correctional institutions and facilities; to the Committee on the Judiciary.

By Mr. KOCH (for himself, Mr. CLARK, Mr. MIKVA, and Mr. ROE):

H.R. 8987. A bill to amend the Social Security Act to provide that Federal welfare payments may be made with respect to an individual who qualifies therefor on the basis of drug-caused disability or incapacity only if such individual is undergoing appropriate treatment; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 8988. A bill to change the name of the Nebraska National Forest to the Samuel R. McKelvie National Forest; to the Committee on Agriculture.

By Mr. MONAGAN (for himself and Mr. MACDONALD of Massachusetts):

H.R. 8989. A bill to establish drug abuse control organizations in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. PRICE of Texas (for himself, Mr. ASPIN, Mr. BURLESON of Texas, Mr. CAMP, Mr. DOWDY, Mr. FISHER, Mr. MCCORMACK, Mr. MELCHER, Mr. QUIE, Mr. ROY, Mr. SEBELIUS, Mr. SHRIVER, and Mr. WINN):

H.R. 8990. A bill to amend part II of the Interstate Commerce Act to eliminate the authority to prescribe driver qualifications with respect to certain motor vehicles engaged in farm operations; to the Committee on Interstate and Foreign Commerce.

By Mr. REES:

H.R. 8991. A bill to amend the Tariff Act of 1930 with respect to the licensing of customs brokers; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 8992. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 8993. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8994. A bill to amend the Tariff Act of 1930 so as to exempt certain private aircraft entering or departing from the United States, Canada, and Mexico at night or on Sunday or a holiday from provisions requiring payment to the United States for overtime services of customs officers and employees; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.J. Res. 690. Joint resolution designating the American rose as the national floral emblem of the United States; to the Committee on the Judiciary.

By Mr. FAUNTROY:

H.J. Res. 691. Joint resolution establishing the birthplace of the Reverend Dr. Martin Luther King, Jr., in Atlanta, Ga., as a national historic site; to the Committee on Interior and Insular Affairs.

By Mr. MARTIN:

H.J. Res. 692. Joint resolution: Stable purchasing power resolution of 1971; to the Committee on Government Operations.

By Mr. STEELE (for himself, Mr. ANDERSON of Illinois, Mr. BOLAND, Mr. BRASCO, Mr. BRINKLEY, Mr. FRENZEL, Mr. HALPERN, Mr. JOHNSON of Pennsylvania, Mr. MCCORMACK, Mr. MIKVA, Mr. PETTIS, Mr. PODELL, Mr. RHODES, Mr. SCHWENGEL, Mr. WARE, and Mr. ZABLOCKI):

H.J. Res. 693. Joint resolution to designate the month of October of each year as Drug Awareness Month; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.J. Res. 694. Joint resolution; Stable Purchasing Power resolution of 1971; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. ABZUG:

H.R. 8995. A bill for the relief of Jaime Fuente and his wife, Blanca Bagana Fuente; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 8996. A bill for the relief of Marjorie M. Routt; to the Committee on Post Office and Civil Service.

By Mr. GUDE:

H.R. 8997. A bill for the relief of Dr. Gernot M. R. Winkler; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 8998. A bill for the relief of Moin Iqbal; to the Committee on the Judiciary.

H.R. 8999. A bill for the relief of Jagdish Kapoor; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

80. The SPEAKER presented a petition of Henry Stoner, York, Pa., relative to a postage stamp commemorating Abraham Lincoln; to the Committee on Post Office and Civil Service.

SENATE—*Tuesday, June 8, 1971*

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

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

O God, our Father, who hast brought us to the beginning of a new day, enable us so to live that we may bring help to others, credit to ourselves, and honor to Thy holy name. Though the day be long and wearisome, the hours tedious and fatiguing, grant that we may be cheerful when things go wrong, persevering when things are difficult, serene when things are irritating. Grant that nothing may take away our joy, ruffle our peace, or make us bitter towards any man.

Work in and through us the plan Thou hast for this Nation. Be with our fellow workmen, the President, all who are in the executive, the judicial, the diplomatic and military services. Grant that all through this day, all with whom we work, and all whom we meet may find in us the reflection of the Master of Life, in whose name we pray. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 8, 1971.

To the Senate:

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

ALLEN J. ELLENDER,
President pro tempore.

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

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, June 7, 1971, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

ORDER FOR UNFINISHED BUSINESS TO BE LAID BEFORE THE SENATE TOMORROW, THURSDAY, AND FRIDAY OF THIS WEEK

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Wednesday, Thursday, and Friday of this week, at the close of the period for the transaction of routine morning business each day, the unfinished business be laid before the Senate.

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

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the executive calendar.

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

The ACTING PRESIDENT pro tempore. The nomination on the executive calendar will be stated.

CIVIL SERVICE COMMISSION

The legislative clerk read the nomination of Jayne Baker Spain, of Ohio, to be Civil Service Commissioner for the term of 6 years expiring March 1, 1977.

The ACTING PRESIDENT pro

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

tempore. Without objection, the nomination is considered and confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

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

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate resume the consideration of legislative business.

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

STATEMENT ON YESTERDAY'S CLOSED SESSION

Mr. SCOTT. Mr. President, the executive session of the Senate on yesterday, of course, discussed matters which cannot be discussed elsewhere until the material has been declassified. I express again the hope that the report of the two staff members to the Committee on Foreign Relations can be declassified as soon as possible, as it does, indeed, clarify certain charges and, in my opinion, disposes adequately of those charges, particularly with relation to the alleged bombing of civilian villages in northern Laos. Therefore, I believe the public is entitled to have this information.

As to some of the so-called disclosures in the report, I must say that I heard nothing yesterday that I had not heard before. I heard no figures that I was not aware of. I believe that what we had was a rather lengthy tempest in our ancient and honorable teapot.

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

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. In accordance with the previous order, the Chair now recognizes the distinguished Senator from Alaska (Mr. GRAVEL) for not to exceed 15 minutes.

THE FORTHCOMING PRESIDENTIAL ELECTIONS IN SOUTH VIETNAM

Mr. GRAVEL. Mr. President, this morning I should like to take up what I mentioned earlier, the question of a change in the presidential election law in South Vietnam. The rationale proposed for our presence in South Vietnam has been that we are fighting to establish a democracy there in addition to the containment of communism.

This democracy has been questioned by many political scientists in the country in a much more extensive way than I have attempted to do. But I believe we cannot remain oblivious to recent events.

Mr. President, I believe there are many people in this country who are purposely closing their eyes to what is transpiring in preparation for the forthcoming presidential election in South Vietnam in October.

There is one gentleman who is a member of the Assembly of South Vietnam. He is 35 years old. His name is Ngo Cong Duc. He is a volatile young man, and an opponent of the present government of South Vietnam. His party is primarily anti-Communist. They oppose strongly any Communist form of government. So, along with opposing communism, they also oppose the present President, Mr. Thieu, which, of course, should be their right under a constitutional government.

But let me mention some of the events that have taken place. He was jailed, I believe, on May 29 or 30 of this year. He was jailed for an interesting reason; namely, that he has opposed the government of President Thieu. Since he is such an outstanding spokesman, he was in the process of opposing the new presidential law that was passed last Thursday in the Assembly of South Vietnam. Thus, it was probably felt, if he could be taken away from the Assembly, his voice would not be added to those deliberations—much as if a Senator here, say the Senator from Missouri, were to be arrested during a crucial aspect of a debate and then after debate and the vote were over and decided, for some reason he were to be released. That would be a most unusual occurrence and, of course, it would demonstrate clearly that we lacked democracy.

Mr. President, even American Embassy sources indicate that it is a great embarrassment to the American cause in South Vietnam to have these arrests, and to have this change in the presidential law occur in preparation for a coming political campaign. In fact, over the same weekend, another splinter party headed by Trong Noc Yeng—this party now is a pacifist party—tried to assemble. They were having a meeting of about 200 people. The meeting was dispersed under, again, the government of Thieu. They were dispersed.

This is a party within South Vietnam that is working to have peace in South Vietnam. But apparently the people in power think it is very threatening to the present Government. Lieng, the head of another party, supports the force, as is claimed by Duc. Here is the feeble ground upon which Mr. Duc was arrested and charged with murder.

He is a party man. Here are the events, as he related them. He was given a tipoff as to what would happen to him by a friend, a Government appointee at his home province.

The first indication of his trouble, he said, came on May 28 when the Government-appointed chief of Duc's home province, Vinh Binh, told him cryptically, "I like you, but as a province chief, I must observe orders from my superiors. If you are put in jail one day, I will see you."

Here are the events that led to Duc's being put in jail. I read from the article:

Two days later, Duc continued, he was invited for a drink with Pham Huu Gia, the pro-government chairman of the local provincial counsellors and Duc's probable opponent for the Lower House seat from Vinh Binh in elections this August.

Duc said Gia provoked him repeatedly by asking him whether he was determined to win the coming election and finally, according to Duc, spit beer in his face. "I resisted with my right hand to his mouth," said Duc, "causing his lip to bleed."

I continue to read:

On the evening of May 31, Duc was arrested and charged with attempted murder on a complaint filed by Gia. Duc charged that the whole proceeding was managed by the office of the provincial chief, acting under orders from the prosecutor general in Saigon.

He was held in prison until the debate had finished and the votes had been secured for passage of a change in the presidential qualifications. This provided that to be a candidate one would have to have the approval of 40 members of the Assembly or 100 councillors throughout the country.

Under the present situation, most authorities recognize that there is only one person who could meet this qualification, and that is Big Minh. It is felt that he could win against Thieu.

It is very interesting to see how they wiped out opposition by the passage of this legislation.

The conclusion is very simple. The question is asked, "Why would they now let him out of jail when they have let other people languish in jail?" The reason is very simple. Apparently the votes in the Assembly were secured to vote for this presidential qualification law by trading off for votes to implement a facet of the South Vietnamese Constitution. They said in effect, "If you put this law into being, we can release your deputies from jail."

The administration traded its votes to secure votes for the passage of this law, plus the fact that this incident, which was accomplished officially by the Government of South Vietnam, serves as a reminder to any other deputy that might want to use as a forum the Vietnamese Parliament or Assembly to talk against the Government. Mr. President, I would suggest that what Mr. Duc has done is nothing more than what I would have done.

If the United States of America can countenance this type of representative government, a government that is supposed to be a representative government, it is very difficult for me to understand. It is very difficult also for me to understand that we should continue the sham that is presently taking place.

We must realize that these elections will not be democratic or representative elections, and we associate this with the simple fact that we have Americans today who are dying in South Vietnam to sustain this government in office. I find that horrendously difficult to understand. Why we cannot take collective action as a body to do something to bring this to an end, I find most disturbing.

And I find a threat to our system of representative government. As I have said before, I will state again and again and again that until they recognize that we have made a mistake and understand that we have made a mistake, we suffer a wound, a psychological wound to the American psyche that may be irreparable.

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

The ACTING PRESIDENT pro tempore. The Senator from Alaska has 3 minutes remaining.

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

PERIOD FOR THE 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 to extend to not later than 9:30 with statements therein limited to 3 minutes.

VOTERS APPROVE CHARTER CHANGE

Mr. PACKWOOD. Mr. President, recently the city of Corvallis, Oreg., like many cities of this country, had on their municipal ballot a measure concerning the war in Vietnam.

I would like to read the three ballot issues they had and the results.

The first ballot was an advisory measure calling for complete withdrawal of American forces from Southeast Asia by December 31, 1971.

That measure passed by 1,317 to 1,265. I think that would auger well for the supporters of the McGovern-Hatfield amendment.

The second measure that the people voted on was as follows:

We the citizens of Corvallis, Oreg., support the President of the United States in a tactical withdrawal of the United States troops from Southeast Asia.

That measure passed by 1,436 to 979, which would seem to give an indication of reasonable support for the President's basis of withdrawal.

The third measure was an advisory measure calling for no withdrawal from Vietnam without the release of prisoners of war. It read:

We support the return of all prisoners as one condition for peace in Vietnam and urge the President neither to surrender the Vietnam people to Communist rule nor to force communists into any so-called coalition government of South Vietnam.

That measure passed by a vote of 1,178 to 1,062.

I am not sure from the three of these exactly what to conclude about the feelings of the citizens of Corvallis. However, I ask unanimous consent to have the article to which I have referred printed in the RECORD.

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

VOTERS APPROVE CHARTER CHANGE

Revision of the Corvallis city charter to divide the city into nine wards instead of three and make city council terms for two years instead of six was approved by voters Thursday by a margin of 197.

Unofficial tallies showed the measure, sponsored by the Citizens for Corvallis, was approved by 1,519 to 1,322.

A turnout of about 23 per cent of the 13,000 eligible voters at all three city polling places kept city election officials busy until early morning hours counting votes. The polls closed at 8 p.m.

As approved, Thursday, terms of councilmen have been reduced from six to two years, with the number of wards increased from three to nine.

The charter amendments would go into effect at the 1972 city and general election at which time all nine council positions would be up for election.

But Corvallis Mayor Cecil Barker indicated today he planned to proceed with plans for an election on his charter revision committee's recommendations.

This election would likely be held in November.

The mayor's committee is currently in the process of reviewing the charter and has yet to make its final recommendations to the city council.

Tentatively, however, the committee had opposed the nine-ward, two-year system in favor of an at-large system of elections for four-year terms.

The amendment approved Thursday was placed on the ballot following the presentation of the 1,326 signatures to call a special election.

The amendment was prepared and sponsored by Citizens for Corvallis, a private organization working for citizens involvement in city government.

The unofficial tally was:

Initiative measure amending city charter to reduce term of councilmen from six to two years while increasing number of wards from three to nine:

	Yes	No
Ward I (City Hall)	457	374
Ward II (Garfield)	451	406
Ward III (Harding)	611	542
Total	1,519	1,322

Advisory measure calling for complete withdrawal of American forces from Southeast Asia by Dec. 31, 1971:

	Yes	No
Ward I	404	344
Ward II	392	391
Ward III	521	530
Total	1,317	1,265

Advisory measure supporting policies of President Nixon in Southeast Asia:

	Yes	No
Ward I	387	311
Ward II	400	300
Ward III	649	368
Total	1,436	979

Advisory measure calling for no withdrawal from Vietnam without release of prisoners of war:

	Yes	No
Ward I	328	373
Ward II	364	339
Ward III	486	450
Total	1,178	1,062

SITUATION IN LAOS

Mr. SYMINGTON. Mr. President, yesterday the doors of the Senate were closed at 11 minutes after 1 in order to discuss this tragic and secret war now going on in Laos. They were opened again at 20 minutes before 5.

Upon returning home last evening, I read two sories in the Washington Evening Star. The first, by James Doye, was entitled "Senate Discusses Laos in Secret."

The second, with a Vientiane dateline Arbuckle, is entitled, "The United States Seeks To Hide Scope of Its Role in Laos."

These two articles illustrate well the somewhat incredible position in which the people of this country and their elected representatives now find themselves with respect to the continuing tragic and clandestine war which the executive branch of the United States is both supervising and conducting in this little country of Southeast Asia.

Information which is given to the people and the Congress, in Washington, by this administration about these secret hostilities has been and is plenty weaker; but thanks to the able and courageous efforts of news media people such as the resourceful Tammy Arbuckle, at least part of the truth is now being made public. This is a wise development from the standpoint of what our democracy is all about—the people's right to know.

