under the law; and should the so-called volunteer army work—I think it will not work, but should he think it is working well enough to stop making the calls, he can do so.

This review goes on constantly. It is not a review of manpower needs we are talking about in this bill. This is a matter of the system that has to be put on the books and carried to get whatever manpower it is decided may be needed. That is all. That is what selective service is: selection for the military of the needed manpower which does not otherwise come in after this monthly review, after the congressional review every year, and after all the considerations and variations are set up.

As I have emphasized, the President does not have to call anyone any month. He could go over to this so-called voluntary system right now and give it a try. I assume he is going to do that, and we are giving him more tools to get farther and farther into it.

So let us not confuse the real points here. We are talking, now, about a method or a system that is needed by the Government to supply the necessary manpower, whatever it is, under the ceiling that is set by Congress every year as to how many, what number of men.

So, Mr. President, I think the issue has been made clear over and over again. I yield back the remainder of my time.

Have the yeas and nays been ordered?

The PRESIDING OFFICER. No, the yeas and nays have not been ordered.

Mr. STENNIS. Does the Senator from Pennsylvania wish to ask for the yeas and nays?

Mr. SCHWEIKER. Yes, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STENNIS. I yield back the remainder of my time, Mr. President.

The PRESIDING OFFICER (Mr. TAFT). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania (Mr. SCHWEIKER). On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. PROUTY (when his name was called). On this vote I have a pair with the distinguished Senator from Illinois (Mr. PERCY). If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the distinguished Senator from Arkansas (Mr. MCCLELLAN). If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Arkansas (Mr. MCCLELLAN), is necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. DOMINICK), the Senator from Hawaii (Mr. FONG), and the Senator from Illinois (Mr. PERCY) are necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is absent by leave of the Senate on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Hawaii (Mr. FONG), and the Senator from South Dakota (Mr. MUNDT) would each vote "nay."

The pair of the Senator from Illinois (Mr. PERCY) has been previously announced.

The result was announced—yeas 43, nays 49, as follows:

[No. 81 Leg.]

YEAS—43

Aiken	Hughes	Packwood
Bayh	Humphrey	Pastore
Brock	Inouye	Pearson
Brooke	Javits	Pell
Burdick	Jordan, N.C.	Proxmire
Case	Kennedy	Randolph
Chiles	Magnuson	Ribicoff
Church	Mathias	Schweiker
Cranston	McGovern	Spong
Fulbright	Metcalf	Stevenson
Gravel	Mondale	Symington
Harris	Montoya	Tunney
Hart	Moss	Williams
Hartke	Muskie	
Hatfield	Nelson	

NAYS—49

Allen	Curtis	McIntyre
Allott	Dole	Miller
Anderson	Eagleton	Roth
Baker	Eastland	Saxbe
Beall	Ellender	Scott
Bellmon	Ervin	Smith
Bennett	Fannin	Sparkman
Bentsen	Gambrell	Stennis
Bible	Griffin	Stevens
Boggs	Gurney	Taft
Buckley	Hansen	Talmadge
Byrd, Va.	Hollings	Thurmond
Byrd, W. Va.	Hruska	Tower
Cannon	Jackson	Weicker
Cook	Jordan, Idaho	Young
Cooper	Long	
Cotton	McGee	

PRESENT AND GIVING LIVE PAIRS AS PREVIOUSLY RECORDED—2

Prouty, against.
Mansfield, for.

NOT VOTING—6

Dominick	Goldwater	Mundt
Fong	McClellan	Percy

So Mr. SCHWEIKER's amendment (No. 76) was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. THURMOND. Mr. President, I move to lay that motion on the table.

Mr. HRUSKA. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHILES. Mr. President, I have voted for Senator SCHWEIKER's amendment which would extend the draft for 1 year as a means of insuring that the draft will continue, thereby meeting our military requirements. The 1-year extension will afford us the opportunity to reexamine our military manpower policies, particularly in regards to the Vietnam war and NATO forces, and then adopt a conscription policy to fit the needs of that time. I am convinced that we cannot meet present requirements on the basis of voluntary enlistments, and therefore must have an extension. We will be in a much stronger position to evaluate the situation in early 1972.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. STENNIS. Third reading, Mr. President.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

COLORADO CARES—SUPPORT FOR PRESIDENT NIXON'S EFFORTS TO GAIN HUMANE TREATMENT FOR POW'S

Mr. ALLOTT. Mr. President, I rise to call to the attention of my colleagues, the efforts of a group in Colorado organized for the primary purpose of publicizing the inhumane treatment of American prisoners of war held by the North Vietnamese. The organization, known as Colorado Cares, is doing their part in supporting President Nixon's efforts to gain humane treatment for our men according to the Geneva Convention. This effort has been endorsed by the 48th General Assembly of the State of Colorado. I ask unanimous consent that this endorsement, Senate Joint Resolution No. 12, be inserted in the RECORD at this point.

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

SENATE JOINT RESOLUTION No. 12

Whereas, Wars are waged against nations and ideologies, not against individuals, and to this end nations, including North Vietnam, have subscribed to the Geneva Convention, which provides for the humane and just treatment of prisoners of war; and

Whereas, The government of North Vietnam, even though a subscriber thereto, is not abiding by the provisions of the Geneva Convention as evidenced by, but not limited to, the following: There has not been made available by the North Vietnamese government a complete list of prisoners of war; Prisoners of war are rarely allowed to correspond with their families; A neutral body, such as the International Red Cross, has not been allowed to inspect conditions under which prisoners of war are being confined; Needed medical treatment is being denied American prisoners of war; and

Whereas, North Vietnam's inhumane treatment of American prisoners of war is inflicting terrible hardships on the prisoners' families at home; and

Whereas, Public pressure and public involvement have long been effective means of correcting or alleviating man's inhumanity to man; and

Whereas, There has been organized in Colorado an organization known as Colorado Cares, the primary purposes of which are to publicize and arouse citizens about the inhumane treatment of American prisoners of war by North Vietnam; and

Whereas, Colorado Cares has initiated a special campaign to obtain two hundred fifty thousand letters urging the North Vietnamese government to abide by the Geneva Convention with respect to American prisoners of war and those listed as missing in action; and

Whereas, Another purpose of the campaign being conducted by Colorado Cares is to raise by February fourteenth the sum of twenty thousand dollars, which will permit the continuance of such organization's program and the delivery of the letters to the North Vietnamese delegation in Paris; and

Whereas, It is most fitting that the General Assembly gives its recognition to the efforts of, and the campaign being conducted by, Colorado Cares; now, therefore,

Be It Resolved by the Senate of the Forty-eighth General Assembly of the State of Colorado, the House of Representatives concurring herein:

1. That we, the members of the General Assembly, do most wholeheartedly endorse the letter-writing and fund-raising campaign being conducted by Colorado Cares with respect to American prisoners of war being held in North Vietnam, and the citizens of this State are urged to participate, both financially and otherwise, in such campaign.

2. That the General Assembly desires to publicize the fact that during the period of February first to the seventh, several churches will have letters available for signature by concerned citizens.

Be It Further Resolved, That copies of this Resolution be transmitted to Dr. Samir H. Zakhem, director of Colorado Cares, Mr. Alvin G. Flannagan, general chairman of the campaign being conducted by Colorado Cares, the Honorable John A. Love, Governor of the State of Colorado and honorary co-chairman of such campaign, the Honorable William H. McNichols, Mayor of the city and county of Denver and also a co-chairman of such campaign, each member of the Colorado Congressional delegation, requesting said delegation to forward this Resolution to the proper agency of the State Department, and to the majority and minority floor leaders of each state legislature.

CLOSED SESSION OF THE SENATE ON MONDAY, JUNE 7, 1971

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Missouri (Mr. SYMINGTON)—and hopefully with his approval—I wish to announce to the Senate that the executive session which will be requested on Monday, if not this afternoon, by the Senator from Missouri, will begin at approximately 1 o'clock and will extend for not to exceed 1½ hours. This is to notify the Senate of the situation. I think that the best thing to do is to ask for that executive session in the name of the Senator from Missouri at this time so that there will be no confusion.

Mr. FULBRIGHT. Mr. President, I second that request.

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

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, is it clear that it will not take place until 1 o'clock Monday next?

The PRESIDING OFFICER. It is the understanding of the Chair that the executive session will take place at 1 o'clock Monday next and will not exceed 1½ hours.

Mr. GRIFFIN. Mr. President, reserving the right to object, I did not understand, although I did understand the announcement of the majority leader. He expects that it will last approximately an hour and a half. Did he ask for an hour and a half?

Mr. MANSFIELD. No.

Mr. GRIFFIN. Because if the time is going to be limited, I suppose there would be a question whether there should be some division of time.

Mr. MANSFIELD. Then I ask unanimous consent that the time be equally divided between the minority leader and the distinguished Senator from Missouri (Mr. SYMINGTON) or whomever they may designate.

Mr. GRIFFIN. It is very difficult to know whether there will be a request for divided time. We do not know the subject.

Mr. FULBRIGHT. Mr. President, reserving the right to object, I have discussed the matter with the Senator from Missouri. It is to discuss a report of the Senator from Missouri (Mr. SYMINGTON) and the staff of his subcommittee.

I wish the Senator were present. I do not anticipate that there will be any proposal. This is purely for the purpose of conveying to the Senate an executive report. A division of time does not seem to me to be appropriate under these circumstances. I anticipate that the Senator from Missouri will take most of the time, and properly so, because it involves the report of the Senator and the staff of his subcommittee. It is a matter that involves simply a report. I do not see that it is necessary to have the time equally divided.

Mr. MANSFIELD. Mr. President, I will withdraw my request and ask that the distinguished Senator from Missouri (Mr. SYMINGTON) be recognized at the beginning of the session.

Mr. GRIFFIN. I think that will be satisfactory.

Mr. FULBRIGHT. Mr. President, I do not anticipate that there will be anything further.

The PRESIDING OFFICER. The Chair requests clarification of the Senator from Montana. It is the understanding of the Chair that there will be a closed session on Monday next at 1 p.m. with a time limitation.

Mr. MANSFIELD. Not to exceed 1½ hours.

The PRESIDING OFFICER. The time not to exceed 1½ hours.

Mr. MANSFIELD. Because there is other business. That is the request of the Senator from Missouri.

The PRESIDING OFFICER. Is there objection?

Mr. FULBRIGHT. Mr. President, reserving the right to object, I do not think the Senator from Missouri wants an hour and a half.

Mr. MANSFIELD. Yes. That was the suggestion. Otherwise, I would not make the request.

Mr. FULBRIGHT. Mr. President, I think there might be others who want to ask questions of the Senator from Missouri. I do not see the urgency of limiting time. I have no speech of my own.

Mr. MANSFIELD. Mr. President, this is done at the specific request of the Senator from Missouri. He has asked that this closed session take place Monday next. I think we should accede to his wishes. If there is any need for extra time, the Senate will see that it is afforded to him.

I feel a little remiss in taking the initiative at this time. It is not up to me. I feel that we can do this for the Senator from Missouri.

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

Mr. MANSFIELD. Yes.

Mr. STENNIS. Mr. President, what is the present parliamentary situation? Is there a unanimous-consent request?

The PRESIDING OFFICER. There is not a unanimous-consent request.

Mr. MANSFIELD. A unanimous-consent request is not required.

If I may, from the RECORD of yesterday which carries the request of the Senator from Missouri, I quote the Senator from Missouri.

Mr. SYMINGTON. Mr. President, next Monday I will request a closed session of the Senate. I also state that if at that time my request is seconded, I will ask unanimous consent that the time incident to the closed session be limited to 1 hour and 30 minutes.

I have not made that request for him, but I would hope that we would honor the request of the Senator who is responsible for the initiation of this closed session.

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

Mr. MANSFIELD. Yes, indeed.

Mr. STENNIS. If the Senate has finished disposing of this matter——

Mr. MANSFIELD. No.

Mr. GRIFFIN. Mr. President, reserving the right to object, we seem to be back where we were before the colloquy between the majority leader and the minority whip. So, it is very difficult. Of course, any Senate can ask for an executive session, as I understand it.

It seems unusual to put an hour and a half time limitation on it when the Senators do not know what the subject is or whether there may be adequate time in which to discuss the matter. Immediately upon the expiration of the hour and a half, another Senator could get up and ask for an executive session for an hour and a half.

Mr. MANSFIELD. Mr. President, if the Senator would yield, the subject will be Laos and American participation and expenditures there and I suppose some other matters which have come to the attention of the Senator from Missouri.

I withdraw my request, but I want to state that it was the understanding of the Senator from Montana that the Senator from Missouri stated yesterday that he would request not to exceed 1½ hours. So, I withdraw my request.

The PRESIDING OFFICER. The request is withdrawn.

PRESIDENT NIXON'S ENERGY MESSAGE

Mr. HANSEN. Mr. President, I would like to commend President Nixon for his energy message to Congress which was delivered this morning.

I commend him for his attention to one of the Nation's most critical problems and one which has been begging for top-level action for some time.

Even though the message and its recommendations falls far short of what I had hoped for, the President has at least recognized the existence of the problem.

I have serious doubts, however, that the actions he has recommended "to insure an adequate supply of clean energy for the years ahead" will accomplish that purpose.

It is certainly true that the energy supply problems are due to the rapidly increasing demand for energy and the strong emphasis on environmental protection. But it is also true that we have a gas shortage due to or the result of government pricing policies of the past several years that have imposed unrealistic ceiling rates on the cleanest and most convenient fuel until we have passed the point of using more each year than is being discovered.

And at the same time that additions to both our oil and gas reserves were declining at an alarming rate, both the Congress and the Treasury Department were acting to lessen the incentives for exploration and development of new sources of the fuels which our geologists say are still abundantly available both on and off shore of the continental United States as well as Alaska.

The President's message does recognize the fact that energy has been relatively inexpensive in this country and that during the last decade, the prices of oil, coal, natural gas, and electricity have increased at a much slower rate than consumer prices as a whole.

Energy, the President says, has been an attractive bargain in this country—and demand has responded accordingly.

How true that is. But the President's recommendations do not include the incentives that will be necessary for the energy companies of this Nation to continue meeting the insatiable demand for energy.

The Tax Reform Act of 1969 added some $700 million a year to the petroleum industry's cost of doing business and took away that much money that could have been invested in exploration for new reserves.

The President's report does refer to recent actions by the Federal Power Commission for greater incentives for industry to increase its search for new sources of natural gas but it avoids any direct reference to the only real solution—elimination of wellhead pricing and a return to free-market pricing of gas along with competing fuels.

The report recognizes the major role of private industry in providing our energy and notes that Government can do a great deal to help in meeting this challenge. But I am afraid those close to the President and advising him on energy policies have fallen far short in visualizing and more accurately pinpointing the problems and some concrete solutions.

The Government could do a great deal, as the President says, and one of the greatest things it could do would be to do less in the way of regulation and control particularly in the area of gas pricing and also in recognizing the real need for incentives—price and tax incentives.

Independent producers, the backbone of the oil and gas exploration industry, would feel better had the President made some positive reference to an all-out effort toward self-sufficiency in both oil and gas rather than the shin-plasters of facilitating imports of both natural and liquified gas.

And the independents would have felt a little more secure had the President mentioned the oil import program which is still under constant attack by those who would sacrifice national security and long-term energy guarantees for the temporary and insecure benefits of lower-priced foreign oil.

Elsewhere in the RECORD today, I have included a report by the American Association of Petroleum Geologists on the Nation's energy problems. These gentlemen visited with some of the President's advisers on energy and I hope their suggestions may be included in the President's recommendations to organize Federal efforts more effectively and unite all important energy resource development programs in a single structure within the Department of Natural Resources.

For too long have energy policies been fragmented among numerous agencies with no overall policy at all nor any long-term program under which the industry could plan.

The President's message is at least a beginning. I do commend him for his attention to alternate sources of fuel from coal and oil shale and the long-term prospects for nuclear power as well as the use of nuclear stimulation for conventional gas production. But the immediate needs for the 1970's and probably the 1980's will come from conventional fuels—oil, gas, and coal.

Oil and gas now supply about 76 percent of the Nation's energy and must continue to do so for many years. Consequently, the main emphasis must be on the continued use of oil and gas and the only dependable source of those fuels will be from sources under complete U.S. control.

The oil and gas industry has the capability of developing undiscovered deposits of these fuels sufficient to supply the energy needs of the U.S. for years. But the Congress and the Executive must see that Government policies are such that private industry can and will continue to provide the energy that has made this Nation the world's industrial leader.