Mr. President, I would hope that these closed hearings held yesterday will be declassified and published at earliest opportunity; also that a maximum amount of the information presented will be declassified, so our citizens will know more of the truth about this war.

Some apparently believe part of the report in question tends to bear out denials of criticism that has been made in the past. Other aspects of said report, however emphasize both the logic and the wisdom of criticisms that have long been made in the past by those who have taken the trouble to go out and observe on the ground. If an attempt is made to declassify the report on a slanted basis, we will have the obligation to consider what additional information should be released, inasmuch as the staff of the subcommittee I have the honor to chair are the ones who classified this report in the beginning.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled, "Senate Discusses Laos in Secret," published in the Washington Evening Star of Monday, June 7, 1971, and the article by Tammy Arbuckle, entitled, "U.S. Seeks To Hide Scope of Its Role in Laos," which also was published in the Washington Star of June 7, 1971.

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

[From the Evening Star, Washington, D.C., June 7, 1971]

SENATE DISCUSSES LAOS IN SECRET

(By James Doyle)

The Senate holds a secret session today to discuss U.S. participation in the war in Laos, itself an open secret in Washington and Vientiane for the past several years.

Today's session is another attempt by some senior senators to focus on executive actions taken without specific congressional approval or knowledge, in a continuing debate over the war powers of both the President and the Congress.

Sen. Stuart Symington, D-Mo., requested the session, first of its kind this year.

"This session is being requested in light of the increasingly grave situation in that country, along with the implications of that situation for the United States," Symington said in remarks prepared for today.

"These implications may not be too clear to some members of the Senate, as our activities in Laos have been carried out largely in secret, without congressional sanction and outside the normal appropriations process."

At the session, lengthy debate was expected on the question of whether President Nixon has violated the spirit and perhaps the letter of an amendment to the Defense Appropriations Act passed last January. It 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 governments of Cambodia or Laos."

The Moose-Lowenstein report is known to confirm published reports that between 4,000 and 6,000 Thai troops are operating in Laos under the financial auspices of the U.S. Central Intelligence Agency.

Other estimates, which may be discussed, indicate that the CIA has been financing 32,000 Meo and other tribesmen in northern

Laos. The Meo have been the main U.S.-sponsored fighting force to face the North Vietnamese in the Plain of Jars, and their numbers reportedly are decimated now.

[From the Evening Star, June 7, 1971]

U.S. SEEKS TO HIDE SCOPE OF ITS ROLE IN LAOS

(By Tammy Arbuckle)

VIENTIANE.—American officials admit the U.S. mission in Laos is deliberately hiding the extent of American military involvement here.

"Americans may think they know what we are doing here," one official said in referring to frequent press reports on U.S. activities in Laos, "but we do not want Americans to look into their television sets and be able to see Americans going into action in Laos."

The official made his remark in a complaint about an American Broadcasting Corp. team led by Ted Koppel which tried to film Americans getting into a helicopter in the south Laos combat area two weeks ago.

"What we are doing here in Laos is totally inconsistent with our kind of society," a top U.S. diplomat here told a correspondent recently. "We are fighting a war by covert means and an open society can't tolerate that."

The diplomat explained that the U.S. was breaking the Geneva peace accords in Laos and "we don't want to advertise it."

The same official feels the embassy's policy of secrecy has been successful in not advertising U.S. infringements of the accords.

"You could write a lot worse about what we are doing here," he said declining to go into further details.

Unfortunately, any diplomat in Vientiane will call this Geneva accords excuse hogwash.

The U.S. since President Nixon's remarks last year, has admitted in general terms the gamut of its operations here.

The Russians, who are cochairmen with the British of the Geneva accords, have not raised any question about U.S. violations of them. Soviets in Vientiane admit the presence of North Vietnamese in Laos in violation of the accords and seem to think it natural Americans should try to counter this.

Now U.S. officials prefer to offer national security as the reason for their refusal to frankly discuss the U.S. role in Laos, but a close look at just what is being hidden and how it is being hidden refutes this claim.

An example of this is U.S. air activities over northern Laos and parts of Laos other than the Ho Chi Minh Trail area.

These activities—anything from 60 to 300 sorties a day—are described in Saigon communiques, telling of attacks on the Trail as "in addition U.S. Air Force aircraft flew combat support missions in Laos for royal Laotian forces."

There is no further information, such as the numbers of sorties, the nature of the targets, the results, etc.

In Vientiane, the air attache's office in charge of preparing these strikes refuses even to speak to correspondents.

A favorite tactic in Saigon is to refer a correspondent to Vientiane for information. In Vientiane, Americans suggest a correspondent should go to Saigon for information.

To claim that such information is withheld for national or military security reasons is somewhat ridiculous.

Obviously, the North Vietnamese or Pathet Lao know the strike was made. It's difficult to see how the number of sorties and their cost could help the enemy.

Information on targets and strikes is given in South Vietnam after operations. Why not on Laos?

The only answer to this seems to be that President Nixon, despite his promise in March 1970 to "continue to give the American people the fullest possible information" on the U.S. role in Laos, does not wish the public to realize just how large U.S. air support of the Laos government is daily and that air strikes are not limited to the Ho Ch Minh Trail.

Then there is the matter of the U.S. ground involvement in Laos.

There can be no doubt this includes a combat ground involvement by personnel hired by the Central Intelligence Agency.

Laotians and Meos talk constantly of American "commando leaders" based at Pakkao, a few miles southeast of the U.S. base at Long Cheng in northeast Laos.

Besides these "commando leaders," there are CIA case officers hired by the agency from the U.S. military who run Laos and other ethnic guerrilla units as well as Thai units.

This operation has put the U.S. in the position of being responsible for the defense of Laos through what is supposed to be a U.S. intelligence gathering agency.

These guerrilla units are stationed in front of royal Lao regular troops and the brunt of combat with North Vietnamese regulars.

The Lao military, whose understanding of guerrilla warfare is limited, berate the CIA when these units retreat from positions under shellfire, or let North Vietnamese through to attack regular Lao units.

The high ethnic casualties are being replaced by Thai regular troops who are fighting in the Laotian mountains.

The U.S. Embassy does its utmost to prevent correspondents getting to areas of Laos where American-led guerrilla units operate.

Correspondents are refused permission to fly on U.S. aircraft to these areas, which is the only means of getting there unless one wants to risk a 5- or 10-day walk through territory mined and patrolled by Communist guerrillas.

While reporters are not allowed on the planes, Laotian civilians with official status are.

"National security" is invoked against correspondents wanting to go to Long Cheng even though there are at least 20,000 Asian civilians living there. And anyone from Vientiane who has a relative or friend at Long Cheng can visit.

U.S. officials also refuse to discuss American casualties in Laos (currently 700 dead and missing) or how much is spent for the defense of Laos (about $2 billion annually).

Mr. SYMINGTON. Mr. President, I believe that these two articles offer the best illustration I have seen in some time about the problem that was discussed for several hours in the Senate yesterday afternoon.

Mr. President, I yield the floor.

THE MILITARY SELECTIVE SERVICE ACT

AMENDMENT NO. 152—IDENTIFICATION AND TREATMENT OF DRUG DEPENDENT PERSONS IN THE ARMED SERVICES

Mr. HUGHES. Mr. President, a recent estimate from the provost marshal's office in Saigon—the first official admission on the subject with any semblance of realism—indicates that between 10 and 15 percent of the American troops in Vietnam are on hard drugs. We are talking about 30,000 to 40,000 addicts in uniform.

In the past year, the Senate Subcommittee on Alcoholism and Narcotics has been investigating the drug problem in our armed services as an extension of our continuing investigation of the drug epidemic in our civilian society. This investigation was initiated with the consent and cooperation of Senator JOHN STENNIS, chairman, and Senator MARGARET CHASE SMITH, ranking minority member, of the Armed Services Committee. The subcommittee staff has conducted extensive on-the-spot inquiries into drug usage in our military bases in Vietnam, Thailand, Korea, Europe, and elsewhere overseas, as well as at our bases in this country.

Based upon the information gathered by the subcommittee staff, and upon my own conversations with those returning from Southeast Asia and other areas as well, I would say that the estimate of 30,000 to 40,000 hard drug users is clearly on the conservative side. To make matters worse, there appears to be general agreement by those who have been most familiar with drug usage patterns that hard drug usage is still dramatically rising. In addition, a whole range of drugs besides the so-called hard drugs is also involved.

Our staff investigators in Southeast Asia found that narcotics and other drugs are as readily available as chewing gum and cigarettes in this country—and they are cheap. Heroin is strong—95 to 97 percent pure, as compared to around 5 percent in most of the illegal, domestic U.S. heroin.

Fewer than a fourth of the 260,000 troops we have in Vietnam are in combat units. For the remaining 200,000, time is heavy on their hands. They are lonely, homesick, bored. With drugs plentiful and cheap, the average GI can ease into full-fledged addiction without realizing it.

So the problem is upon us, and the Armed Forces, like the rest of society, must face it realistically. Here we are talking about a matter that has a profound bearing on our national security as well as on the health of the personnel involved and the well-being of the civilian society to which these men will eventually return.

In the military, as at home, there are some who feel that drug addiction is a crime for which the sole answer is strict enforcement and harsh punishment. In this view, addicts, a disgrace to their uniforms, must be drummed out of the armed services with a less than honorable discharge.

Obviously, this is no solution. On the contrary, it fatally compounds the problem, for these men, trained in violence to defend their country, are being returned home afflicted with a deadly, crime-inducing disease they can not control. In America, where the cost of illegal heroin and other narcotics is high, the only way that most addicts can support their habit is by crime. In other words, as we release increasing thousands of addicted servicemen back into our society, we are inviting a horrifying addition to what is already the major source of crime in our cities.

This is not to say that enforcement is not important. It is. But we will never control the drug epidemic until we get at the source of the problem—the addiction itself. This means diversified programs of treatment, rehabilitation, and preventive education. Not every addict responds to the same treatment. There, of course, we are talking about a massive effort, with significant funding. But it is an investment that will pay back many times over.

Prevention and treatment efforts by the military have so far been token, even when compared with the efforts of our civilian society, which is saying something. It is long past time that we committed ourselves to changing that fact.

Last April, speaking here in the Senate, I made a series of recommendations about what I felt our studies had shown needed to be done if the armed services were to realistically deal with the drug problem. I sent a copy of the recommendations, along with copies of the Staff Report on Drug Abuse in the Military which the subcommittee staff had prepared, to Secretary Laird for his comments and recommendations. I have since received a response from the Department of Defense, and I ask unanimous consent that a copy of my recommendations, and excerpts from the staff report, and a copy of the Department of Defense response be printed in the RECORD at the conclusion of my remarks.

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

(See exhibits 1 and 2.)

Mr. HUGHES. Mr. President, I do not wish to dwell on the point at this particular time, but suffice it to say that I felt that the Department of Defense reply was disappointing and highly unresponsive.

Our subcommittee has spent some time now carefully looking into this problem in a systematic way, avoiding sensationalism.

I feel it is important for us to keep moving in this area, on the basis of the studied information we have obtained to date. The genuine answers to the drug problem in the military will not come overnight—they will come painstakingly, over a period of time.

So I intend to offer an amendment, for myself and Senator JAVITS, to H.R. 6531, the military draft bill. The amendment would deal with the most important aspect of the drug problem in the armed services—the need for the military to accept the responsibility of offering appropriate prevention and treatment services to those persons whom it accepts into the service and who are subsequently found to be dependent upon drugs. The amendment provides, essentially, that the armed services have the obligation to attempt to locate such individuals, the obligation to encourage them to seek out treatment and rehabilitation services without fear of criminal or administrative punishment for the addiction itself, and the obligation to furnish treatment and rehabilitation services to them while they are still in the service. These services may be provided through Armed Forces based treatment programs or through any suitable treatment program, including but not limited to programs administered by the Department of Health, Education, and Welfare and the Veterans' Administration, under such agreements as shall be acceptable to the Secretary of Defense and consistent with this amendment. A member may not be released from active duty until a competent medical authority shall have certified that the individual is rehabilitated, has failed to respond to adequate treatment and rehabilitation services, or has refused to accept such services. A "drug dependent person" is defined as one who is dependent upon any drug controlled by the Controlled Substances Act—heroin and other hard narcotics; stimulants; depressants, tranquilizers; marihuana, LSD and other hallucinogens, and so on—or who is dependent upon alcohol, which leading medical authorities recognize as a drug.

I ask unanimous consent that a copy of the amendment as well as a more detailed explanation of it be printed in the RECORD at the conclusion of my remarks.

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

(See exhibits 3 and 4.)

Mr. HUGHES. Mr. President, certainly no one can read the statistics, study the materials, or hear testimony and visit with indivduals in this area of drug abuse in the services without feeling the urgency, the magnitude, the pervasiveness of the infiltration of our Armed Forces by the drug epidemic.

The amendment which we intend to offer, if effectively implemented, put into the most productive policy possible in terms of dealing with this deadly, growing problem in the armed services.

EXHIBIT 1

IDENTIFICATION OF DRUG ABUSERS AND DRUG DEPENDENT PERSONS

The Armed Forces should give special priority to developing reliable methods of identifying drug abusers and potential drug abusers at the Armed Forces Examining and Entrance Stations and elsewhere in the military system.

The General Accounting Office (GAO) should be asked to undertake a study to determine whether entrance examinations can and should be made more effective in screening out drug abusers and those who are prone to drug abuse. Such a study should include an analysis of the techniques which can be used to screen such individuals, a cost-benefit analysis of such techniques, and recommendations of those techniques which can and should be used by the Armed Forces.

Individuals who are rejected for service in the Armed Forces because of drug abuse or drug dependence should, with their consent, be referred to appropriate civilian prevention and treatment facilities. This would apply to candidates for induction as well as to in-service personnel.

The Armed Forces should establish a system for evaluating the performance of each AFEES station in screening out drug abusers. Such a system should seek to identify those AFEES stations where significant numbers of individuals have been admitted to service with undetected drug abuse and drug dependence problems which subsequently interfere with their military performance.

PREVENTION

The Armed Forces, in consultation with the Office of Education, the National Institute of Mental Health, the Bureau of Narcotics and Dangerous Drugs, and outside experts, should carry out a massive upgrading of its present efforts toward preventing and educating against drug abuse and drug dependence. These efforts should present factual information in an unbiased way, encourage individual discussion and participation, include discussions of alcohol abuse and alcholism, and include discussions of non-chemical alternatives to drug use and abuse. It is extremely important that these efforts be tailored to and reach each level of the military structure.

Special traveling drug abuse teams with expertise in effective educational techniques and a knowledge of legal, medical and social ramifications of drug use and abuse are being used effectively in some segments of the Armed Forces. Additional support should be given to these teams, and this program should be expanded.

The Armed Forces should give greater attention to providing more recreation, entertainment, physical activity and meaningful work in order to abate those conditions, particularly boredom and "make work" jobs, which appear to be conducive to drug abuse.

An intensive evaluation of all prevention efforts in this area should be carried out to insure their effectiveness.

TRAINING

Specialized information and training in the recognition of drug abuse and drug dependence should be provided to personnel involved in screening candidates of induction into the Armed Forces.

Additional emphasis should be given to providing specialized information and training to personnel involved in dealing with drug abuse problems, including unit commanders, noncommissioned officers, chaplains, medical and social work personnel, law enforcement personnel and the like.

An intensive evaluation of all training efforts in this area should be carried out in order to insure their effectiveness.

TREATMENT AND REHABILITATION

A. The Defense Department should establish a comprehensive, integrated, and mandatory policy under which service members who are drug dependent or are medically ill drug abusers are provided with the same opportunities for treatment and rehabilitation as would be afforded to any military personnel who are ill. Such a policy should include the following principles:

1. A member who is a medically ill drug abuser or a drug dependent person should not be summarily discharged from the service, unless he has refused to accept appropriate treatment as shall be offered by the service.

2. A member who is identified as a drug dependent person or a medically ill drug abuser as a result of his arrest for a drug-related offense, should be dealt with through normal military judicial or disciplinary processes. In determining how to handle an individual case, primary emphasis should be given to how best to treat and rehabilitate the individual. It may be useful, for example, to consider postponement of the trial or disciplinary proceeding, suspension of sentence, and other devices commonly used in civilian courts in order to effect rehabilitation.

3. A member with drug abuse or drug dependence problems should be encouraged to seek medical assistance and, when he does so, should not be subject to disciplinary or other punitive action based on information he has given in seeking or receiving such assistance. Absolute confidentiality should be preserved unless competent medical authority determines that the patient is a danger to himself or others; however, no information divulged by the patient in confidence should be admitted into evidence in disciplinary proceedings against him without his consent.

4. A member who seeks such assistance should be offered every opportunity to be restored to useful military service within the Armed Forces. This contemplates that such person may be offered temporary sick leave or given tasks they are capable of performing while undergoing treatment and rehabilitation.

5. When security clearance, flying status or other classification affecting job position or pay is withdrawn from a member who sought assistance as a drug dependent person or a medically ill drug abuser, it should be reinstated within six months after his treatment has been completed unless he fails during this period to perform at the level at which he was performing prior to treatment.

6. A member who has sought or accepted treatment and rehabilitation should be separated only when such treatment and re-

habilitation has repeatedly failed and competent medical authority has determined that he cannot be restored to useful military service.

B. The present amnesty program should be totally re-evaluated in the light of the above principles and objectives.

C. A study should be carried out to determine whether treatment and rehabilitation efforts should be carried out in Armed Forces-wide central treatment facilities or, rather, in local settings.

SEPARATION

A member who is a medically ill drug abuser or a drug dependent person should be granted a non-punitive discharge and should be afforded the same opportunities for treatment and rehabilitation afforded all persons discharged as physically or mentally disabled. His drug-related actions should not be regarded as the result of intentional misconduct or willful neglect. Such a person should retain the same rights and benefits as any other person afflicted with serious illnesses, and should not lose pension, retirement, medical or other rights because he is a medically ill drug abuser or a drug dependent person.

The Veterans Administration should give priority to increasing its capability to care for drug dependent persons or medically ill drug abusers. In doing so, it should consider entering into contractual arrangements with such facilities as have demonstrated their effectiveness in the treatment and rehabilitation area.

MISCELLANEOUS

In general, the Armed Forces should recognize their unique position to assert national leadership in identifying drug abusers and drug dependent persons; in developing and evaluating effective treatment and rehabilitation, research, prevention and education programs; and making a distinct contribution toward the abatement of this national problem.

The Armed Forces should consider ways by which they can have an affirmative impact on the abatement of the drug epidemic in civilian society. The most obvious contributions would include sharing information and data relevant to the drug problem, and the donation or sale at present value of surplus equipment, facilities and the like that might be useful in combatting the drug problem.

The Armed Forces should establish a special program to provide prevention, treatment and rehabilitation services to dependents of military personnel.

Special consideration should be given to insuring that continuity is preserved in all prevention and treatment and rehabilitation programs. This should apply to personnel operating these programs. It should also apply to those receiving the benefits of treatment and rehabilitation programs.

The Congress should authorize and appropriate sufficient funds to carry out the above recommendations.

A special impacted aid program should be created to assist communities whose drug problem has been aggravated by the prevalence of drug abuse among military personnel stationed nearby.

The Armed Forces should provide written reports, at six-month intervals, on their progress toward achieving the objectives outline above.

[EXHIBIT 2]

STAFF REPORT ON DRUG ABUSE IN THE MILITARY

To: Members of Alcoholism and Narcotics Subcommittee.
From: The Subcommittee Staff.

I. INTRODUCTION

In the spring of 1970, the Subcommittee staff began an investigation of drug abuse in the military. This was undertaken by authority of an April 16, 1970, letter from Senator John C. Stennis, Chairman of the Armed Services Committee, to Senator Hughes, Chairman of the Subcommittee, as well as under the Subcommittee's own authority to act in the drug abuse area. The objectives of the investigation were to explore; the extent and nature of drug and alcohol abuse in the military; the impact which this abuse is having upon individuals, the armed services, and American society as a whole; the measures, particularly in the areas of education, treatment, and rehabilitation, which the military is taking to meet the problem; and the areas in which further investigation or action might be taken.

In carrying out the investigation the members of the staff attempted to cover the problem from two approaches. First, we attempted to look at the problem from a geographical point of view. We looked at stateside bases (primarily in the Eastern United States), Southeast Asia and the Far East (Hong Kong, Thailand, South Vietnam, Japan, and Korea), and Europe (German and England) We visited Southeast Asia and the Far East in September, 1970, and Europe in January, 1971. In order to cover the broadest possible ground in the short time we have available, we split into teams in both Southeast Asia and Europe.

Second, the staff also attempted to visit examples of installations covering the entire range of the military system: induction, basic training, advanced training, support troops, and combat troops (in the field and returnees). We concentrated primarily on the Army for two reasons: it has the largest number of personnel and it has nearly all of the draftees. However, in Southeast Asia and Europe, we also looked at the other branches in the same environment to determine what contrast, if any, we would find.

Members of the staff were: Southeast Asia: Robert O. Harris, Staff Director; Wade Clarke, Majority Counsel; Julian Granger, staff investigator; Richard J. Wise, Minority Counsel, and Jay B. Cutler, Minority Counsel. In Europe the above were joined by Nik Edes of Senator Williams' staff.

Our primary method of investigation was discussion with and collection of data from the members of command at each facility visited. At virtually every installation, we discussed the problems with groups composed of command personnel, the provost marshal, the medical officer, the judge advocate, the chaplain, and, on occasion, the information officer. In most installations, command relied most heavily on the data supplied by the provost marshal and the medical officer to answer our questions. This data does not give an accurate picture of either the extent of use or the nature of use, but it is the best available in most command situations. In addition to command discussions, we attempted, where possible, and within the limited time available, to interview individual enlisted men and junior officers. We also collected data in written and oral from other agencies and individuals associated with the military.

On all of our visits we made it clear to those contacted that we were interested in low key, informal discussion and that our primary interest was in the health and prevention aspects of the problem. The staff believes that this allayed some of the fears that we were attempting to gather data for an expose or criticism of the military and increase the cooperation we received, particularly from the Army. In general we were satisfied with the truthfulness of those we contacted. The Army was more realistic in assessing their problem. They seemed more willing to recognize drug abuse as a problem and to take action both to prevent it and to alleviate its effects. In this regard, we would rate the other services in the following order: the Air Force, the Navy, and the Marines.

What follows is a synthesis by the staff of its findings and recommendations based upon its investigation.

II. THE NATURE AND EXTENT OF DRUG USE

The staff has attempted to ascertain who the military drug users are; how many of them there are, where they use their drugs, what drugs they use, when they tend to use drugs, and why they use drugs. While we make some conclusions about these factors, they are by no means applicable to all military drug users. The nature of drug use, the circumstances of use and the reasons for use vary widely. However, the generalizations which we do draw indicate the direction in which drug abuse appears to be going and suggest the areas in which further action might be taken in order to meet the drug abuse crisis.

A. The users: Who and how many

There is a paucity of hard data on which to base an authoritative finding of the extent of drug use in the military. The few studies which exist have been made exclusively among Army populations and are severely limited both in numbers and in scope. This void was recognized when Department of Defense witnesses disclosed plans for a worldwide epidemiological survey of drug use among all members of the armed forces, to be undertaken this year.

Nevertheless, certain insights may be gained from the available studies. It should be noted that these studies generally reveal drug use of a greater amount than do the medical and law enforcement figures given the staff. However, they seem to be lower than the subjective assessments of command particularly at junior levels. Among those studies most heavily relied upon in this report (all cited in the hearings record) are the following: (1) Patterns of Drug Use: A Study of 5,482 Subjects, by Black, Owens and Wolff, Fort Sill, Oklahoma, 1970; (2) Drug Use in Vietnam—A Survey Among Army Personnel in the Two Northern Corps, Stanton, 1969; (3) Marihuana in Vietnam: A Survey of Use Among Army Enlisted Men in the Two Southern Corps, Roffman and Sapol, 1967; (4) Marihuana in a Tactical Unit in Vietnam, Treanor and Skripol, 1970; (5) Marihuana Use in Vietnam: A Preliminary Study, 1968; and (6) A Study of Marihuana and Opiate Use in the 82nd Airborne Division, 1969. Of these, only the Stanton and Treanor-Skripol studies used samples which included both officers and enlisted men; the others concentrated on enlisted men in the lower ranks.

Patterns of drug use shown by the most recent studies seem to be consistent with the findings from what is considered to be the most scientifically valid study of them all, the one by Stanton. He grouped nonusers, (1–20 times used), heavy users (21–199 times used), and habituated users (200 or more times used). He also sampled both incoming and outgoing troops. Overall, he found that 53.2 percent of enlisted men had used marihuana at least once in their lives. He also found a trend toward more frequent usage in Vietnam than had been reported two years earlier. Of the 50.1 percent who reported using marihuana in Vietnam, 20.5 percent were casual users, 11.9 percent were heavy users, and 17.7 percent were habituated users; in other words, heavy and habituated users were more numerous than casual users.

Patterns of other drug use which Stanton found among soldiers leaving Vietnam included the following: (1) opium use was reported by 17.4 percent (9.8 percent casual users, 5.8 percent heavy users, 1.8 percent habituated users); (2) amphetamine use was reported by 16.2 percent (11 percent casual users, 4 percent heavy users, 1.2 percent habituated users); (3) barbiturate use was reported by 11.6 percent (7.8 percent casual users, 2.7 percent heavy users, 1.1 habituated

users); (4) heroin/morphine use was reported by 2.2 percent (1.4 percent casual users, .6 percent heavy users, .2 percent habituated users); (5) acid (LSD, STP) use was reported by 5.3 percent (3.2 percent casual users, 1.6 percent heavy users, .5 percent habituated users).

In general, it can be concluded from all these studies that drug use, at least among Army members, has been increasing with the passage of years since 1967, when the first study was conducted, and that a growing proportion of servicemen are entering the service with a history of drug use.

There is no pure stereotype of the drug user in the military, just as there is none in civilian society. While the great bulk of drug abusers are enlisted men of lower rank between the ages of 18 and 25, users may also be found in the non-commissioned and commissioned officer ranks; for example, a heroin-hooked sergeant at Fort Bragg was "the outstanding NCO in his company" or a colonel in Vietnam who became a "speed freak" from taking amphetamines to stay awake on long patrols and then used other drugs to get to sleep. While these extremes do exist, the age group of the typical user is much the same as it is in civilian society.

From the studies and from our on-site investigation we would ascribe the following characteristics to most drug abusers in the military: age 19–22, ranked E–4 or below, unmarried, less than high school graduate, either draftee or non-career oriented enlistee, equally from field or support units on first overseas tour.

Other factors seem to be present in those who become regular or habituated users. These persons are generally from broken homes, have a lower education (are high school drop-outs), have insufficient personalities to deal with their fears and stress (passive-aggressive personalities, immature, situational adjustment problems, low-self-esteem, lack of long-term ambitions, etc.) and are likely to become involved in other behavioral problems within the military society. In Vietnam, we were told that nearly all of the arrests for drug offenses were incidental to arrests for other violations, such as uniform violation, curfew violation, off-limits violations, etc. The cases which required medical treatment usually were those with these kinds of negative behavior patterns and with psychological problems which went beyond their drug use. At Fort Dix, New Jersey, many of those who were being held in the Special Processing Detachments were also drug abusers. The Special Processing Detachment is primarily a holding unit for individuals apprehended anywhere along the East Coast for being AWOL. They are sent to Fort Dix until their records can be located and their proper unit determined.

This individual who is going to become a habitual user of drugs and who is going to become a problem for the military—in either medical or disciplinary terms—is an individual who has personality problems sufficiently serious that he would likely become a problem in whatever societal structure he is in.

It should be emphasized that the drug user—particularly the heavy user—is likely to be a member of a peer group or subcultural group in which the taking of drugs plays an important role. For example, we were told that in Germany most arrests for drug abuse were made in groups. These arrests by the Criminal Investigation Division were usually the result of the infiltration of a group by an agent and when the arrests were made the entire group was taken.

The sub-culture is best illustrated by the experience at Ft. Bragg, North Carolina. There the drug users leave the post to congregate in pads rented by small groups for the purpose of off-duty relaxation through drugs. These pads are characterized by psychedelic decorations, acid rock music, and by the mod dress of the participants. We were also told in several places that the figures on the extent of use were distorted depending upon which group an individual trooper belonged to. If the person questioned was a non-user, he associated with other non-users and tended to view all use in terms of his group; his estimates were usually low. The user on the other hand associated with other users and tended to feel that everyone used drugs.

B. The drugs being used

The kinds of drugs being used in any particular area depend to a large degree upon the extent to which they are locally available. In Thailand and Vietnam, there are few effective controls on the availability of any drug. Because of a lack of doctors, apothecary shops dispense virtually every manufactured drug and many herbs and other types of remedies. These are dispensed without a prescription to any buyer. Also in Thailand and Vietnam, as in most Southeast Asia nations, opium, particularly among the Chinese populations, has been the drug of choice of the natives. This and its derivatives, morphine and heroin, were reportedly supplied primarily by an organized network of Chinese operating in nearly all nations.

In Vietnam and Thailand marihuana was freely available. In Thailand, the members of the staff had no difficulty in procuring "tailored" marihuana cigarettes with filter-tips. These cost $1.50 for 15. In the United States a similar amount would cost at least five times as much. They can be procured from or through bar girls, taxi drivers, and even young children on the street. In Nakhon Phanom, Thailand, we were shown apothecary shops which dispense the various amphetamines and barbiturates which some Air Force troops use. These were small shops with an open front and shelves loaded with bottles and jars. Drugs were dispensed either by name or by describing a set of symptoms which led the shopkeeper to dispense whatever he felt would solve the problem.

The Southeast Asia marihuana is fresh and potent. Delta 9 Tetrahydrocannabinol (THC) is the active ingredient in marihuana. The average sample available in Southeast Asia contains between 3.5 and 4.0 percent THC. This is much higher than the average ½ to ¾ of one percent THC which U.S.-grown marihuana contains. The preference for marihuana in Southeast Asia among U.S. troops is ascribed to ready availability, inexpensiveness, ease of cachement, non-addictiveness and the quality of the intoxication produced.