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. STENNIS. Mr. President, I wish to say just a word to the membership with respect to the continued consideration of this bill. I am very anxious that everyone who offered an amendment to the bill enjoy all of his rights and prerogatives under the rules of the Senate. But as a practical matter we have now concluded 4 weeks and 1 day of debate on this bill. We have disposed of 11 amendments, all of which are major amendments to a degree. There have been 65 amendments filed, but a great many of them are duplicates of some that have been passed on already.

The leader is going to make a request, but I do wish to state that the Senator from Oregon and I have been working for 2 days with respect to the possibilities of an agreement that would cover not only the McGovern-Hatfield amendment with reference to the war, which is certainly a major amendment, but also seeking to bring in other amendments.

Many conferences have been held and the leadership on both sides has been consulted. My point is that if there is going to be a unanimous-consent request propounded this afternoon I think it would be well to make it while the membership is represented to the extent it is now.

Second, it is very difficult to reach agreements that satisfy the convenience or the traveling schedule of everyone. The time has come, it seems to me, when we have to close ranks and put first things first and stay here and pass on this bill. It can be done; we used to do it in years past. I am willing to agree to almost anything insofar as the bill is concerned. I am prepared to come here early in the morning and stay as long as anyone wishes to stay if we can just make up our minds to come in with our amendments and seek the opportunity to present them. This is an important bill, as everyone knows. Those opposed to it want it to come to a vote.

By law the bill expires on June 30 of this year. If Senators vote for a 1-year extension that is the will of the Senate as far as I am concerned. If Senators vote to end the war, that is the will of the Senate. But I think it would be a calamity and a tragedy for this body to fail to dispose of this bill one way or the other by June 30.

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

Mr. STENNIS. I am glad to yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, speaking as the majority leader, I want to see this matter faced up to and disposed of one way or the other, even though, as a Senator from the State of Montana, I am opposed to the bill. So I do hope we will be able to get together. I would like to suggest most respectfully at this time that the Senate give consideration to the possibility of a recess for not to exceed 15 minutes so that the leadership and interested Senators can get together and hopefully come back with some sort of unanimous-consent request at the end of that time having to do with amendments which are on the list, but very likely not having to do with the McGovern-Hatfield amendment at this time.

Would the Senator be averse to a recess at this time?

Mr. STENNIS. I do not object to the recess, but unless the McGovern-Hatfield amendment can be agreed on, I do not think it would be of any value. I understood we were virtually in agreement. Unless that is included, I do not think anything of value can be accomplished along the line of agreement this afternoon.

Mr. MANSFIELD. We could agree on amendments for Monday and Tuesday, at least. The deputy majority leader has been acting on this side and the acting minority leader on that side and I think we have the elements of an agreement for the next couple of days to keep things going. Otherwise, we may be wasting time and fiddling away what little time we have remaining.

Mr. STENNIS. The McGovern-Hatfield amendment is an important matter. I understand that at the last minute various traveling plans have come to the front and questions of that kind have to be considered.

Mr. MANSFIELD. May I say that traveling plans are of secondary importance. It is our responsibility to be here.

I should say the Senate that in view of what developed it is quite likely—I am not certain, but it is quite likely—that beginning next week we will have Saturday sessions as well as early sessions.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair for, but not later than, 4:45 p.m.

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

Thereupon, at 4:27 p.m., the Senate took a recess subject to the call of the Chair.

At 4:44 p.m., the Senate reassembled when called to order by the Presiding Officer (Mr. TAFT).

FOCUS ON PEACEFUL USES OF THE ATOM

Mr. HUMPHREY. Mr. President, I have just finished reading the President's message on the energy crisis facing this country today and in the years ahead.

I am delighted with both the tone and the focus of this message. This message makes clear that the primary interest of the United States in the atom is the development of peaceful means to develop and utilize atomic energy.

I am particularly gratified to see the emphasis placed on the development of a nuclear breeder reactor. The President's decision to request a fiscal 1971 supplemental appropriation of $27 million for the operation of the liquid metal fast breeder reactor program, plus the request for an additional $50 million, demonstrates the commitment of the administration and the Congress to peaceful uses of the atom.

The distinguished chairman of the Joint Committee on Atomic Energy made this most clear in his statement today, when he said:

> If the splitting of the atom has any significance at all, at any time, it must be for peaceful purposes. If I thought for one moment that my responsibility on the joint Committee on Atomic Energy would be solely and exclusively to develop bigger and better bombs, I would resign from that Joint Committee today.

The energy crisis of the United States must be met and met soon. By the year 1975 we will be using one trillion, four hundred billion—1,400,000,000,000—kilowatt-hours a year. In just 10 years we will have used eighteen trillion—18,000,000,000,000—kilowatt hours—the same energy we have used in the last 90 years. By the year 2000, it has been estimated that over 50 percent of our our power will come from nuclear powerplants. Transmission grids presently in use are clearly inadequate—in fact they are dangerously, and in some cases, fatally inadequate. The brownouts and blackouts the Nation has experienced recently testify to that.

I also join the distinguished charter member of the Joint Committee on Atomic Energy, Representative CHET HOLIFIELD, in his remarks on the President's message. As Congressman HOLIFIELD says, the insistence of the President on generation of all possible power from all forms of fuel, but with due care for the environment, is a noteworthy part of the energy message.

Mr. President, this message was developed as a truly bipartisan communication. Careful consultation of majority and minority leadership in the Congress and on the Joint Committee on Atomic Energy was the order of the day. There certainly can be no greater challenge and no greater promise for mankind than the peaceful utilization of this awesome, almost supernatural power. Our wisdom in its proper and growing use may also be the measure of our own intellectual and moral evolution as a species.

Mr. President, I wish to commend the President on this excellent message. I wish to join with my distinguished colleagues, Senator PASTORE, Congressman HOLIFIELD, and Congressman PRICE in lauding this message. I look forward most anxiously to the specific recommendations of the President. The administration and the Congress are off to a most auspiciously bipartisan start in this endeavor of essential importance to all mankind.

THE UNEMPLOYMENT RATE

Mr. HUMPHREY. Mr. President, I thank the Senator from West Virginia for yielding to me, and I add one point on a subject which is not quite so pleasant, from my point of view, and indeed is exceedingly serious and very disturbing.

Today the U.S. Department of Labor gave us a report on the employment situation in May 1971. After one reads this rather voluminous document, with all of

its charts and graphs and with all of its talk about seasonal adjustment in language which is characteristic of government statements and bureaucratic doctrine, it boils down to one thing: the overall unemployment rate was 6.2 percent, compared to 6.1 percent in April.

Mr. President, the jobless rate reached a 9-year high of 6.2 percent in December. In the month of May, it reached 6.2 percent again. So all the talk and all the political pablum which has been fed the American public on two subjects, namely, that inflation is under control and that the economy is on the upswing, including a lowering of the unemployment rate, has proven to be nothing more or less than sheer political propaganda that is so flimsy and transparent that it merits no consideration.

It is quite obvious, Mr. President, that the economic policies of the administration are not working. It is quite obvious that a continuing rate of unemployment of over 6 percent is an intolerable burden upon this economy and upon the people of this country. It is quite obvious, Mr. President, that something needs to be done, and that that something needs to include a reevaluation by the administration of its fiscal policy, of its domestic programs, and of its monetary policy.

I would suggest, first, that, at a minimum, the administration give prompt consideration to stepping up the date, moving forward the date for tax reductions, thereby increasing purchasing power. Second, I suggest that the administration strongly support the so-called public service employment program, and that it not get its cards all mixed up on what to do about employment and the economy with the issue of revenue sharing.

I would suggest that the administration also clearly understand that bottling up and impounding approximately $12 billion of appropriated funds by the previous Congress for fiscal 1971 is doing serious damage not only to the economy but also to a host of programs that are urgently needed across this Nation.

With a figure of 6.2 percent unemployment in the month of May 1971, it appears to me that the administration ought not only to have an inflation alert that is active, but also, an unemployment alert that tells them to get off the die and start to move. We have heard talk and we have had little or no action. We have had political pronouncements fed to the American people day after day, trying to tell people that things are better, when people know they are not.

What used to be called the crebility gap in Government has become a credibility gulch making the Grand Canyon look like a fine line.

Mr. President, I suggest that the administration promptly reexamine its economic program and come to grips with stark reality. That reality includes two serious problems: first, the rising cost of living that is taking a terrible toll of the people on fixed incomes and the lower income group; second, a rate of unemployment that is unacceptable politically, economically, and morally.

The right to a job is no longer just a slogan. It has become a mandate which this Government should fulfill, which it refuses to do. I woud hope that, after the administration forces and leaders read the report of their own Department of Labor over the weekend, there may be some soul searching and, if need be, some dismissing of advisers to this Government who have been telling the President, apparently, that everything was going to come out just right.

They remind me of the old French doctor—Dr. Coué they called him—some years ago, who used to say, "Every day in every way, I'm getting better and better." That was all right for the 1920's, when we had the Charleston and the speakeasies, but it does not work in the 1970's, when we have unemployment and inflation and problems of much more serious import.

Mr. President, I respectfully submit to the administration that, for their night reading and for the weekend, there be a careful reexamination and a careful study of the bulletin issued by the U.S. Department of Labor, Office of Information, that had a transmission embargo on it at 10 a.m. today. That embargo was lifted, and in case the administration does not know which bulletin it is, it is USDL 71–307. That should inform one and all.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRESIDENT NIXON'S ENERGY MESSAGE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the junior Senator from Washington (Mr. JACKSON) with respect to the announcement of hearings on the President's message on energy.

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

The statement follows:

HEARINGS ANNOUNCED ON PRESIDENT'S MESSAGE ON ENERGY

STATEMENT BY SENATOR JACKSON

Mr. President, for the information of Members of the Senate, hearings have been scheduled before the Senate Interior and Insular Affairs Committee for June 15, 1971, to review the President's Message on Energy which was transmitted to the Congress earlier today.

These hearings will be held pursuant to the authority granted in S. Res. 45 which was adopted by the Senate on May 3, 1971. This Resolution authorized a two-year special study of National Fuels and Energy Policies by the Senate Interior and Insular Affairs Committee. Section 3 of the resolution provides that the Chairman and ranking minority member of the Committees on Commerce and Public Works and of the Joint Committee on Atomic Energy, or Committee members designated by them, shall participate in this study and shall serve as ex-officio members of the Senate Interior Committee for purposes of the study.

The focus of the hearing will be the President's Energy Message which was transmitted to the Congress earlier today. Witnesses invited to present testimony at that time include Secretary Rogers C. B. Morton of the Department of the Interior; Paul W. McCracken, Chairman of the Council of Economic Advisers; George A. Lincoln, Director of the Office of Emergency Preparedness; Glenn T. Seaborg, Chairman of the Atomic Energy Commission; and Dr. Edward E. David, the President's Science Adviser and Director of the Office of Science and Technology.

The hearings will be held in Room 4200 of the New Senate Office Building beginning at 10:00 a.m. on June 15, 1971.

ORDER FOR RECOGNITION OF SENATOR ALLEN ON MONDAY, JUNE 7, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, on Monday next, immediately following the recognition of the two leaders under the standing order, the able and very distinguished junior Senator from Alabama (Mr. ALLEN) be recognized for not to exceed 15 minutes.

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

ORDER FOR RECOGNITION OF SENATOR GRAVEL ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the conclusion of the remarks by the distinguished junior Senator from Alabama (Mr. ALLEN) on Monday next, the distinguished junior Senator from Alaska (Mr. GRAVEL) be recognized for not to exceed 15 minutes.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, following the remarks of the distinguished junior Senator from Alaska (Mr. GRAVEL) on Monday next, there be a period for the transaction of routine morning business, not to exceed 15 minutes, with statements therein limited to 3 minutes.

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

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 124

Mr. GRAVEL. Mr. President, I call up amendment No. 124.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

On page 30, line 23 strike out "twenty" and insert in lieu thereof "four".

Mr. GRAVEL. Mr. President, due to the fact that the Chamber is somewhat vacant and I want to have my good friends here and do not want to be in a position of talking only to my good friends, I announce that I will be debating this amendment on Monday. It is one of my minor amendments. I want to state that I have a number of minor amendments. I will have major amendments also. However, this will be a minor amendment. We will begin formal debate on it on Monday at whatever time the leadership desires to bring the Senate together.

I will be prepared to vote on the amendment on Monday. I have no intention on minor amendments of delaying the Senate. I would hope that we could act aggressively and assiduously on this amendment. Although minor, I think it will improve the language of the draft legislation.

As I have said, I will have many minor amendments because of the studies that I have performed and have had my staff perform and volunteers have performed who have come forth with ideas on how to improve the legislation. I think I would be derelict in my duty if I did not exercise the expertise that I have developed, paid for with Government money to develop expertise in this area.

I would hope that we could continue to offer amendments and act on them aggressively and assiduously without being dilatory.

I give notice to the Senate that I will be prepared to vote sometime on Monday on this particular amendment.

Mr. President, I yield the floor.

AMENDMENT NO. 99

Mr. CRANSTON. Mr. President, I ask that my amendment No. 99 be read.

The PRESIDING OFFICER. The clerk will read the amendment.

Mr. BYRD of West Virginia. Mr. President, would the Senator withhold his request?

Mr. CRANSTON. Mr. President, I withhold my request.

UNANIMOUS CONSENT ORDER—AMENDMENT NO. 99 QUALIFIED UNDER RULE XXII

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that amendment No. 99 which is at the desk, having been submitted for printing by the distinguished Senator from California (Mr. CRANSTON), be considered as qualified in the event that cloture is invoked on the bill at some later date.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

Mr. GRAVEL. Mr. President, reserving the right to object, the Senator means qualified under rule XXII.

Mr. BYRD of West Virginia. The Senator is correct.

Mr. GRAVEL. I thank the Senator.

Mr. CRANSTON. Mr. President, I thank the Senator from West Virginia. That was my purpose in asking that it be read.

The PRESIDING OFFICER (Mr. BURDICK). Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

Amendment No. 99 reads as follows:

On page 33, between lines 13 and 14,

(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".

The PRESIDING OFFICER. Is there a unanimous-consent request to vote on Monday on the amendment of the Senator from Alaska?

Mr. BYRD of West Virginia. Not now, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

REACTION TO THE PRESIDENT'S ENERGY MESSAGE

Mr. BYRD of West Virginia. Mr. President, today's energy message from the President clearly recognizes the crisis now confronting the United States; but I am going to do everything I can to make certain that the recommendations, if implemented, do not further the current situation in which coal is a fuel of last resort.

I applaud the general increase in almost every area of energy research contained in the message. Yet, at the same time, I fear that the current disparity between coal research and nuclear power research will continue to exist under the proposals set forth by the President.

For instance, the message pledges a solid commitment to nuclear breeder reactors. A supplemental request of $27 million in operating funds for the base program will be made in fiscal year 1972, along with a request for an additional $50 million request for the Federal contribution to the cooperative demonstration project.

The Office of Coal Research pilot plant programs, meanwhile, will be expanded to $20 million, with private industry expected to contribute the remaining funds in the $30 million program. While this increase is commendable, it also serves to point out the low level of funding that has gone into coal research in the past.

Over the past 10 years, for example, the Federal Government has provided $140 million to the Office of Coal Research and the Bureau of Mines' coal utilization program. Over the same period, $2 billion in Federal funds has been spent on nuclear power research—in addition to another $1 billion spent prior thereto.

I am encouraged by the message. But I would have been more encouraged, Mr. President, had it placed a greater emphasis on production of low sulfur content fuels from coal.

There is no doubt that the recommendations of the President will give a needed boost to the coal gasification program of the Office of Coal Research; and the President's proposal to establish a Department of Natural Resources could go a long way in developing a desperately needed national fuels policy for the United States.

Obviously, having all our energy decisions made under one roof would serve a useful purpose; and a unified bureau on energy would have the potential not only to terminate the present inequity that exists in funding, but also to put an end to the scatter-gun approach that has occurred in programing. Such a unified approach could put our Nation on a correction course for our present fuel use, which has resulted in scarce fluid fuels supplying 75 percent of our total energy demands, while our only abundant energy source—coal—supplies just a 20-percent share.

In the vital area of coal mine health and safety, the President is to be praised for his efforts. Funding in this important area has, as the message points out, been increased from $2 million in fiscal year 1969 to $30 million in fiscal year 1972.