Stanton found a growing trend among U.S. troops in Vietnam toward the use of opium. This is available in liquid or powdered form. Among the departing enlisted men in his sample, only 6.3 percent reported having used opium before their arrival but 17.4 percent reported use upon leaving. However, the question has been raised as to whether these troops really know what they were using was opium. We also heard of opium being available in the form of "OJ's"—marihuana cigarettes dipped in liquid opium.

Stanton's 17.4 percentage figure for opium use in Vietnam places that drug ahead of amphetamines, or "speed," in popularity among the troops. The incidence of amphetamine use among outgoing enlisted men was 16.2 percent, up from 12.4 percent usage before their arrival in Vietnam. Barbiturates were favored by 11.6 percent. Other drugs used were heroin, morphine and "acid" (LSD, STP), with the use of "acid" actually showing a drop in the before and after figures.

We were regularly informed that there was an increase in the availability, experimentation with, and use of heroin. There seemed to be an increase in the hospitalizations for heroin withdrawal. Heroin is available in two forms: "Red Rock" heroin from Thailand (reportedly brought to Vietnam by Thai troops) and refined heroin. Red Rock is generally 3–4 percent heroin, 3–4 percent strychnine, and 32 percent caffeine. The refined heroin is in 100- to 300-milligram capsules containing 97 percent heroin as compared to the 5 or 6 percent heroin usually available in the U.S.

The two most commonly used amphetamines come in liquid form. They are Maxitone Forte and Obesitol, both of French manufacture. Maxitone Forte is taken orally mixed with Coke or used intravenously. Obesitol is taken orally. The barbiturates most commonly used in Southeast Asia are Binoctal and Aminoctal, also of French manufacture.

In Germany, there is a plentiful supply of hashish, amphetamines, and barbiturates, and U.S. troops and their dependents have easy and inexpensive access to them. Hashish is by far the drug of choice and is in widespread use. It is reputedly brought in by "guest worker" nationals from growing countries such as Turkey, Pakistan, and Lebanon and by a number of criminal syndicates. We were told it is distributed by German nationals, by American military personnel and former servicemen who were discharged in Europe. "Uppers" and "downers"—amphetamine preparations, Librium, Valium and Darvon—may be purchased inexpensively over the counter, without prescription, in any German drug store.

LSD is also used in significant amounts by troops in Germany. This is either brought in from the U.S. or made in illicit laboratories in Germany. We had very little indication of heroin or cocaine use. Both the law enforcement personnel and the medical personnel had had very little contact with these drugs.

Regardless of location, marihuana and hashish usually is smoked in pipes or cigarette form. In Vietnam, the marihuana cigarettes are sometimes filled with Red Rock heroin and smoked. The amphetamines and barbiturates are generally taken orally but occasionally they are injected intravenously. Heroin is generally smoked (sniffed) by beginners and injected by heavy users.

It is important to note that most of the regular or heavy users are multiple drug users. They will substitute one drug for another if availability is a problem or will use a variety of drugs to meet their emotional needs. The takers of amphetamines will use barbiturates to come down off their high.

Most of the users of hallucinogenic drugs such as LSD or STP also used marihuana.

C. When and where drugs are being used

It is difficult to disagree with the impression of an Army psychiatrist who says that "the use of drugs and alcohol can occur anywhere at any time." However, it is our general impression that it is more likely to occur on off-duty hours whether in the United States or abroad. It is also likely to occur away from the military post.

The most crucial question on time and place of use concerns the use of drugs in combat. In Vietnam, commanders universally told the staff that, because of the personal danger involved, there was far less smoking of marihuana in combat areas than in rear support areas. The same was stated by commanders to the Department of Defense Drug Abuse-Control Committee Task Force headed by Jerome A. Vacek of the Marine Corps during its visit there in the fall of 1970. We were told that there was considerable self-policing among the troops while in combat areas because they did not want to endanger themselves or be endangered by another who might be "high" at a critical moment. However, there is evidence to contradict this. While he did not approach the question head-on, Stanton found "a slight positive correlation . . . between marihuana use and combat exposure." While this shows that combat experienced troops probably were those who had the greatest marihuana experience, it does not necessarily indicate that they used it while actually in combat. Postel's study also indicates the same thing but adds that the usage came after combat

"to calm down." Treanor and Skripol likewise found apparently increased usage with field-type duty; far greater numbers reported usage at large and small "LZ forward areas" that numbers reporting usage at "rear support areas." Reinforcing this was their further finding that an overwhelming majority of regular users (once weekly to once daily or more frequently) thought that marihuana should be permitted on fire-bases either during off-duty hours or whenever the individual chooses. Other individuals indicated in person to the staff that they had used marihuana in combat situations.

As noted above, the use of drugs at Ft. Bragg takes place primarily in rented "pads" away from the base and on off-duty hours. In Vietnam and Thailand, it is likely that most use takes place away from established posts because of availability of drugs and the likelihood of nondetection off post.

In the career context, Treanor and Skripol found the highest incidence of marihuana usage during the first two or three years of a soldier's military service. They also reported that apparently there is a slight increase in usage as the first tour progresses, but not with those on extensions.

As for Vietnam, Stanton found that the probability was greatest that if a man was going to start using marihuana there, he would begin in the first three months, or certainly in the first six months. Conversely, amphetamines showed the opposite trend, with more enlisted men beginning use as their tour progressed.

D. Why drugs are being used

The reasons which have been presented to us as to why drugs are being used by young men in the military fall into two general categories. First, there are those which lie with the individual himself. Second, there are the external factors which arise in the individual's environment. The former are related to his ability to deal with his situation and the latter are those which place burdens upon him which he must deal with. If his ability to deal with environmental stresses is inadequate, or if the burdens of stress which the environment places upon him are unusual, the individual user will take one of the drugs available to help him cope with the situation.

As mentioned earlier, the habitual drug user is likely to be young, have a low education, come from a broken home, and have psychological and emotional problems which lead him to conflict in whatever society he happens to be in. These are individuals with a low self-esteem who are unable to meet most life situations. Other individual reasons presented to us are related to the attitudes held by many of the age-group from which the typical drug user comes. These include the following: (1) youth, being "now" oriented, are impatient and frustrated by the gradual process of social change; (2) middle-class youth reject the life goals of affluence and prestige held by their elders; (3) lower-class and minority youth are impatient and frustrated with the disparity between their goals and perceived opportunities to attain them "now," and they see the Establishment as trying to block them; (4) young people "get hung up somewhere along the developmental line" toward maturity, with a conflict developing between dependency and autonomy; (5) drugs are a means of acting-out behavior disapproved of by parents or the senior generation and thus help to concretely distinguish the "self" from Establishment norms. The latter point seems to be particularly valid in regards to the troops in Germany. There we found, to a greater degree than in Vietnam, an attitude of division between the enlisted or drafted lower rank soldiers and the "lifer" NCO's and officers. Perhaps these troops are using drugs as a means of setting themselves off from the older and higher-ranking personnel who use alcohol as their social drug.

Other factors lie with the environment in which the young soldier finds himself. Pressures are put upon him which are difficult to cope with. Prime among these is the lack of sense of value which many soldiers feel about their job. Treanor and Skripol found that job dissatisfaction seemed to correlate with marihuana use. This factor was also cited among many of the returned troops who have several months of stateside duty left before discharge. These men are given unfulfilling tasks to do while waiting out their time. This factor appeared to be particularly acute in Korea and Germany where there is little or no actual combat. Since the troop units there must be combat-ready, there is apparently much routine work aimed at preparing for inspections. A jeep driver in Germany, for example, told us that his only consistent job during the three months in advance of a unit-wide vehicle inspection was to "maintain" his own vehicle. A platoon leader said the only time the morale of his troops seemed to lift was when they were preparing to go on a tough training exercise, which was infrequently. There was widespread griping about the many "make work" jobs that troops were being given to do.

In Vietnam, stress from combat was cited as a factor. It was felt that some troops used drugs, particularly marihuana, to unwind or relax after combat. This is accentuated when the soldier moves from a stressful situation to a combat lull where only routine work is required of him.

Another important external factor is peer group pressure. There were indications that peer group pressure "to be one of the boys" was strong. The young man, placed in a new situation, seeking to establish his own identity, looks to join a group in which he will get approval and support. He may be trying to feel independent of his elders' authority and so when the group pressures him to conform by trying drugs, he finds it hard to resist. We heard reports of individuals being threatened if they did not conform to drug usage patterns but were unable to verify any of these.

We learned of several factors which tend to enhance the peer group situation. We were told that the non-commissioned officers generally did not live among their troops in barracks areas. The older "lifer" non-commissioned officer was regarded very negatively by the young soldiers. There was apparently little identification of the young soldier with the older, non-commissioned officers. Contributing to this problem is the fact that many of the young soldiers were coming from a sub-culture in civilian life which accepts the use of drugs. They not only would want to perpetuate their life style but would resent and resist those who might prevent them from living it.

Another factor is the lack of acceptable alternatives to drug use to meet either stress or boredom. The soldier in Vietnam has little or no way of dealing with his frustration in any constructive fashion. Most towns are off-limits and those that are not are limited in what they have to offer. The primary activity when they are permitted off the post is drinking in the local bars and meeting with local women, most of whom are prostitutes. In Germany, the opportunities for meeting local girls are somewhat improved for white soldiers, but an obvious problem exists for blacks who are also barred from certain German-operated "white only" discotheques. In Vietnam, recreational facilities are generally unavailable and are advocated as an alternative to drug abuse. However, it is questionable if these would be used, since in Germany we were told that there is a general lack of troop interest in recreational activities available—playing basketball, skiing, academic courses, even three-day expense-paid excursions.

In contrast to this picture is the experience of the Air Force in Vietnam and especially in Thailand. The extent of drug use was reported to be decidedly lower among the Air Force men at the four bases we visited in Thailand. The command personnel gave evidence that both arrest and medical statistics were much lower. The reasons which they gave for this lower use might be instructive: they stated that the typical airman tends to be older than the soldier; nearly all are high school graduates with a significant number having some college experience; they tend to identify with the military; they have good self-esteem; and they feel that they have something to lose if they use drugs. They also said that in Thailand, airmen were working a 12-hour-a-day, 7-days-a-week schedule and were doing tasks of a higher caliber. (In Thailand much of the more menial-type tasks are performed by local natives.) The Air Force personnel are said to have a high sense of job satisfaction whether they are flying or are engaged in maintenance work; the flight crews feel more worthwhile because they are engaged in a task they feel is significant.

Other factors cited by the Air Force include a higher ratio of officers and non-commissioned officers to enlisted personnel. This is said to give the airman a closer identification with the "Establishment." Also advanced as operative to keep Air Force usage down is the selectivity factor. It is felt by the Air Force that it gets a better grade person both in motivation and ability than does the Army. The Air Force has no draftees. The Air Force also contends that further selectivity operates within its ranks in determining the kind of man who is sent to Southeast Asia. Command in Thailand claimed that the cream of the Air Force crop was being selected to serve in Southeast Asia because of the importance of their mission there. The Command in Thailand also attributed their reputed lower incidence rate to the easy accessibility of alcohol and local women. It appeared that while the drug use rate might be low, the V.D. rate was high.

Another factor which may militate against drug abuse in some situations is the so-called "buddy" system. The Marines and Navy command personnel we spoke with in Vietnam and the Army in Thailand felt that the encouragement of close ties with another individual for the purpose of mutual support and concern helped stop drug abuse before it began. This is a positive variation of the peer-group pressure factor. In this instance a peer situation with anti-drug use values is encouraged. If one individual in the pair is suffering unusual stress or boredom, he has another individual with whom he can share his burden. This gives some relief so that crisis can be met without resort to drugs. We did not have an opportunity to look at this system directly and hence cannot give any independent evaluation. It does, however, appear to have at least theoretical value in terms of action to be taken to combat drug abuse.

III. THE IMPACT OF DRUG ABUSE

The staff has attempted to access the impact or effect which drug abuse is having upon the individual military man, upon the Armed Services, upon American society as a whole and upon the various relationships that exist between individuals and groups in the military. We looked for signs of breakdown which would point to remedial measures and looked for trends or directions which would suggest preventive actions which might be taken.

A. The impact on the individual

The medical effects of drug abuse upon the individual in the military do not seem to vary substantially from those reported in the civilian community. Marihuana produces a range of effects which include mild euphoria, mild time-space distortions, hallucinatory

episodes and delusion ideation. Those who are turning up at medical facilities with adverse reactions to marihuana are generally those who suffer anxiety reactions when they first use the drug. Their condition lasts for a very short period and is normally cleared up in 24–72 hours. The reaction seems to be dependent upon the state of mind of the user rather than upon the effect of the drug. It is likely to occur in an individual who has guilt feelings about the use of marihuana and is apprehensive about being arrested or caught. A very few instances of persistent conditions, psychotic states and violence were also reported. However, these seem to involve individuals with deeper, more long-standing psychological conditions of which drug abuse is merely one manifestation of the problem. Many of these situations involved persons who were using marihuana on a heavy basis every day over a considerable period of time. The number or the nature of these cases did not seem to be sufficient to justify a conclusion that marihuana causes lasting psychosis or violence in users.

An interesting phenomenon reported was the "marihuana flashback." A flashback is commonly associated only with LSD usage. Several doctors reported that they had had patients who claimed having flashbacks after use only of marihuana. These flashbacks were described as being reoccurrences of prior experiences while under the influence of the drug. They were described as occuring in moments of stress as if the mind was involuntarily reaching back for a pleasant experience while under intolerable pressure of the moment. However, the subject can apparently be brought out of the flashback by someone talking to him and telling him to return to the present moment. There were no reports of deaths or permanent physical damage from the use of marihuana among military personnel. The military medical personnel also regularly reported that marihuana is non-addictive in terms of physical dependence but that users could and did become dependent upon its use in the pschological or behavioral sense. Medical officers also felt that marihuana does not in itself lead to the use of harder drugs. This is supported by the Black, Owens, and Wolff study which reported: "It should be noted that, although initial experiences with marihuana tend to lead to continued use, marihuana usage does not lead most individuals into experimentation with heroin. The belief that marihuana use is dangerous because it predisposes toward heroin is fallacious, although it is true that nearly all the heroin users in the present study had also used marihuana." Other studies also support this conclusion and indicate that while there is no causal relationship between marihuana use and opiate use, most habitual opiate users have been heavy marihuana users first.

Another important factor which was reported to us is that the effects of hashish use in Germany do not seem to be any more severe or extreme than the effects of marihuana smoked in either the United States or in Vietnam. The medical staff of the hospitals we visited in Germany reported that the cases involving marihuana which required medical or psychological treatment were no more severe than they had seen in other locales including some in the continental U.S. This was true even though the general impression is that the THC content of hashish is higher than marihuana alone.

The reason for this may be in the psychological state of mind of the users and in the setting in which marihuana is used. Also important is the ability of the experienced smoker of either marihuana or hashish to control his level of intoxication. To explain further, the effects of cannabis use seem to depend to a great degree upon the subjective state of the user. If he goes into the experience expecting and desiring a pleasant, mildly euphoric experience with no negative effects and he is doing this in a social setting with fellow users who are compatible and who desire the same kind of experience, his expectations will likely be realized. In addition, because the active ingredient is taken in through the lungs the quickest way to get it into the bloodstream, the user is able to control or "fine tune" his level of intoxication. When he feels himself getting too high he can relax for a while and not smoke any more until he starts to come down. This control by the smoker enables him to keep the intoxication within a manageable range and avoid adverse reactions. Neither the military nor the Bureau of Narcotics was able to supply us with an analysis of the hashish being used in Germany. It is possible that the product bought by the consumer is so cut with adulterants that the THC content is lower than in straight marihuana.

One of the drugs with the greatest impact upon individuals, in medical terms is heroin. It is physically addicting when taken regularly and in sufficient doses. However, we received mixed reports as to the severity of the addiction. Many doctors reported that they saw very few cases of classic withdrawal symptoms in patients who claim the use of heroin. The sniffers of Red Rock heroin were reported not to have become severely addicted. This was also true of some of the injectors of refined heroin. However, the heroin of 97 percent purity available in Vietnam is particularly dangerous, inasmuch as it will likely lead to frequent occurence of overdoses and death even in experienced hands. Heroin use is also likely to lead to secondary medical complications such as serum hepatitis from unsterile needles.

The opium native to Vietnam is of such poor quality that in all but one case observed by an experienced military psychiatrist, withdrawal symptoms were mild. The exception involved an individual who had taken 2 cc. intravenously four times a day and whose abstinence-withdrawal presented serious problems. Another serious result of opium use which occurs occasionally comes from mixing it with marihuana in cigarettes. This synergistic or multiple effect of the two drugs together can exceed the expectation of the user and present him with a reaction with which he cannot cope.

Deaths from heroin abuse or overdose in Vietnam are increasing. For the entire calendar year of 1969, only 16 deaths from drugs were reported: 5 from chloroquine (used to prevent malaria), 4 from barbituates, 3 from Darvon, 3 from morphine or heroin, 1 from opium. During the nine-month period January-October 1970, however, the number of deaths had already more than doubled to 34: 2 from chloroquine, 5 from barbituates, 3 from Darvon, and 26 from heroin-morphine. It will be seen that heroin or morphine has become the most frequently used lethal agent.

One additional significant effect which drug abuse may have on an individual soldier is the role which drugs may come to play in his life. Those individuals who are unable to cope with life and turn to drugs may end up relying on drugs as the core of their life. When this occurs the individual loses interest in other aspects of his life and devotes most of his time to the procurement of drugs and to their "enjoyment." This modification of behavior will likely lead this type of user into conflict with the military community and consequently he is likely to have to face legal or disciplinary action.

While the individual who becomes a heavy user or is psychologically or physically habituated to drug use may come to the attention of legal authorities, it is the conclusion of the staff that the illegality of marihuana use does not have a significant impact upon the great majority of marihuana smokers in the military. It clearly does not have a deterrent effect. The illegality of marihuana use has been widely publicized within and without the military. Indeed, one of the major thrusts of military drug education is to stress the legal consequences of marihuana use. We believe that the lack of deterrent effect exists for several reasons. First is the basic attitude of young Americans toward marihuana use. Unlike many of the senior generation, many young Americans including those in the military do not regard the use of marihuana as a moral question. They do not see the user of marihuana as a "bad" or "immoral" person. They believe that marihuana should be legalized and its use left up to the individual. They also do not regard the effects of marihuana as detrimental to their health or to their functioning. Many of them regard marihuana as a social drug to be used for relaxation and as superior to alcohol for this purpose because it does not leave the user with a hangover.

B. The impact upon the military

We did not find that the use of drugs has a significant direct impact upon the military mission of the Armed Services. While we were made aware of rare isolated instances where marihuana had been used in combat situations in Vietnam, we saw no evidence that any mission or operation had been jeopardized by drug use. Virtually every commander to whom the Subcommittee staff put the question stated unequivocally and categorically that drug use has not adversely affected military effectiveness or the military mission of his unit.

However, it is clear that drug abuse does impose an indirect but significant burden upon the entire military community and organization. There is a relationship between drug use and manifestations of social and behavioral disorganization such as AWOL, sleeping on the job, failure to appear for duty, disrespect, indebtedness, and unhealthy and unclean living habits. Of these, General John J. Tolson, the Commanding General of Fort Bragg, singled out AWOL's saying, "It is bound to cut down eventually in your strength figures," although he added that the problem at his base had not reached such proportions "that as units they are not capable of performing their job."

The military community is also affected by the fact that the military drug user is often unable to pay for his habit from his normal income. While this is not often troublesome in Vietnam where all drugs are available at low prices, at continental United States bases, crime to support drug abuse is a problem. Theft of Government property, including weapons, to support habits is known to occur. "Today," General Tolson observed, "you have to secure your arms rooms and supply rooms on a scope that you never had to do before . . . and still, if you don't have guards actually there, thieves will break into them."

One of the most critical effects of the growth of drug abuse among the military is in the growth of a counter or sub-culture within the military centered around drug use. This affects both the individuals involved and the military community itself. Because smoking marihuana and hashish are social activities, the users tend to group together for the purpose of drug use. The illegality of drug use also tends to force the user into a particular group of his drug using peers. This is true whether the use is occasional or is on a regular basis. Part of the mystique of smoking "grass" is to gather together with others to enjoy the experience. This illegality of use, in effect, cuts off the user from legitimate sources of support and help with his problems—whether directly connected with drug use or of another nature—and he can, therefore, look only to those in his peer group for emotional support.

This is aggravated because so many of the young military men coming into the services today, do not identify with the value system

of the senior generation. They tend to form peer groups for all activities rather than interact with command personnel. This is further enhanced in the military because it is organized upon a hierarchial basis. In Germany more than in Vietnam the sense of separation between the enlisted man of lower ranks from the non-commissioned officers and the commissioned officers was apparent. In fact, in Germany we felt a great hostility between the one-tour soldier and the so-called "lifer." In Vietnam this was less so, probably because of the common sense of urgency faced by both groups. However, we were told in several places that young troopers had a more positive relationship with NCO's and officers of their own age. This was attributed to the fact that these individuals, while occupying positions of authority over the troops, shared many of the same values of the enlisted men, particularly in regard to the smoking of marihuana as a social activity. Some senior officers felt that some of the junior officers right out of college share those values and hence did not take action on marihuana use among their troops.

Another manifestation of the sub-culture problem is illustrated by the example of a second lieutenant at the Wildflicken outpost in Germany. This platoon leader told a Subcommittee investigator of his fears of venturing into the barracks at night, where he might be slugged if he came upon a "pot party" (as had happened to a fellow officer.) The existence of a sub-culture also causes general disruption. A squadron commander at Bad Kissingen, Germany, reported, "It's not the smoking that causes military ineffectiveness; it's the ramifications of the distribution system—the competition among pushers who fluctuate the price, put guys in debt, and cause disciplinary problems, commit assaults and so on."

A more tangible impact upon the military caused by the increase in drug abuse is the burden which it places upon the various elements of the military society. Because of the illegality of drug abuse the primary burden is placed upon the law enforcement branches of the military. The allocation of manpower and monetary resources by the provost marshal to drug problems is significant. For example, in Fiscal Year 1970, 27 per cent of all Army CID investigations in Europe were "drug related." However, while the law enforcement branches have devoted a significant amount of their resources to stopping drug abuse, we were universally told that their activities were limited and not sufficient to make any significant impact upon illegal drug activity. Their operations are hampered by difficulties in teaching command personnel to make legal searches and seizures, by the length of time necessary for laboratory verification of illegal drugs, and by the difficulty in establishing a legal chain of custody.

Because of the difficulty in enforcing the law, particularly with regard to marihuana use, the law does not have any effective deterrent effect and the impression is given to the users that use is tacitly accepted by command. This leads to disrespect for the law and in effect creates a double standard. While we were not made aware of any cases, we do note that the inability to enforce the law in all cases gives rise to the possibility of selective enforcement for reasons unrelated to drug abuse.

The medical personnel in the military are under many of the same pressures as those in the law enforcement branch. There has been an increased case load upon all military doctors. A number of senior doctors are unprepared to deal with drug abuse because they were trained in an era when it was much less common. The activities of the military doctor include many duties other than treatment. A heavy demand is made upon military doctors, particularly psychiatrists, to establish, promote, and participate in drug abuse education programs. The military psychiatrists must make evaluations of many troopers charged with crimes and this includes evaluations on the users of drugs. In addition, military doctors are scheduled to play a large role in the amnesty program which will be discussed later in the report. These functions place a burden upon doctors who are already overburdened because of a reportedly inordinate reduction of medical personnel in relation to the reduction of other U.S. military personnel. This is a serious problem because military doctors are faced with an increase in drug abuse for which there are few, if any, proven methods of treatment available.

The increase in drug abuse has placed a concomitant load upon all other elements of the military structure, particularly the command personnel and the judge advocate staff. They are called upon to process the cases of accused drug users and also are an integral part of the military drug abuse education activities. Their specific activities will be shown in greater detail later in the report.

C. The impact upon American society

The Subcommittee staff believes that the greatest impact upon society as a whole lies in the integration of military drug users into their local communities upon release from service. While the indications of drug abuse are not significantly different in the military or in civilian society, the likelihood of identification of drug users in the military is greater. Many drug addicts and users with maladjustment problems are being returned from military service identified as drug users, but unrehabilitated. For example, administrative separations for "characterologic ineffectiveness" rose 119 per cent from fiscal year 1969 to fiscal year 1970, from 12,726 to 27,837. Many of these separations were for drug use. In addition, the Veterans Administration has indicated that there are sharp increases in the number of veterans, particularly under age 25, who are being treated for drug addiction and dependency problems.

Since much of the serious drug abuse is accompanied by emotional or psychological problems requiring lengthy treatment, those released from the military with histories of drug use will have to find treatment sources in civilian society. If they are unable to do so, they will place an obvious burden on other segments of society, particularly the law enforcement segment. Returning veterans with drug histories also have difficulty in finding employment. Fifty business firms who were asked by Fort Bragg officials about their policies toward a man with an undesirable discharge or a known drug abuser replied universally that neither would be considered favorable for employment.

IV. HOW IS DRUG ABUSE BEING HANDLED

The question of how to handle drugs and drug users in the military is primarily being one with a law enforcement approach. This effort is aimed at reducing the supply of illicit drugs at eliminating drug pushers and users where detected, and at providing a negative incentive for the use of drugs. Second priority is given to treatment and rehabilitation of those using drugs. The lowest priority is given to activities which would lead to reduced demand for drugs.

A. Law enforcement

The prime objective of the law enforcement efforts is to identify drug pushers and traffickers and therefore halt or diminish the supply. As noted above, there is little indication of concerted efforts to seek out and arrest users or possessors. In Vietnam and Thailand most possessors were initially picked up for other disciplinary violations. In Germany command indicated that while most drug arrests were for possession or use, they were not specifically looking for users. There, the greatest number of arrests of users were made as a result of infiltrating a whole group of users and not just arresting individuals.

Because of their relatively small numbers and for jurisdictional reasons, military law enforcement personnel often must rely upon other agencies in trying to shut off the supply of drugs to U.S. forces. The principal agency relied upon for overall activities, both here and abroad, is the Bureau of Narcotics and Dangerous Drugs. Insofar as military bases in this country are concerned. BNDD Director John E. Ingersoll told the Subcommittee "The current 'systems' approach of BNDD is aimed at major interstate and international drug traffickers, and hence, the drug problem on large military reservations such as Fort Bragg is left largely to the military and local authorities concerned." In the U.S. the BNDD forces provide information and support rather than actual enforcement for military bases.

In the U.S., coordination with local and state authorities is essential because apart from those pushers or dealers apprehended on the military base, military law enforcement personnel do not have jurisdiction off base. However, we found good two-way cooperation in gathering and supplying information so that illegal activities that cross jurisdictional lines could be halted.

In September 1970, BNDD assigned a senior official to a permanent liaison position with the Department of Defense. According to BNDD Director Ingersoll, this agent participates in all Defense Department activities concerned with drug abuse and support to the military needs. Overseas, a BNDD senior agent stationed at MACV Headquarters in Saigon works directly with the military and a similar agent more recently was assigned to Frankfurt, Germany. In addition BNDD has regional supervisors in Bangkok, Thailand and Paris, France. Other agents are located in other countries such as Hong Kong, Japan, Turkey and Lebanon. These agents work with military police agents in exchanging information and in setting up covert activities aimed at penetrating illegal drug groups.

In Vietnam, the BNDD agent there has worked closely with the military and the AID agency to establish a program to locate and destroy marihuana crops. This has included the training of Vietnamese police in drug activities and the development of a squad of special narcotics police in the Vietnamese police force. The program consisted of helicopter reconnaissance flights to locate marihuana growth. After the discovery of a field, Vietnamese police would move into the area and destroy the plants by uprooting and burning. In 1969, some 500,000 plants were eradicated in Vietnam under this program. The program decreased in 1970, due to what Ingersoll called "higher combat priorities." He said, in addition, that the Army felt that surveillance which had to be conducted at low altitude and slow speed was too hazardous in areas of potential hostility. While bounties are now paid for reporting marihuana growth, the program has not had the same degree of success as only 68,000 plants were destroyed through most of 1970. More recently, the military has undertaken photo flights with fixed-wing aircraft that can detect growth at safe speeds and safe altitudes.

Local cooperation with native police, particularly in Vietnam, is another activity of the military law enforcement agencies. This does not seem to be a successful program because of the acceptance of opiate drug use by the natives, their feeling that marihuana is not their problem, local political involvement and corruption, general antipathy toward cultural change, inadequate legislation, and the local economic situation. In Vietnam for example, the average daily wage is about $.85 American. If a Vietnamese sells two packages of prepared marihuana cigarettes at $1.50 each, he will have made over 3 times the local daily wage. This makes it difficult for local enforcement agencies to take action.

In Germany, the cooperation with local

police seems to be satisfactory. However, there appears to be less than close liaison between the CID and the BNDD agent in Frankfurt. Local command was attempting to overcome this problem by developing closer ties on that level. The CID in Germany makes great use of undercover or covert agents. This has led to the arrest of several large groups of pushers and users. The CID estimates that it is intercepting 20 percent of the illicit trafficking in drugs bound for American troops in Germany.

Also used by military law enforcement authorities are marihuana sniffing dogs. On the Asia trip, we heard quite often about the marihuana dogs and their value. However, it appears that their actual use is limited and not very efficient. Whenever we asked to see a dog we ran into scheduling difficulties or were told that the dogs had worked their allotted time (usually one-half to one hour) and were unavailable. While we suspect their actual detection value, they are probably justified by the deterrent effect their reputation has.

Because of the great amount of drugs available, particularly in Southeast Asia, we do not feel that the law enforcement activities mentioned above will be able to make any significant impact on the drug distribution system. However, we do feel that continued efforts aimed at pusher and major trafficking organizations are necessary and should be continued.

B. Education efforts

Education activities in all commands fall into two categories, command training and troop education. The command training activities center around giving command personnel sufficient factual information to enable them to carry out their legal and disciplinary functions. Emphasis is placed on detection of drug use and subsequent disciplinary action. Command education is generally carried out through Drug Suppression Teams, consisting of medical, legal, law enforcement and perhaps chaplain officers. Primary importance is placed on the identification of drugs, drug paraphernalia, drug use symptoms, and drug user behavior patterns. Command personnel, particularly the junior officers and senior non-commissioned officers are instructed in the techniques of proper searches and seizures, maintaining the chain of custody, and the action to be taken upon apprehension of offenders. While this educational approach may be useful in meeting the legal responsibilities of the military, we feel that it does little toward achieving true prevention of drug abuse.