The administration has been responsive in this area and, for example, has cooperated fully in my request for a Mine Health and Safety Academy, a $13 million facility that will be located in Beckley, W. Va. When completed, the academy should contribute greatly toward improving the working conditions for men employed in the coal industry and other mining industries.

As the President said in his message:

We cannot take our energy for granted any longer.

That fact has been brought home to all Americans within the past 2 years, and I am certain that Congress will cooperate with the President in all constructive proposals for meeting the energy crisis, and I look forward to his specific recommendations.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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.

THE PENDING AMENDMENT

Mr. BYRD of West Virginia. Mr. President, what is the pending amendment before the Senate.

The PRESIDING OFFICER. The amendment of the Senator from Alaska No. 124.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I have been authorized by the distinguished majority leader to propound the following unanimous-consent requests. The very distinguished acting Republican leader and I have, at the request of the majority leader and minority leader, talked with the able manager of the bill and we have contacted various Senators who have authored sundry amendments, and, after lengthy discussions, we think we have reached an agreement with respect to a time limitation on certain amendments which I shall enumerate.

Mr. President, I propose the following unanimous-consent requests:

I ask unanimous consent that when the Senate concludes its business on Monday next, it stand in adjournment until 9 a.m. on Tuesday next.

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

Mr. BYRD of West Virginia. I ask unanimous consent that at the conclusion of the remarks by the majority and minority leaders on Tuesday next, there be a period for the transaction of routine morning business not to extend beyond 9:30 a.m., with statements therein limited to 3 minutes.

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

Mr. BYRD of West Virginia. I ask unanimous consent that at 9:30 a.m. on Tuesday next, the Chair lay before the Senate amendment No. 115 of the Senator from Colorado (Mr. ALLOTT), dealing with pay provisions, and that debate thereon ensue for not to exceed 3 hours, the time to be equally divided between the mover of the amendment (Mr. ALLOTT) and the manager of the bill (Mr. STENNIS), and that at the close of debate thereon, the amendment be temporarily laid aside.

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

Mr. BYRD of West Virginia. I ask unanimous consent that at 2 p.m. on Tuesday next the Chair lay before the Senate the conference report on S. 575, the Appalachian Regional Development Act, and that debate thereon not exceed 2 hours, the time to be equally divided between the majority leader and the minority leader or their designees, and that a vote occur on the conference report at the close of the 2 hours.

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

Mr. BYRD of West Virginia. I ask unanimous consent that immediately following the vote on the conference report on S. 575, the Appalachian Regional Development Act, on Tuesday next, the Senate resume its consideration of Amendment No. 115 offered by the Senator from Colorado (Mr. ALLOTT), and that debate thereon be limited to 20 minutes, the time to be equally divided between the mover of the amendment and the manager of the bill, and that at the expiration of that 20 minutes a vote occur thereon.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on the following amendments there be a time limitation of not to exceed 1 hour each, with the time to be equally divided between the mover of the amendment and the manager of the bill:

Amendment No. 113 by the Senator from Missouri (Mr. EAGLETON).

Amendment No. 122 by the Senator from Alaska (Mr. GRAVEL).

Amendment No. 124, the pending amendment, by the Senator from Alaska (Mr. GRAVEL).

Amendment No. 125 by the Senator from Alaska (Mr. GRAVEL).

Amendments numbered 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, and 138—all of which amendments are authored by the distinguished Senator from Oregon (Mr. HATFIELD).

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a time limitation of 3 hours, to be equally divided between the mover of the amendment and the manager of the bill, on each of the following amendments:

Amendment No. 75 by the Senator from Massachusetts (Mr. KENNEDY).

Amendment No. 123 by the Senator from Alaska (Mr. GRAVEL).

Amendment No. 139 by the Senator from Massachusetts (Mr. KENNEDY).

Amendment No. 90 by the Senator from Ohio (Mr. TAFT).

Mr. HATFIELD. Mr. President, will the Senator yield at that point for a question?

Mr. BYRD of West Virginia. I yield.

Mr. HATFIELD. As I understand the distinguished acting majority leader's request, the only time certain set for a vote on any of the amendments was on Amendment No. 115 of the Senator from Colorado (Mr. ALLOTT), which was to take place at a time following the vote on the conference committee report, and that all of the other requests for unanimous consent relating to a time limitation in no way imply a time certain at which they must be voted upon; is that correct?

Mr. BYRD of West Virginia. It in no way implies a time certain, by the clock, at this moment, at which they would be voted upon.

Mr. HATFIELD. It would not imply that they have to be voted on by Tuesday or Wednesday, or any specific day or hour?

Mr. BYRD of West Virginia. It does not imply that a given amendment would be voted on at any specific hour on a certain day.

Mr. HATFIELD. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on amendment No. 98 by the Senator from Oregon (Mr. PACKWOOD) there be a time limitation of 1½ hours, the time to be equally divided between the mover of the amendment and the manager of the bill.

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

Mr. BYRD of West Virginia. I ask unanimous consent that on amendment No. 92 by the Senator from Michigan (Mr. HART) there be a time limitation of 2 hours, to be equally divided between the mover of the amendment and the manager of the bill.

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

Mr. BYRD of West Virginia. I ask unanimous consent that on amendment No. 140 by the Senator from Massachusetts (Mr. KENNEDY) there be a time limitation of ½ hour, the time to be equally divided between the mover of the amendment and the manager of the bill.

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

Mr. BYRD of West Virginia. I ask unanimous consent that on amendment No. 84 by the distinguished minority leader (Mr. SCOTT) there be a time limitation of 20 minutes, the time to be equally divided between the minority leader and the manager of the bill.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on all amendments to the enumerated amendments, there be a time limitation—

Mr. GRIFFIN. Mr. President, would the acting majority leader withhold that request for the moment, so that I may ask him whether his request would apply to other amendments which should also be included? For example, would the majority whip take a look at amendment No. 120? I believe there was an understanding of 1 hour as to that amendment, but I do not believe it was requested. Is that correct?

Mr. BYRD of West Virginia. The distinguished assistant minority leader is correct.

Mr. President, I ask unanimous consent that there be a time limitation of 1 hour on amendment No. 120 by the Senator from Massachusetts (Mr. KENNEDY), the time to be equally divided between the mover of the amendment and the manager of the bill.

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

Mr. GRIFFIN. How about amendment No. 119? My notes indicate one-half hour there.

Mr. BYRD of West Virginia. I thought I had included that one. If I did not do so, I do so now. I ask unanimous consent that there be one-half hour, to be equally divided between the mover of the amendment No. 119, and the manager of the bill.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a time limitation of 20 minutes each upon all amendments to the amendments that have been enumerated, the time thereon to be equally divided between the mover of the amendment to the amendment and the author of the amendment which is proposed to be amended thereby.

Mr. GRAVEL. Mr. President, reserving the right to object, and I do not intend to object, this is as to amendments to the amendments we have enumerated, as to which we have fixed time limitations?

Mr. BYRD of West Virginia. That is correct.

Mr. GRAVEL. I have no objection.

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

Mr. BYRD of West Virginia. Mr. President, that concludes my requests.

Mr. GRIFFIN. Mr. President, may I ask the distinguished majority whip, is it understood that the understanding as to the amendments to the amendments applies not only to those enumerated, but also to the Allott amendment and to the pending amendment?

Mr. BYRD of West Virginia. Yes, to all amendments which have been enumerated, which includes the Allott amendment and the pending amendment by Mr. GRAVEL.

Mr. GRIFFIN. Very well.

Mr. BYRD of West Virginia. Mr. President, if there are no further questions—

Mr. GRIFFIN. Mr. President, may I suggest another point that I believe is understood, but perhaps should be stated particularly?

Mr. BYRD of West Virginia. Yes.

Mr. GRIFFIN. Since the time for an amendment to an amendment is so severely limited, such amendments, of course, would have to be germane.

Mr. BYRD of West Virginia. Yes. Mr. President, I ask unanimous consent that no nongermane amendments be received with respect to amendments to the enumerated amendments.

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

Mr. BAKER. Mr. President, with respect to the unanimous consent request, it is my understanding that any amendments which were not enumerated, which may be at the desk, or any amendments which may be offered hereafter, would not be subject to the 20-minute limitation or any other limitation.