Education which will enable command personnel to understand the causes of drug abuse and to deal with the troops before they begin drug abuse is generally lacking. Senior officers and NCO's appear to be the groups most needing this type of education. General Tolson of Fort Bragg stated, for example, "It appeared obvious to me at the very beginning that if we were going to get anywhere in our education, in our dialog with the young soldier, the man we were really interested in, there had to be a real understanding by the senior officers and non-commissioned officers on the drug culture and its problems. They were my number one target to educate."

Military regulations, including those issued by the DOD and the various services require that all military personnel periodically receive orientation concerning drug abuse. The form and substance of this orientation varies from unit to unit and, to the knowledge of the Subcommittee staff, has never been evaluated, except informally, for its value in deterring drug use. This orientation runs the gamut from the showing of a film and the reading of prepared lecture material to more imaginative give-and-take "rap" sessions. In many commands the Drug Suppression Team does the orientation to the troops, occasionally adding a former user to the Team. From what little feedback is being received on the command level, this approach was generally not effective. This was affirmed by individual soldiers who complained that the presentations tended to be too legalistic and used scare tactics. It is our impression that the presence of the Provost Marshal on the team, while meritorious in a situation involving command personnel, is not warranted when the target group is younger officers or troops. In fact, the presence of the "cop" on the team acts to turn the young troops against the panel's activities. Surprisingly, this view was accepted by several of the Provost Marshals we talked with.

Other educational activities include radio and T.V. spots and films. The evaluation of these troops we talked to was generally negative. The best educational device we have seen was a training road show in Germany. This play was written by enlisted men in the language and style of enlisted men and performed by enlisted men, most of whom had previous show business experience. The staff was genuinely impressed by the emotional impact of this production. It utilized rock music and visual effects with which the trooper could identify. Because of this we felt its credibility and value was outstanding.

The credibility problem underlies all of the military educational efforts directed toward the young soldier. The conflicting information presented both in and out of the military about marihuana has undermined the credibility of the better prepared and scientifically accurate efforts being made now. However, this is being overcome with valid information presented by medical officers.

C. Treatment and rehabilitation

Treatment and rehabilitation of drug abusers in the military cannot be discussed without considering the so-called amnesty program. This program, in what ever form it may take in any particular command, is a combination of legal, medical and administrative approaches to drug abuse. Its general purpose is to provide an atmosphere in which a drug abusing soldier can feel free to come forth and get medical and psychological help to overcome his drug use.

Experimentation with amnesty programs in the Army began as long ago as February, 1968, when such a program was established by the 4th Infantry Division in Vietnam. Others were established on a command level, all of which were in violation of existing Army regulations. One of the most noteworthy of these is "Operation Awareness" at Fort Bragg which was begun in May 1970, and undertakes to treat and rehabilitate the users of hard as well as soft drugs. Regulations have now been established by the Army and DOD encouraging the establishment of amnesty programs. The Air Force has indicated its intent to establish such a program in a letter to Chairman Hughes. However, the Navy and the Marine Corps have not yet implemented the DOD directive.

The various amnesty programs all include provisions which allow a drug user to make his use known to the chaplain, doctor, or his commander; a guarantee of no disciplinary action if the user is not under investigation and so long as he stays clean; and some treatment for his drug use. The response to the program is mixed. In Europe, only 140 users per month have responded since June, 1970, out of a total population of 185,000 Army troops of which at least 10 percent are said to be chronic users.

The apparent reasons for the minimal response in Europe are several: (1) failure of unit commanders—many of whom were ill-prepared in the first place—to convey the concept of amnesty to their troops, and thereby signal their support of it, (2) a widely held feeling among drug users, especially hashish smokers, that there is no wrong—physical moral or otherwise—in such use and hence nothing to be rehabilitated from; (3) a view among the troops that there are no inducements to join, no incentives, and no rewards, coupled with the fact that a commanding officer has "open-ended options" to withdraw a man from the amnesty program at any time for any reason; (4) pressure, including threats or actual bodily harm, by "hard" drug users and pushers against those who may wish to seek help under the program; (5) a reluctance on the part of some commanders to devote the considerable amount of time required to provide the soldier with the supportive help he needs; and (6) the fact that many who do participate are subjected to harassment within their units upon their return and that some commanders and top NCO's seem disposed to permit this activity.

The response in Vietnam is also limited. There, many of the medical personnel we contacted felt that the program was not being received as well as it should be among the troops because of the lack of a true guarantee of amnesty. The troops realize that only the chaplain has a true confidential communication privilege. The troops know that the doctors are required to provide medical information to command and therefore are reluctant to come forth and reveal their drug abuse. Another factor which may account for the apparent lack of effectiveness is the unavailability of adequate treatment for users in the war zone. Our impression is that the amnesty program often operates this way in Vietnam. The heavy user comes to official attention when he seeks medical help after an overdose or other conditions related to his drug taking; he undergoes detoxification, and within a matter of days is returned to his unit as fit for duty; he may or may not be offered follow-up psychiatric assistance; and no punishment occurs unless he is later caught taking drugs. The extent of treatment which war zone doctors can realistically offer under the current manpower situation is detoxification. There is an insufficient number of psychiatrists to treat the characterological disorders which may underly the drug abuse. Those doctors who might otherwise be available for such treatment are primarily engaged in activities related to Drug Suppression Teams and in providing psychiatric evaluation of accused persons for disciplinary action.

In short, the staff feels that the amnesty program is based upon a sound principle, in that it attempts to provide a system which will get drug users into facilities for treatment. Early evidence, however, indicates that the program is not motivating the target group to volunteer for treatment and that even if they did volunteer, the treatment available is not adequate to solve the drug problems of most users.

The medical treatment provided by the military must be viewed in light of the attitudes of the services toward providing this type of treatment. Brig. Gen. George J. Hayes, Principal Deputy in the Office of the Secretary of Defense (Health and Environment) told the Subcommittee that the general guideline for medical personnel is to retain in the military medical systems only those individuals who could be expected to return to full military duty within a reasonable time. What this means depends upon the circumstances of each individual case. The staff also heard many expressions of the positions that the military is not a social welfare agency, that the long-term treatment and rehabilitation of drug abusers is in conflict with the basic military mission, and that such persons should be removed from the sphere of military influence.

However, the military, particularly the Army, appears to be experimenting and trying to find such clinical approaches as will be effective within the scope of the military missions. We saw examples of this approach in Operation Awareness at Fort Bragg, and group therapy sessions at other bases. Gen-

eral Hayes indicated that as projects are developed and prove to have some efficiency, they will be implemented elsewhere.

D. The administrative process

Of particular importance is the way the problem of drug abuse and drug abusers is being handled in the administrative sense. At the highest level—policy development in DOD—the major effort to date has been the issuance of the DOD directive on amnesty programs. While this effort is much needed, the lag of three years from the time of the first command level amnesty program to the issuance of the broad directive is regrettable. Even that order is not mandatory in that the individual services are authorized, but not required, to initiate these programs. Inasmuch as the Marine Corps and the Navy have not instituted an amnesty program, the young soldier and airman are given greater opportunities to overcome their drug problem than are the young sailor and marine.

The DOD has also recently initiated action to get a broad understanding of the problem. Of importance here are the studies undertaken by the Mack Task Force and the team headed by Jerome Vacek. These studies cover DOD drug abuse policy and programs. There does not exist any service-wide data on drug abuse at the present time, but it is our understanding that such a survey is under consideration. We noticed the lack of hard data at all levels of command. No hard statistics as to the extent of use or the profile of typical users or the reasons for use are available on a broad scale.

At the command level, there seems to be a growing trend toward the use of nonjudicial punishment under article 15 of the Uniform Code of Military Justice and other administrative processes, rather than courts martial, in the handling of all but the most serious drug cases. A general court martial for a drug case is almost unheard of, and Special Courts Martial and Summary Courts are used infrequently. A typical illustration is provided by the experience in the First Air Cavalry Division in Vietnam, in the disposition of marihuana cases. During 1969, there were no general courts martial, only 11 summary courts martial and 43 special courts martial, while there were 131 Article 15 cases involving marihuana. Nor were there any narcotics convictions in general courts martial in that division in either 1969 or 1970. There seem to be several reasons for this trend: (1) the considerable investigation and paperwork required to prepare for a general court martial; (2) overcrowding at the Long Binh jail; (3) the requirement that a man punitively discharged be escorted back to the United States; (4) a feeling among Staff Judge Advocates that young officers sitting on administrative boards are reluctant to approve an undesirable discharge for a drug offender; (5) a further feeling among Staff Judge Advocates that an individual must be apprehended actually in possession in order to sustain a guilty verdict in a court martial; (6) improper search and seizure procedures and failure to maintain a proper chain of custody by unit commanders.

Drug users with security clearances also present a problem. We were told that it is automatic to withhold security clearances from known drug users, even those given amnesty. We are aware of no complaints with this procedure. However, there seems to be no effective policy concerning the restoration of a security clearance to a drug user once he has been rehabilitated. When a security clearance is withdrawn from a drug user, it may be restored after rehabilitation, but as one witness testified, "Outliving a reputation and proving oneself as trustworthy may be difficult indeed."

A special problem has risen in those overseas area where there are heavy concentrations of military dependents, particularly in Germany. The dependents are exposed to many of the same environmental pressures that the young military man must face. The availability of drugs, the conflict with the local culture, and the absence of alternative activities are some factors cited by military psychiatrists in Germany as to why dependents might use drugs. The psychiatrists informed us that their efforts at combating the problem were primarily in the educational area. They were trying to develop curricula for the dependent's schools which would provide students with the information necessary to make mature decisions on drug use. They also were attempting programs of early identification of personality problems so that they could get emotional support to youngsters before they became victims of drug abuse.

The military has apparently resorted to another approach in dealing with drug abuse among dependents. Information received by the Subcommittee staff, principally letters from servicemen, indicates that transfer is a commonly used device to remove uniformed fathers whose teen-aged dependents have become involved with drugs. Reports have been received of threats to a father's career as being used to remove families with teenaged users from an overseas post. A civilian counselor for the Army said he had dealt with eleven cases since the summer of 1970 by use of forced retirement and reenlistment (so that return to the United States is immediate). He reported that the tactic was successful since he had had no drug problems among dependent children since September. He did acknowledge, however, that in none of the cases was the next duty station given full particulars about the real reason for reassignment, nor was help requested for the family.

V. DISCUSSION

In this section, we shall discuss certain issues, questions, and problem areas which we feel are suggested by our findings, conclusions and impressions set out in the sections above. While we recognize that the scope of our investigation was limited and that we do not have expert knowledge of statutes, policies, and regulations relating to the Armed Services and the Veterans Administration, we believe that the following discussion will be useful in forming the further consideration of these problems by the Subcommittee, the Armed Services Committee, or the various military branches.

A. Lack of hard data relating to the extent and nature of drug abuse

It is our conclusion that there is a definite lack of hard, scientific data which shows the nature and extent of drug abuse in the military. This lack has been recognized by the DOD. It has indicated to the Subcommittee that an epidemiological study of broad scope will be undertaken in the near future. We believe that such a study would be helpful for several reasons:

1. It would show the extent and nature of drug abuse activities of young men entering the military service.

2. It would show the nature and extent of drug abuse activities engaged in by servicemen while members of the Armed Forces.

3. It would indicate the personal characteristics and the external circumstances common to individuals who abuse drugs.

4. It would indicate those personal characteristics and external circumstances which are common to individuals who refrain from or cease using drugs.

This information would be extremely valuable in determining the more precise allocation of resources and the design of programs to meet specific needs as revealed in the study. We urge that this study be begun as soon as possible and on as broad a basis as possible.

B. Issues relating to the prevention of drug abuse

The discussion of the factors relating to the causes of drug abuse suggested two approaches to the programs designed to prevent drug abuse in the military: one is related to characteristics of individual drug users and the other concerns the circumstances which are present in the user's environment.

1. Prevention—Individual Factors

In the sections concerning the characteristics of the typical user and the reasons why young soldiers engage in drug abuse, some common personal factors seemed to be present. There were also indications of attributes common to the heavy or chronic user who was most likely to come to the attention of command either medically or legally. These common attributes included: age 19–22, rank E–4 or below, unmarried, low education, draftee or non-career oriented enlistee, from a broken home, and personality or characterological disorders. The most recent studies which have been done to date indicate that a significant proportion of the drug abusers being identified in the Army had engaged in drug abuse before entering the military, including some individuals who had used heroin. For example, the survey among 82nd Airborne Division troops showed: "Approximately one half of the marijuana users (who represented 64 percent of the total sample) began use prior to coming into the Army while approximately 4 out of 10 of the opiate users (who represented 17 per cent of the total sample) first used opiates prior to entering the Army. Further, there is evidence that a majority of those in the sample that are heavy drug users began their drug habit in civilian life."

This suggests that the incidence and impact of drug abuse in the military could possibly be reduced significantly by eliminating, in the induction process, those individuals whose personal characteristics indicate that they are "drug-prone" or who are most at risk when exposed to drugs. Obviously, this approach is not without difficulty. Some candidates for induction may attempt to use alleged drug abuse to escape their obligation. Others may attempt to conceal their habits so that they may join hoping to be cured. A special problem is presented by the drug abuser in civilian life who enlists in the Army when given the choice of military service or jail by his local judge.

In addition, there are few, if any, reliable tests to determine actual drug use or those most likely to become drug abusers. The medical officers at induction stations now consider individuals under the "whole man" concept and try to weigh all relevant factors in each case to determine an individual's potential as a military man. This is clearly a difficult task.

An additional problem arises in determining what should be done with an individual if he is rejected at the induction level as a known drug user or is likely to become one. This individual, while not a risk to the military community, may present difficulties for the civilian community. So far as the Subcommittee staff could determine there is no formal mechanism for referring to civilian treatment agencies those rejected at the induction station who may desire treatment. In contrast, however, under regulations governing the operation of these stations, a candidate for induction who is infected with venereal disease is required to obtain treatment at a U.S. Health Service Hospital before reporting back to the station for further examination.

In view of the foregoing, we recommend that the Alcoholism and Narcotics Subcommittee or the Armed Services Committee immediately undertake discussions with the military to determine the feasibility of taking appropriate action based on the following questions:

a. Whether the Armed Forces should give special priority to developing reliable methods of identifying drug abusers and potential drug abusers at the Armed Forces

Examining and Entrance Stations and elsewhere in the military system.

b. Whether a study should be undertaken to determine if entrance examinations can and should be made more effective in screening out drug abusers and those who are prone to drug abuse. Such a study might include an analysis of the techniques which can be used to screen such individuals, a cost-benefit analysis of such techniques, and recommendations of those techniques which might be successfully used by the Armed Forces.

c. Whether individuals who are rejected for service in the Armed Forces because of drug abuse or drug dependence should, with their consent, be referred to appropriate civilian prevention and treatment facilities. Such a determination should include a consideration of the resources available in the civilian community at large.

d. Whether the Armed Forces should establish a system for evaluating the performance of each AFEES station in screening out drug abusers. Such a system might seek to identify those AFEES stations where significant numbers of individuals have been admitted to service with undetected drug abuse and drug dependence problems which subsequently interfere with their military performance.