Mr. BYRD of West Virginia. The Senator is correct. The request was that the 20-minute limitation, equally divided, be with reference only to amendments offered to the amendments I have enumerated and concerning which unanimous consent has already been granted.

Mr. BAKER. I thank the majority whip for that statement.

Also, I did not fully understand his interpretation of the request with respect to the unanimous-consent request on germaneness. Is it the contention of the majority whip that the unanimous-consent request on germaneness would apply to all amendments, whether enumerated or not, or just those enumerated and on which time limitations have been stated?

Mr. BYRD of West Virginia. No. The understanding is that the request with respect to germaneness would apply only to amendments in the second degree to amendments which have been already enumerated in the request.

Mr. BAKER. Is it understood that the unanimous-consent request limiting amendments to germane amendments has application only to those which have been enumerated and are the subject of unanimous-consent orders as just stated?

Mr. BYRD of West Virginia. The Senator is correct.

Mr. BAKER. I thank the majority whip.

Mr. BYRD of West Virginia. Mr. President, I wish to express appreciation, on behalf of the majority leader, to the acting Republican leader and to all Senators who have cooperated in the agreement that has been entered.

Mr. GRIFFIN. Mr. President, may I make this inquiry?

There is a pending amendment sponsored by the Senator from Alaska.

Mr. BYRD of West Virginia. Yes.

Mr. GRIFFIN. When will the time begin to run on that?

Mr. BYRD of West Virginia. The time will begin to run on Monday, immediately following the conclusion of the transaction of routine morning business.

Mr. GRIFFIN. I thank the majority whip.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Ordered, That, during the further consideration of H.R. 6531, an act to amend the Military Selective Service Act of 1967, debate on the pending amendment No. 124 authored by the Senator from Alaska and on the following amendments be limited to 1 hour to be equally divided and controlled by the mover of the amendment and the manager of the bill (Mr. Stennis): No. 113 by the Senator from Missouri (Mr. Eagleton); No. 120 by the Senator from Massachusetts (Mr. Kennedy); Nos. 122 and 125 by the Senator from Alaska (Mr. Gravel) and Nos. 127 through 138 inclusive by the Senator from Oregon (Mr. Hatfield).

Ordered further, That debate be limited to one-half hour to be equally divided and controlled between the mover of the amendment and the manager of the bill on the following amendments: Nos. 119 and 140 by the Senator from Massachusetts (Mr. Kennedy).

Ordered further, That debate be limited to 20 minutes to be equally divided and controlled between the mover of the amendment and the manager of the bill on amendment No. 84 by the Senator from Pennsylvania (Mr. Scott).

Ordered further, That debate be limited to 1 and one-half hours to be equally divided and controlled between the mover of the amendment and the manager of the bill on amendment No. 98 by the Senator from Oregon (Mr. Packwood).

Ordered further, That debate be limited to 2 hours to be equally divided and controlled between the mover of the amendment and the manager of the bill on amendment No. 92 by the Senator from Michigan (Mr. Hart).

Ordered further, That debate be limited to 3 hours to be equally divided and controlled between the mover of the amendment and the manager of the bill on the following amendments: Nos. 75 and 139 by the Senator from Massachusetts (Mr. Kennedy); No. 123 by the Senator from Alaska (Mr. Gravel); and No. 90 by the Senator from Ohio (Mr. Taft).

Ordered further, That effective on Tuesday, June 7, 1971, at the hour of 9:30 a.m. the Chair lay before the Senate for consideration the amendment of the Senator from Colorado (Mr. Allott) No. 115 on pay provisions and that time thereon be limited not to exceed 3 hours to be equally divided and controlled by the Senator from Colorado and the Senator from Mississippi (Mr. Stennis).

At the conclusion of that debate on the amendment it shall be temporarily laid aside. At 2:00 p.m. on the same date the conference report on S. 575 (the Appalachian Regional Redevelopment Act) shall be laid before the Senate and debate thereon shall be limited to 2 hours to be equally divided and controlled by the Majority and Minority Leaders on their designees, to be followed by a vote thereon. Following this vote, the Senate will resume consideration of amendment No. 115 with debate to be limited to 20 minutes to be equally divided and controlled by the Senator from Colorado (Mr. Allott) and the Senator from Mississippi (Mr. Stennis), to be followed by a vote thereon.

Provided, That, debate on all amendments to amendments enumerated above be limited to 20 minutes to be equally divided and controlled respectively by the mover and the author of the original amendment (first degree).

Ordered further, That amendments not germane to the amendments enumerated above shall not be received.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for Monday next is as follows:

The Senate will convene at 10 a.m. Immediately following the recognition of the two leaders under the standing order, the distinguished Senator from Alabama (Mr. ALLEN) will be recognized for not to exceed 15 minutes, to be followed by the distinguished Senator from Alaska (Mr. GRAVEL) for not to exceed 15 minutes, following which there will be a period for the transaction of routine morning business, for not to exceed 15 minutes, following which the unfinished business will be laid before the Senate.

Senators are on notice that after 1 hour of debate on the pending amendment No. 124, offered by the able junior Senator from Alaska, there will be a vote, and the mover of the amendment has indicated it will be by rollcall. Senators should also be on notice that there will be additional rollcall votes, undoubtedly, throughout the day on Monday and throughout the day on Tuesday, and the same can be said, I am sure, with respect to Wednesday.

It has been announced that on Monday there will be a closed session, to be requested by the distinguished Senator from Missouri (Mr. SYMINGTON). Indications are that the time consumed in that closed session will not exceed 1½ hours, but no unanimous-consent agreement has yet been entered into in that respect.

Mr. GRIFFIN. Did the majority whip indicate that the amendment of the Senator from Oregon (Mr. PACKWOOD) is expected to come up on Monday afternoon, although a time has not been set?

Mr. BYRD of West Virginia. I did not do so, and I am glad that the able minority whip has so indicated. I intentionally withheld any references to a specific time for calling up that amendment, in view of the question that had been asked by the distinguished senior Senator from Oregon about the disposition of——

Mr. GRIFFIN. It might be useful if Senators knew that that particular amendment is expected to be called up.

Mr. BYRD of West Virginia. I agree with the distinguished minority whip. Mr. President, I ask unanimous consent that, at the conclusion of the transaction

of routine morning business on Monday next, the unfinished business be laid before the Senate. The pending amendment by the Senator from Alaska (Mr. GRAVEL) will be the question before the Senate at that time, and time will begin running on that amendment, the time to be limited to 1 hour, under the agreement recently entered.

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

Mr. BYRD of West Virginia. Mr. President, for the convenience of Senators in identifying the amendments concerning which time agreements have been entered into and which will be called up on Monday, Tuesday, and Wednesday of next week and on which rollcall votes may be expected, I shall recapitulate those amendments as follows:

No. 75—Mr. KENNEDY—ceiling of 150,000 on number of men who may be inducted during any fiscal year—3 hours, equally divided.

No. 84—Mr. SCOTT—report on volunteer forces—20 minutes, equally divided.

No. 90—Mr. TAFT—prohibiting more than 100,000 persons from being inducted in fiscal year ending June 30, 1972 and 60,000 in fiscal year ending June 30, 1973—3 hours, equally divided.

No. 92—Mr. HART—conscientious objectors—2 hours, equally divided.

No. 98—Mr. PACKWOOD—surviving son or sons provisions—1½ hours, equally divided.

No. 113—Mr. EAGLETON—registration for voting at time of registering for Selective Service—1 hour, equally divided.

No. 115—Mr. ALLOTT—pay provisions, mainly Gates—3 hours, equally divided.

No. 119—Mr. KENNEDY—requires study re military needs being met through civilian sources—30 minutes, equaly divided.

No. 120—Mr. KENNEDY—no regulation shall be enacted before being published in Federal Register 30 days prior to enactment—1 hour, equally divided.

No. 122—Mr. GRAVEL—lowering from age 26 to age 18 the 5-year Statute of Limitations for prosecution for failure to register—1 hour, equally divided.

No. 123—Mr. GRAVEL—changing the President's power to induct into Armed Forces from "whether or not a state of war exists" to "when a state of war declared by the Congress exists"—3 hours, equally divided.

No. 124—Mr. GRAVEL—lowers the tenure of local and appeal board members of Selective Service from 20 years to 4 years—1 hour, equally divided.

No. 125—Mr. GRAVEL—President must have approval of House and Senate Armed Services Committees and also of the House of Representatives and Senate in order to induct more than 150,000 for year ending June 30, 1972—1 hour, equally divided.

No. 127—Mr. HATFIELD—schedules of pay—contributions to a retirement system—also deals with quarters allowances and subsistence—1 hour, equally divided.

No. 128—Mr. HATFIELD—refusal of induction into armed services not to be considered a crime—1 hour, equally divided.

No. 129—Mr. HATFIELD—increasing proficiency pay in specialized areas—1 hour, equally divided.

No. 130—Mr. HATFIELD—increasing combat pay—1 hour, equally divided.

No. 131—Mr. HATFIELD—add housing allowances for four lower enlisted grades—1 hour, equally divided.

No. 132—Mr. HATFIELD—increase quarters allowances—1 hour, equally divided.

No. 133—Mr. HATFIELD—civilian medical facilities to serve need of military—1 hour, equally divided.

No. 134—Mr. HATFIELD—increasing special pay—1 hour, equally divided.

No. 135—Mr. HATFIELD—congressional directives relating to improvement of Armed Forces—relating to housing, education, and so forth—1 hour, equally divided.

No. 136—Mr. HATFIELD—establishing number of cadets and midshipmen to be in financial assistance programs—1 hour, equally divided.

No. 137—Mr. HATFIELD—enlistments and reenlistments, also limitations on discharges—1 hour, equally divided.

No. 138—Mr. HATFIELD—Selective Service Act is repealed effective December 31, 1971—1 hour, equally divided.

No. 139—Mr. KENNEDY—each registrant to have right of counsel, and so forth, and setting forth procedural rights—3 hours, equally divided.

No. 140—Mr. KENNEDY—students drafted out of college shall be returned to same college with same academic credits and scholarships as they had at time of being drafted—30 minutes, equally divided.

ADJOURNMENT UNTIL 10 A.M. MONDAY, JUNE 7, 1971

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 58 minutes p.m.) the Senate adjourned until Monday, June 7, 1971, at 10 a.m.

NOMINATION

Executive nomination received by the Senate June 4, 1971:

U.S. ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Glenn David Walker, [redacted] U.S. Army.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 4, 1971:

U.S. AIR FORCE

Maj. Gen. Gordon T. Gould, Jr., [redacted] USAFR, Regular Air Force, to be assigned to position of importance and responsibility designated by the President, in the grade of lieutenant general, under the provisions of section 8066, title 10, of the United States Code.

U.S. ARMY

The U.S. Army Reserve officer named herein for promotion as a Reserve commissioned officer of the Army, under provisions of title 10, United States Code, sections 593(a) and 3384:

To be brigadier general

Col. Benjamin L. Hunton, SSAN [redacted] Infantry.

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen. Robert L. McCrady, SSAN [redacted] Adjutant General Corps.

To be brigadier general

Col. William J. McCaddin, SSAN [redacted] Field Artillery.

Col. Charles A. Rollo, SSAN [redacted], Field Artillery.

Col. Dana L. Stewart, SSAN [redacted], Armor.

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Walter Edward Lotz, Jr., U.S. Army.

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Welborn Griffin Dolvin, [redacted] 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

Col. Cecil Walton Hospelhorn, [redacted], U.S. Army.

Col. Alan Ross Toffler, [redacted] U.S. Army.

Col. Chester M. McKeen, Jr., [redacted], U.S. Army.

Col. Charles Raymond Sniffin, [redacted], U.S. Army.

Col. Sylvan Edwin Salter, [redacted], U.S. Army.

Col. Nikitas Constantin Manitsas, [redacted] U.S. Army.

Col. Joseph Edward McCarthy, [redacted] U.S. Army.

Col. Lawrence Edward Van Buskirk, [redacted], U.S. Army.

Col. Arthur Pancratius Hanket, [redacted] U.S. Army.

Col. George Washington Connell, Jr., [redacted], U.S. Army.

Col. Anthony Frank Daskevich, [redacted] U.S. Army.

Col. James Arthur Herbert, [redacted], U.S. Army.

Col. Gordon Sumner, Jr., [redacted], U.S. Army.

Col. Richard Luther West, [redacted], U.S. Army.

Col. Robert Wallace Fye, [redacted], U.S. Army.

Col. Lawrence Hall Williams, [redacted], U.S. Army.

Col. Roscoe Conklin Cartwright, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col. Orville Leroy Tobiason, [redacted], Army of the United States (lieutenant colonel, U.S. Army).

Col. James Michael Templeman, [redacted] Army of the United States (lieutenant colonel, U.S. Army).

Col Albert Redman, Jr. [redacted], Army of the United States (lieutenant colonel, U.S. Army).

Col. Eugene Joseph D'Ambrosio, xxx-xx-xx... xxx-x... Army of the United States (lieutenant colonel, U.S. Army).

Col. James Frank Hamlet, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Marvin Don Fuller, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Jack Thomas Pink, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. William John Whelan, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Willard Warren Scott, Jr., xxx-xx-xxxx xxx-x... Army of the United States (lieutenant colonel, U.S. Army).

Col. William Savage Hathaway, xxx-xx-xx... xxx-x... Army of the United States (lieutenant colonel, U.S. Army).

Col. James Allen Johnson, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Miller Montague, Jr., xxx-xx-x... xxx-x... Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Joshua Koch xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Rutherford McGiffert II, xxx-xx-x... xxx-x... Army of the United States (lieutenant colonel, U.S. Army).

Col. John Love Gerrity, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Elwood Hoover, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Philip Thomas Boerger, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Jacob Baer, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Fremont Byron Hodson, Jr., xxx-xx-xx... xxx-... Army of the United States (lieutenant colonel, U.S. Army).

Col. John Robin Davis Cleland, Jr., xxx-... xxx-xx-xxxx Army of the United States (lieutenant colonel, U.S. Army).

Col. William Loyd Webb, Jr., xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Vincent dePaul Gannan, Jr., xxx-xx-x... xxx-... Army of the United States (lieutenant colonel, U.S. Army).

Col. Dorward Weston Ogden, Jr., xxx-xx-xx... xxx-... Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert James Proudfoot, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Garland Andrews Ludy, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Lucius Gordon Hill, Jr., xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Norman Junior Salisbury, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Lee Kirwan xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Oliver Williams Dillard, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Wilton Burton Persons, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Wayne Stanley Nichols, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Henry William Hill, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Hugh James Bartley xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Pat William Crizer, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Richard Anthony Bresnahan, xxx-xx-x... xxx-... Army of the United States (lieutenant colonel, U.S. Army).

Col. Leo Dalton Turner, XXXX, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Calvin McWhorter, Jr. xxx-xx-xxxx xxx-... Army of the United States (lieutenant colonel, U.S. Army).

Col. Albert Ronald Escola, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Oliver Day Street III xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Philip Robert Feir, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Marion Collier Ross, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Leo Eugene Soucek, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Milton Eugene Key, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Clay Thompson Buckingham, xxx-xx-x... xxx-... Army of the United States (lieutenant colonel, U.S. Army).

Col. Homer Samuel Long, Jr., xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Carroll Nance LeTellier, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Joseph Paul Kingston xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Ernst Edward Roberts, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Paul Miller Timmerberg, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Billy Mills Vaughn, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Kirby Lamar, xxx-xx-xxxx Army of the United States (lieutenant colonel, U.S Army).

Col. Richard Lew Morton, xxx-xx-xxxx Army of the United States (lieutenant colonel, U.S. Army).

Col. Michael Daniel Healy, xxx-xx-xxxx Army of the United States (lieutenant colonel, U.S. Army).

Col. Davis O'Neill Morris, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Harry Boyes, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Col. Paul Francis Gorman xxx-xx-xxxx, Army of the United States (major, U.S. Army).

Col. Albert Benjamin Crawford, Jr., xxx-... xxx-xx-xx... Army of the United States (major, U.S. Army).

Col. William Rowland Richardson, xxx-xx-x... xxx-... Army of the United States (major, U.S. Army).

Col. Leslie Ray Sears, Jr., xxx-xx-xxxx, Army of the United States (major, U.S. Army).

Col. Richard Lee Harris, xxx-xx-xxxx, Army of the United States (major, U.S. Army).

Col. John Adams Wickham, Jr., xxx-xx-xxxx xxx-... Army of the United States (major, U.S. Army).