2. Prevention-Environmental factors

In earlier sections, there was considerable discussion of environmental factors which might lead to or foster drug abuse among military personnel. These included: lack of satisfying work; boredom; stress from combat; peer group pressure; development of a sub-culture organized around values antithetical to the military; a division between young enlisted men and "lifer" NCO's and officers; and the lack of acceptable social and recreational alternatives.

In addition, a number of factors were cited by the Air Force, particularly in Thailand, as contributed to a low drug abuse rate. These included better caliber of personnel (higher education, better motivation); high sense of job satisfaction; high ratio of officers and non-commissioned officers to enlisted personnel; no draftees; selectivity in recruiting; and acceptable recreational alternatives. Another factor which was suggested as tending to prevent or reduce the desire to participate in drug abuse was the "buddy system."

While these were presented to the staff as possible factors affecting the rate of drug abuse, we do not feel that we have sufficient information concerning these assertions to make any firm recommendation as to their validity. However, they do point the way to possible approaches which would reduce the motivation to take drugs and thereby reduce the demand for illegal drugs.

Therefore, we recommend further study of these factors, both positive and negative, to evaluate the impact they have upon drug abusers and whether positive alternatives can be developed to reduce the impact of negative elements.

C. Prevention-education

The education activities which the various military branches have been presenting fall into two categories, command training and troop education. As noted above, primary emphasis is being placed upon command training, the purpose of which is to enable the command cadre to carry out legal and disciplinary functions. Education which would enable command personnel to understand the causes of drug abuse and to deal with troops before they begin drug abuse is, in the opinion of staff, generally lacking and should be strengthened. In addition, it is our impression that present educational activities directed toward the troops themselves are not effective in preventing the desire to use drugs and should be evaluated.

In view of the foregoing, we believe that the Subcommittee on Alcoholism and Narcotics or the Armed Services Committee immediately undertake discussions with the military to determine the feasibility of taking appropriate action based on the following questions:

1. Whether to shift the priority of drug abuse education from command training to troop education.

2. Whether a more intensive troop education program and permitting individual participation, would be effective in reducing drug abuse in the military.

3. Whether "Drug Abuse Suppression Teams" with expertise in effective educational techniques and a knowledge of legal, medical, and social ramifications of drug abuse, are a useful tool in meeting the drug challenge.

D. Preventive-law enforcement

The primary question in the law enforcement field relates to the relative priority of law enforcement activities as compared to prevention programs aimed at reducing the motivation to use drugs. As noted above, the current laws relating to the use of drugs (particularly marijuana) and their enforcement do not seem to be providing any significant deterrent effect. Other factors favor a shift away from a basically law enforcement approach, particularly in Southeast Asia. The control of the supply and distribution of drugs under the ecological, economic, and political conditions in those countries is difficult. Director Ingersoll testified that he thought American troops would be gone from Southeast Asia before any significant changes were made there. The total amount of drug supplies which can be stopped seems to be limited, regardless of manpower limitations. This was recognized by the CID of the 4th Infantry Division when it provided the main impetus in establishing its amnesty program in early 1968.

Specific problems affecting the legal and law enforecment process of the military in dealing with drug abuse include: improper search and seizures by unit command personnel; failure to maintain proper chains of custody in preserving evidence; and delays in getting laboratory analysis of suspected drugs. We suggest that further emphasis be placed upon developing procedures and training programs which would eliminate these problems.

E. Processing of drug abusers—Treatment and rehabilitation

The issue of treatment and rehabilitation of drug abusers is the most complex and difficult of all those dealt with in our investigation. There can be little doubt that drug abusers, especially those who are addicted or dependent on drugs, should receive medical treatment whether they are in the civilian or the military community.

However, the questions as to how that treatment is to be delivered to the abuser, by whom it is to be delivered, the nature of the treatment necessary, and under what circumstances it should be delivered have not been definitively answered whether in the context of the military or civilian communities. As regards the drug abuser in the military, the most difficult question is to what extent, if any, should the military treat a drug abuser found in its ranks. As previously noted, the Armed Forces have taken the position that they should undertake treatment of a drug user in the military only if he can be restored to duty within a "reasonable" time. The general position of medical practitioners and command personnel in the military is that it is not consistent with the mission of the military to underake long-term treatment and rehabilitation.

The treatment which is now provided in the military services seems to be limited in scope and duration. The closest approach to long term rehabilitation in the military is "Operation Awareness" at Fort Bragg where the program is 12 weeks long. This experimental program is attempting to deal with hard narcotic addicts as well as those dependent on soft drugs.

Under the amnesty program, the treatment provided is minimal. It does not appear to go beyond detoxification, if necessary, and short-term psychotherapy or group therapy. This is particularly true for cases arising under the program in the Vietnam War Zone. There the conditions under which treatment is given make it extremely difficult to deal with any thing other than the acute effects of drug abuse. It would be nearly impossible to provide treatment of underlying psychological disorders while maintaining an individual in his unit under combat conditions. Another difficulty with treatment in the war zone is that any kind of treatment which would remove an individual from combat conditions would tempt many individuals to take advantage of the program solely for the purpose of avoiding combat. This would be particularly true if, as some have proposed, a central treatment facility were to be established there. Some medical personnel have also pointed out that a centralized facility is not satisfactory from a therapy point of view in that it removes the patient from his natural environment and increases the difficulty of reintegrating him into any kind of military unit.

Adding to the complexity of the treatment problem is the issue of whether or not there are adequate resources within the military to provide treatment, even under the limited responsibilities assumed by the Armed Services today. There are several factors which should be considered at this point:

1. The true extent of the drug abuse problem is unknown.

2. There is a current shortage of trained medical and mental health personnel.

3. The rotation of military personnel usually militates against the overlap of key people and the retention of personnel in a single position long enough to fully develop any treatment program.

As to the shortage of trained medical and mental health personnel, the staff was told that in September, 1970, there were only 13 Army psychiatrists in Vietnam, and only one Army and one Air Force psychiatrist in Thailand. In Europe we were told that the Army has more psychiatrists than in Vietnam, on the ground that there is a greater spread of individual installations in Europe.

The present normal tour of duty for physicians and psychiatrists in the Army is three years at one duty station except in Vietnam where it is one year. We were told, however, that DOD was contemplating recommending a five-year normal tour of these personnel.

Another issue relating to treatment and rehabilitation is whether confidentiality of communications should be preserved in all treatment and rehabilitation relationships involving the drug user who elects to seek assistance under an amnesty program.

The Department of Defense did not address this issue in its Directive 1300.12. Nor did the Army in AR 600–32. However, the Air Force, in its amnesty program, will grant "certain limited privileged communication rights."

Under current military practice, there is generally no guarantee of privileged communications between doctor and patient. This is based upon the Department of Defense position that "a military service must have, or be able to obtain, full and complete information at any time as to the physical or mental capacity of its members. A rule providing otherwise would place the military in the untenable position of having little or no idea as to the physical or mental conditions of the members of the service."

Obviously, this rule gives rise to conflict when the subject matter of the privileged communication is also illegal. It becomes

particularly acute in the context of the amnesty program policy of encouraging drug users to seek treatment. This conflict was repeatedly cited as discouraging drug users from seeking help even though they were otherwise motivated to seek it. The fear of prosecution on the basis of information divulged in the course of treatment has apparently not been overcome by the guarantee of amnesty established in the program.

Medical personnel did point out, however, that "often in treatment and rehabilitation it is very important that certain people who are in important social positions be notified in order to enlist assistance in helping someone. So in that sense strict confidentiality may not be something you want to maintain, but it is the illegality which poses a major problem."

Although the amnesty policy does preclude prosecution upon the basis of information divulged by an individual when seeking medical assistance under the program, it is clear that it is not intended to prohibit the use of such information for such administrative action as removal from flying status or the revocation of a security clearance. The Air Force also indicates that such information could be used under its amnesty program to administratively discharge a drug user under honorable conditions. It also has indicated that in the case of a temporary suspension or disqualification from flying status, a one year period of abstinence would be the minimum time before restoration of such status.

In the Army the security clearance of a drugs abuser is withheld automatically upon disclosure. While this withdrawal is characterized as temporary, no specific guidelines have been established to permit reinstitution of the clearance.

It should be noted that if the drug abuser does not voluntarily seek help under an amnesty program there might be no knowledge of the drug abuse and therefore the individual would retain flying status, security, clearance, etc.

The administrative processing of known drug abusers whether those participating in amnesty programs or those apprehended for drug abuse violations presents several other issues.

A major question raised by the administrative processing of drug abuse offenders, whether by Article 15 action, administrative action, or through judicial action, is the relationship between the administrative action and treatment and rehabilitation. Regardless of whether punishment or separation of a drug abuse offender is administered, the offender in many situations has physical or mental health problems related to his use of drugs. Therefore consideration must be given to providing treatment or rehabilitation to the offender as well as to the individual who voluntarily seeks assistance under the amnesty program or otherwise. Factors which should be given consideration in determining the proper disposition of an offender include:

1. Whether it is a first offense.
2. The severity of the offense (pushing vs. use).
3. The willingness of the offender to accept treatment.
4. The degree of physical addiction or psychological dependence upon the drug.
5. The evaluation of the severity of any underlying psychological problems.
6. The length of service of the offender and the length of time left in his current obligation.

Another problem arises in the cases of those who have actually been separated from the military for drug offenses. We were presented with some evidence that those who are separated with anything less than an honorable discharge are subjected to discrimination when re-entering civilian life. This can be particularly difficult for the drug offender as he has characterological problems which make him a marginal individual in society anyway. A discharge other than honorable places one more barrier in his way. However, it was the position of some military personnel that the discharge is an assessment of the job performance of the individual in his military function and therefore no modification in policy would be appropriate to alleviate the burden of the drug offender.

Another issue worthy of mention is the military dependent and drug abuse. The primary place where we came into contact with dependent use was in Germany. We heard reports of administrative action (early retirement, transfer, loss of quarters) being taken against a parent because of his child's use of drugs. We learned of drug education and prevention efforts being made by dependent schools and medical personnel. We would recommend, however, that the problem of drug use among dependents and programs designed to combat that problem be given further study and evaluation.

Because of the interrelationship between treatment and rehabilitation, and administrative processing of drug abusers, we believe that the Subcommittee on Alcoholism and Narcotics or the Armed Services Committee should immediately undertake discussions with the military to determine the feasibility of taking appropriate action based upon the following questions:

1. Whether it is feasible for the Defense Department to establish a comprehensive, integrated, and mandatory policy under which servicemen who are drug dependent or drug addicts are provided treatment and rehabilitation within the military service.
2. Whether it is feasible for the Defense Department to establish a program whereby a drug offender who desires medical treatment can receive it within the military.
3. Whether a program can be developed whereby servicemen identified as drug dependent persons or drug addicts can be separated from the military and provided with treatment, if necessary, in the civilian community.
4. Whether it is feasible to consider such actions as postponement of trial or disciplinary proceedings, suspension of sentence, or other devices, commonly used in civilian courts, as alternatives or in lieu of prosecutions of drug dependent persons or drug addicts.
5. Whether absolute confidentiality in privileged communications is necessary or feasible within the meaning of amnesty programs.
6. Whether guidelines can be developed to permit the restoration of flying status, security clearance or other privileged status, within a reasonable time after rehabilitation.
7. Whether treatment and rehabilitation efforts should be carried out in central treatment facilities, within the context of a local unit or both.
8. Whether drug dependent persons or drug addicts should be granted non-punitive discharges and be eligible for all or some veterans benefits.
9. Whether the Veterans Administration should give priority to increasing its capability to care for drug dependent persons or drug addicts.
10. Whether military medical manpower can be allocated so that continuity is preserved in treatment and prevention programs.
11. Whether it is feasible to allocate greater manpower and monetary resources to all elements of the military which deal with drug abuse.
12. Whether it is feasible to give priority to peer group participation and the use of ex-addicts in prevention, treatment and rehabilitation programs.

EXHIBIT 2

THE SECRETARY OF DEFENSE,
Washington, D.C. April 28, 1971.

Hon. HAROLD E. HUGHES,
Chairman, Subcommittee on Alcoholism and Narcotics, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR HAROLD: Thank you for your letter of April 15 concerning the Subcommittee's report on Drug abuse in the Armed Forces and providing an opportunity for the Department of Defense to comment on its findings and recommendations.

I have asked Roger Kelley, our Assistant Secretary of Defense (Manpower and Reserve Affairs) to make a comprehensive review of the report and to provide comments as you requested. Lieutenant Colonel Archie S. Cannon (OX 5-4132) will serve as the principal DoD contact with your staff.

Be assured of my personal interest in this vital subject and of my desire to find a satisfactory solution to this problem.

Sincerely,

———.

MAY 15, 1971.

HON. HAROLD E. HUGHES
Chairman, Subcommittee on Alcoholism and Narcotics, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further response to your letter of April 15, 1971, addressed to the Secretary of Defense concerning the Report of the Subcommittee on Alcoholism and Narcotics.

Attached are the Department of Defense comments relative to Part V of the report. Comments are alo included with regard to the staff recommendations which you provided.

Your interest and the subcommittee's comprehensive study of drug abuse in the armed forces is very much appreciated. You may be assured of the cooperation of the Department of Defense in continuing to work toward a solution to this national problem.

Sincerely,

ROBERT C. TABER,
Lieutenant General, U.S. Army, Principal Deputy.

I—COMMENTS ON REPORT OF THE SUBCOMMITTEE ON ALCOHOLISM AND NARCOTICS—PART V

A—LACK OF HARD DATA RELATING TO THE EXTENT AND NATURE OF DRUG ABUSE

The report's discussion of this subject is accurate. The broad study objectives indicated by the subcommittee are supported, and the Department of Defense is progressing on such a study. Implementation requires administrative action.

B—ISSUES RELATING TO THE PREVENTION OF DRUG ABUSE

1. Prevention—Individual factors

a. The report accurately discusses this subject in a responsible manner. The Department of Defense has reservations only with regard to whether the probability is sufficiently high of developing a mechanism which will screen out potential drug abusers to justify special priority attention. The Surgeon General of the Army is experimenting with ways to identify drug users by analysis of body fluids. Proposals are also being considered for developing a system utilizing psychological and chemical methods for identifying drug users of the time of induction.

b. Consideration of the feasibility of making entrance examinations more effective in screening out drug abusers is supported.

c. The voluntary referral of individuals rejected for service to appropriate civilian treatment facilities merits further serious consideration.

d. Evaluation of the performance of AFEES stations is a routine and continuous effort

insofar as the overall operations of the stations is concerned. And, as such, screening procedures, including the screening out of drug abusers, are a part of these overall operations. No performance differential among AFEES in the detection of drug abusers has been observed. It would seem preferable to look into the matter further before immediate establishment of a special evaluation system.

Implementation requires administrative action, however, feasibility discussions need not be delayed.

2. Prevention—Environmental factors

The comment of the subcommittee is concurred in regarding the need for continuing concern of environmental factors and their correlation with drug abuse.