Col. David Hardy Sudderth, Jr., xxx-xx-xx... xxx-... Army of the United States (major, U.S. Army).

Col. Richard Horner Thompson, xxx-xx-x... xxx-x... Army of the United States (major, 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 major general

Brig. Gen. George Gordon Cantlay, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Stewart Canfield Meyer, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Maurice Wesley Kendall, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Adrian St. John II, xxx-xx-xxxx xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Harley Lester Moore, Jr., xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Curtis Wheaton Chapman, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. George Arthur Godding, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Ralph Julian Richards, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Samuel Lafayette Reid xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Sidney Bryan Berry, Jr., xxx-... xxx-xx-xxxx Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. David Ewing Ott xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. Bert Allison David, xxx-xx-xxxx, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Robert Morin Shoemaker, xxx-... xxx-xx-xxxx Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Frank Ambler Camm, xxx-xx-xx... xxx-... Army of the United States (colonel, U.S. Army).

Brig. Gen. Harold Ira Hayward, xxx-xx-xx... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Dennis Philip McAuliffe, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Harold Arthur Kissinger, xxx-... xxx-xx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. George Monroe Bush, xxx-xx-xx... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. John Quint Henion, xxx-xx-xxxx xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Kenneth Trevor Sawyer, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Neale Mackinnon, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Hulbert Groves, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Alexander Meigs Haig, Jr., xxx-... xxx-xx-xxxx Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. John Einar Murray, xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank Anton Hinrichs, xxx-xx-xx... xxx-... Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Robert Leahy Fair, xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Alfred Kjellstrom, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Ira Augustus Hunt, Jr., xxx-xx-xx... xxx-... Army of the United States (colonel, U.S. Army).

Brig. Gen. Henry Richard Del Mar, xxx-xx-x... xxx-... Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Robert Charles Hixon, xxx-xx-xx... xxx-... Army of the United States (colonel, U.S. Army).

Brig. Gen. John Carpenter Raaen, Jr., xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. James Bradshaw Adamson, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. John Terrell Carley, xxx-xx-xxxx xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Harold Burton Gibson, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Jeffrey Greenwood Smith, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Thomas Edward Fitzpatrick, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Dean Van Lydegraf, xxx-xx-xxxx xxx-x... Army of the United States (colonel, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier general

Brig. Gen. Harley Lester Moore, Jr., xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Samuel Lafayette Reid, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. George Arthur Godding, xxx-xx-x... xxx-... Army of the United States (colonel, U.S. Army).

Maj. Gen. James Leon Baldwin, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Maj. Gen. Albert Ernest Milloy, xxx-xx-xxxx xxx-x... Army of the United States (colonel, U.S. Army).

Maj. Gen. John Reiley Guthrie, xxx-xx-xxxx xxx-... Army of the United States (colonel, U.S. Army).

Maj. Gen. William Allen Knowlton, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank Ambler Camm, xxx-xx-... xxx-x... Army of the United States (colonel, U.S. Army).

Maj. Gen. Robert Creel Marshall, xxx-xx-xx... xxx-x... Army of the United States (colonel, U.S. Army).

Maj. Gen. Darrie Hewitt Richards, xxx-xx-x... xxx-... Army of the United States (colonel, U.S. Army).

Brig. Gen. Stewart Canfield Meyer, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Maj. Gen. Edward Michael Flanagan, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Ralph Julian Richards, Jr., xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. John Carpenter Raaen, Jr., xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. Adrian St. John II xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. Hubert Summers Cunningham, xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Maurice Wesley Kendall, xxx-... xxx-xx-xx... Army of the United States, (colonel, U.S. Army).

Maj. Gen. Bernard William Rogers, xxx-... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. Harold Robert Parfitt, xxx-x... xxx-xx-xx... Army of the United States (colonel, U.S. Army).

Brig. Gen. Kenneth Trevor Sawyer, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. George Gordon Cantley, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. John Woodland Morris, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. Clarke Tileston Baldwin, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Maj. Gen. Allen Mitchell Burdett, Jr., xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Maj. Gen. Alexander Russell Bolling, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Maj. Gen. Howard Harrison Cooksey, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Charles Hixon, xxx-xx-xx... xxx-x... Army of the United States (colonel, U.S. Army).

Maj. Gen. CJ Le Van, XXXX, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Quint Henion, xxx-xx-xxxx xxx-x... Army of the United States (colonel, U.S. Army).

Maj. Gen. John Holloway Cushman, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. David Ewing Ott, xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Maj. Gen. George Samuel Blanchard, xxx-... xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. Harold Ira Hayward, xxx-xx-xx... xxx-x... Army of the United States (colonel, U.S. Army).

Maj. Gen. John Joseph Hennessey, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Brig. Gen. John Alfred Kjellstrom, xxx-xx-x... xxx-x... Army of the United States (colonel, U.S. Army).

Maj. Gen Verne Lyle Bowers, xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Einar Murray, xxx-xx-xxxx, Army of the United States (colonel, U.S. Army).

Brig. Gen. Frederick James Kroesen, Jr., xxx-xx-xxxx Army of the United States (colonel, U.S. Army).

Brig. Gen. James Cliffton Smith, xxx-xx-xx... xxx-... Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Leahy Fair, xxx-xx-xxxx, Army of the United States (colonel, 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, xxx-xx-xxxx, U.S. Army.

To be brigadier general, Army Nurse Corps

Col. Lillian Dunlap, xxx-xx-xxxx Army Nurse Corps, U.S. Army.

U.S. NAVY

Rear Adm. Philip A. Beshany, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

The following-named officers of the Navy for temporary promotion to the grade of rear admiral, in the staff corps indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Richard D. Nauman.
Willard P. Arentzen.

SUPPLY CORPS

Joe G. Schoggen.
Edward E. Renfro III.
James E. Forrest.

CHAPLAIN CORPS

Richard G. Hutcheson, Jr.

CIVIL ENGINEER CORPS

Donald G. Iselin.
Albion W. Walton, Jr.

DENTAL CORPS

Anthony K. Kaires.

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

LINE

Frank H. Price, Jr.	Marmaduke G. Bayne
Arthur G. Esch	Robert L. J. Long
Robert L. Baughan, Jr.	Thomas J. Christman
	Clarence A. Hill, Jr.
James B. Hildreth	William R. Flanagan
Mayo A. Hadden, Jr.	David H. Bagley
Henry Suerstedt, Jr.	Kent L. Lee
Edwin M. Rosenberg	Frederick C. Turner
Philip P. Cole	Robert B. Baldwin
Daniel E. Bergin, Jr.	Julien J. LeBourgeois
George L. Cassell	George P. Steele II
Howard S. Moore	Narvin O. Wittmann
Philip S. McManus	Robert C. Gooding
Lawrence Heyworth, Jr.	Charles N. Payne, Jr.
	John L. Marocchi
William T. Rapp	Clarence R. Bryan
John M. Barrett	

MEDICAL CORPS

Harry P. Mahin
David P. Osborne
Herbert G. Stoecklein

SUPPLY CORPS

Douglas H. Lyness	Vincent A. Lascara
Wallace R. Dowd, Jr.	Edwin E. McMorries
John A. Scott	

DENTAL CORPS

Vernon L. Anderson

Vice Adm. Francis J. Blouin, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provision of title 10, United States Code, section 5233.

Rear Adm. Harry L. Harty, Jr., U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

Rear Adm. Harry L. Harty, Jr., U.S. Navy, for appointment as Navy senior member of the Military Staff Committee of the United Nations, pursuant to title 10, United States Code, section 711.

IN THE AIR FORCE

The nominations beginning Charles T. Goetz, to be major, and ending Robert G. Worthington, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on May 13, 1971.

IN THE ARMY

The nominations beginning Allen B. Bostad, to be lieutenant colonel, and ending Michael J. McCarthy, to be captain, which nominations were received by the Senate and appeared in the Congressional Record on May 14, 1971.

IN THE NAVY

The nominations beginning Robert G. Schultz, Jr., to be ensign, and ending Arthur P. Sibold, Jr., to be captain, which nominations were received by the Senate and appeared in the Congressional Record on May 17, 1971.

IN THE MARINE CORPS

The nominations beginning Gerald G. Abel, to be major, and ending William E. Zales, Jr., to be captain, which nominations were received by the Senate and appeared in the Congressional Record on May 14, 1971.