Minimal administrative action is required for implementation.

C—PREVENTION—EDUCATION

The Department of Defense does not concur in the view that primary emphasis has been generally placed upon command training rather than troop training. Drug educational activities however should be continuously reviewed and evaluated with emphasis being placed where the greatest need is indicated.

1. The intensity of drug education efforts at both command and troop level is being increased. At the same time the importance of permitting the services and field commanders the greatest possible flexibility in designing programs tailored to their own particular situation and problem should not be overlooked.

2. Individual participation in troop education programs is a technique that has promise and merits further consideration.

3. "Drug Abuse Suppression Teams" in certain situations are considered useful drug abuse prevention tools. The Air Force has completed a full scale test of this type of team concept and is now evaluating the results.

Implementation requires administrative action. Discussions to determine feasibility need not be delayed.

D—PREVENTION—LAW ENFORCEMENT

The Department of Defense concurs. Further emphasis should be placed upon the continuous improvement and developing of procedures and training programs that will lessen the problems associated with law enforcement and legal process by the military in dealing with drug abuse. Implementation requires minimal administrative action.

E—PROCESSING OF DRUG ABUSERS—TREATMENT AND REHABILITATION

The report's discussion of the treatment and rehabilitation of drug abusers accurately summarizes many of the very difficult and complex problems and questions which are encountered in this area of concern.

Feasibility questions

1. There is doubt as to whether at this time any single unitary policy regarding treatment and rehabilitation is the final answer. Diverse initiatives and policies of the individual services are valuable in the search for better solutions to the problem.

2. Drug offenders are eligible for needed medical treatment in the military services.

3. Post-separation treatment for drug abuse problems appears to be the logical approach.

4. Commanders, in the majority of instances, have a wide range of options in dealing with drug abuse cases.

5. It is extremely doubtful that absolute confidentiality is feasible at present, given the possible consequences of a return to drug abuse in duty involving aircraft, nuclear weapons, or the security of the nation.

6. At present in the Air Force there is a minimum one year disqualification from flying duty and duty involving nuclear weapons when drug abuse is substantiated. There is not, however, a minimal removal period from other sensitive or privileged duties. Each case is evaluated on its merits. The possibility exists of guidelines acting as a detriment to this process.

7. Both local and central rehabilitation modes would appear to be appropriate.

8. It is believed that in most instances drug abusers should be subject to normal administrative discharge procedures and should receive the type of discharge which their whole service warrants.

9. Increasing numbers of ex-servicemen eligible for Veterans Administration benefits indicate an apparent priority need for facilities capable of providing such benefits and care, including drug dependency cases.

10. It is not believed that special medical personnel assignment policies to provide drug abuse treatment should disrupt the availability of medical personnel for needed treatment of non-drug cases either through procedures or assignment policies.

11. The availability of resources to deal with the problem is of prime importance.

12. The use of peer group participation is being encouraged. Ex-addicts are also being used in both the Army and Air Force. The Air Force has also recently completed a test program using an ex-addict as a member of a traveling team of drug abuse educators.

Implementation will require legislative and administrative action, and cannot be implemented immediately. Feasibility discussions need not be delayed.

II. COMMENTS ON STAFF RECOMMENDATIONS

Identification of drug abusers and drug dependent persons

As previously indicated, the Department of Defense has reservations with regard to whether the probability is sufficiently high of developing a mechanism which will screen out potential drug abusers to justify special priority attention. Any study, however, which may result in more effective screening out of drug abusers is supported. Development of more efficient identification systems are under consideration within the Department of Defense.

The voluntary referral to civilian treatment facilities of individuals rejected for service in the armed forces should be considered. The suggestion for similar referrals of in-service personnel is a possibility but is somewhat more complicated.

Evaluation of the overall operational performance of AFEES stations is a routine and continuous effort. Screening procedures are a part of these operations. Performance differentials among AFEES in the detection of drug abusers have not been observed.

Implementation requires administrative action.

Prevention

Increased emphasis on inter-departmental preventive drug abuse education is supported. Tailored programs designed to fit the particular situation and problem are essential. Individual discussion and participation should be encouraged. Traveling drug abuse educational teams have proven effective and their use possibly should be expanded. Greater attention to providing recreation and other activity to abate boredom is necessary. Evaluation of prevention efforts should continue and should be intensified.

Implementation requires administrative action.

Training

Specialized training to armed forces examining and entrance stations examining personnel is important. Medical officers serving at AFEES are required to be thoroughly familiar with the regulations listing "drug addiction" as a disqualification from military service. Medical examiners are required to attend the Armed Forces Entrance Medical Examiners Course in which the handling of drug cases is specifically covered.

DoD Directive 1300.11, October 23, 1970 requires the military departments to provide drug education training at all levels, and specialized drug training for medical officers, judge advocates, and chaplains. The services have implemented this requirement. In addition the armed forces are using NIMH sponsored civilian collegiate drug education training programs at Yale, Hayward State and the University of Oklahoma.

The Bureau of Narcotics and Dangerous Drugs has for some time sponsored schools and training courses in the U.S. and overseas for personnel of the armed forces engaged in the law enforcement aspects of drug abuse control.

Evaluation of training efforts, within existing capabilities, is an ongoing and continuous effort. Research efforts are now underway to better evaluate the methodology and content of educational programs that will be accepted by servicemen.

Implementation requires administrative action.

Treatment and rehabilitation

A. The question as to whether drug users should be retained in the armed forces for treatment and further military duty depends on many factors, including the degree of addiction, the prognoses for cure, the time involved, and the suitability of the individual for retention in a military environment. If the treatment would be excessively long, the probability of cure low, the future productivity questionable, and the matter of assignment and control unmanageable or impracticable, the course of action would appear to be discharge from the military service and subsequent treatment at a Veterans Administration or other civilian treatment facility.

1. Medically ill persons are not summarily discharged from the service. Drug abusers are offered the same medical treatment as other military personnel who are ill.

2. Service regulations give commanders extremely wide latitude with regard to the actions they may take in the case of a drug abuser. Each case is evaluated on its merits, with no stereotyped response pattern.

3. Present amnesty and "limited privileged communication" programs basically follow the principles set forth with two exceptions. The determination of other than medical action to be taken subsequent to a drug abuser seeking assistance rests with the commander rather than medical personnel, since only the commander bears total responsibility for mission accomplishment. Absolute confidentiality is not feasible where personnel work with armed weapons, critical and sensitive equipment, and matters involving national security. The potential consequences of a possible relapse to drug abuse under such conditions counters a system in which drug abusers are not identified. Information divulged by a patient concerning his personal use of drugs should not be admitted into evidence against him in a disciplinary proceeding without his consent.

4. It is considered that each drug abuser must be evaluated on his own merits. Some seek assistance in obvious moves to be discharged from the armed forces. Others reveal serious character and behavior disorders of which drug abuse is only a symptom. Still others desire to remain in the armed forces, but clearly need long-term rehabilitation which the military services are not structured to provide. Such individuals deserve the full time, and attention of, and participation in treatment programs designed specifically for this purpose, and into which they should be discharged.

5. There is no minimum period of suspension except for the one year period in the Air Force in the areas of flying status and duty involving nuclear weapons. Lesser periods and greater risk is not indicated because of

the unacceptable consequences of accidents in these areas. It is the possibility of reversion to drug abuse rather than performance level of the rehabilitee which is the critical variable in the decision.

6. Repeated rehabilitation attempts, at least in the same surroundings, are counter-productive to the maintenance of morale, discipline and good order.

B. Present amnesty policies and accompanying rehabilitation implications are being re-evaluated. The principles and objectives suggested will be considered in context with the Service's mission and capabilities, as well as in consideration with the recommendations of the subcommittee of the House Armed Services Committee.

C. It is believed that studies of the most effective and appropriate rehabilitation programs will provide a sounder basis for future action.

Implementation requires administrative action.

Separation

It is believed that to characterize drug dependence of any degree as a physical disability without regard to the individual's ability to perform duty is illogical. Further, the proposal asserts without regard to the particular circumstances that drug-related actions should not be regarded as the result of intentional misconduct or willful neglect. To assert that it is never to be so regarded does not accord with what is known about drug dependence and drug abuse.

Increasing numbers of persons being separated from the armed forces as veterans in need of care and treatment will undoubtedly require increased Veterans Administration capabilities.

Implementation requires legislation.

Miscellaneous

It is recognized that the Armed Forces hold a unique position for making a contribution toward abatement of the national drug abuse problem.

Sharing of information can make a meaningful contribution. Disposal of excess property, however, is governed by the Federal Property Administration Services Act of 1949, under which facilities and other real property is required to be turned over to the General Services Administration for disposition.

The Department of Defense policy, which the military departments implement, extends drug abuse preventive education programs to dependents and civilian employees. Eligible dependents who seek medical assistance for drug-related problems are afforded treatment within existing capabilities. In many areas where dependents do not reside on military installations it is not realistic to charge the military services with the responsibility of establishing special programs to deal with the curative and rehabilitative aspects of illegal drug involvement.

Stabilization of tours of duty of medical personnel and others involved in drug treatment and rehabilitation programs merits consideration.

Expanded drug abuse control programs and rehabilitation efforts will require added resources.

It is not considered a fair assumption that drug abuse among military personnel is more prevalent than among the civilian population. In perspective with the total national population the military may only more efficiently attempt to estimate the prevalence.

It is believed that the close working relationship and daily contact between both houses of Congress and the various elements of the Department of Defense engaged in drug abuse control are more meaningful than the proposed semi-annual reports.

EXHIBIT 3

AMDT. NO. 152

H.R. 6531 is amended to add a new title at the end thereof, as follows:

"TITLE IV—IDENTIFICATION AND TREATMENT OF DRUG DEPENDENT PERSONS IN THE ARMED FORCES

"FINDINGS AND PURPOSE

"SEC. 401. Drug dependence is rapidly increasing within the Armed Forces, especially among draftees. National and international organizations and experts representative of those most knowledgeable and most experienced in the treatment and rehabilitation of drug dependent persons have found that drug dependence is an illness or disease which requires treatment through health and rehabilitation services.

"Drug dependent persons commit a high percentage of crime in order to secure funds with which to supply their drug habits. Incarceration and other punishment without appropriate treatment has proved ineffective to deter drug related crime and to meet the human need of drug dependent persons. Effective and successful treatment and rehabilitation services offer the best possibility of meeting such human needs and of avoiding a high rate of recidivism.

"A national effort to identify and reduce the public health problem of drug dependence in the Armed Forces should be made. Such an effort requires an immediate, major commitment of health and social resources and Federal funds. It is the purpose of this title to mandate such a commitment.

"IDENTIFICATION OF DRUG DEPENDENT PERSONS

"SEC. 402. The Secretary of Defense shall prescribe and implement procedures for identifying drug dependent persons at the earliest possible stage of their dependence. Such policy shall include provisions for—

"(a) Utilizing all practical available methods to identify drug dependent persons among individuals examined at Armed Forces Examining and Entrance Stations. Such persons, if drug dependent, shall be refused entrance into the Armed Forces and shall be referred to civilian treatment facilities; and

"(b) Utilizing all practical available methods to periodically examine each member of the Armed Forces to determine if such person is a drug dependent person.

"TREATMENT ENCOURAGED

"SEC. 403. The Secretary of Defense shall prescribe and implement a policy which shall embody the following principles and guidelines:

"(a) Drug dependent persons who are members of the Armed Forces shall be encouraged to seek treatment and rehabilitation services for their drug dependence within the Armed Forces and shall not be subject to disciplinary or other punitive action based on information given in seeking or receiving such assistance. Absolute medical confidentiality shall be preserved unless competent medical authority determines that such a person is a danger to himself or to others. No information divulged by such a person in medical confidence shall be admitted into evidence in disciplinary proceedings against him without his consent. When a specialized job classification or the pay advantages directly related to such classification has been withdrawn from a member of the Armed Forces who has sought assistance for his drug dependence because medical authorities have determined that a continuation of the member's job responsibilities will constitute a danger to the member or to others, such classification and pay shall be reinstated within the earliest possible time, in light of the member's job responsibility and rehabilitation progress.

"(b) Drug dependent persons who are members of the Armed Forces who seek treatment and rehabilitation services for their drug dependence within the Armed Forces shall be afforded every opportunity to be restored to useful military service and shall not be discharged from the service because of their drug dependence unless they have refused to accept such appropriate treatment and rehabilitation services as shall be offered by the Armed Forces or medical authorities have determined that they have failed to respond to adequate treatment and rehabilitation services, or if they have fulfilled their service obligations, unless they request to be discharged.

"(c) Drug dependent persons who are members of the Armed Forces and are charged with or have been convicted of drug-related offenses and are being processed within the military justice system shall be afforded every opportunity for treatment and rehabilitation services within the Armed Forces.

"SCOPE OF TREATMENT AND REHABILITATION SERVICE REQUIRED

"SEC. 404. The Secretary of Defense shall prescribe and implement a policy under which any member of the Armed Forces who is found to be a drug dependent person shall immediately be afforded treatment and rehabilitation services within the Armed Forces for his dependence. Such services shall be provided through Armed Forces based treatment programs or through any suitable drug dependence treatment and rehabilitation facility or program, including but not limited to facilities and programs administered by the Department of Health, Education, and Welfare and the Veterans Administration, under such agreements as shall be acceptable to the Secretary of Defense and consistent with this title. Notwithstanding any other provision of law, any member who is placed in a facility or program under the authority of the preceding sentence shall not be released from active duty until a competent medical authority has certified that such member: (1) is rehabilitated, (2) has failed to respond to adequate treatment and rehabilitation services, or (3) has refused to accept such services, or, if such member has fulfilled his service obligation, until he requests to be released.

"REPORT BY THE SECRETARY OF DEFENSE

"SEC. 405. Within 60 days from the effective date of this Act, the Secretary of Defense shall present to the Congress a detailed description of the policy he has prescribed under sections 402, 403, and 404 of this title, a detailed description of the steps being taken to implement such policy, a detailed description of the expenditures necessary to implement such policy, and such other information or recommendations as he may deem necessary.

"DEFINITIONS

"SEC. 406. As used in this title—

"(a) 'Alcoholic beverage' includes alcoholic spirits, liquors, wines, beer, and every liquid or fluid, patented or not, containing alcoholic spirits, wine or beer which is capable of being consumed by human beings and produces intoxification in any form or in any degree.

"(b) 'Drug dependent person' means a person who is using a controlled substance (as defined in section 102 of the Controlled Substances Act) or alcoholic beverage and who is in a state of psychic or physical dependence or both, arising from the use of that substance or beverage on a continuous basis. Drug dependence is characterized by behavioral and other responses which include a strong compulsion to take the substance on a continuous basis in order to experience its psychic effects or to avoid the discomfort caused by its absence.

"(c) 'Treatment and Rehabilitation Services' means screening, diagnosis, treatment (emergency care services, inpatient services, intermediate care services, or outpatient services), vocational training and services, and other rehabilitation services.

EXHIBIT 4

EXPLANATION OF HUGHES-JAVITS AMENDMENT TO H.R. 6531 RELATING TO THE IDENTIFICATION AND TREATMENT OF DRUG DEPENDENT PERSONS IN THE ARMED SERVICES

This amendment focuses on a single aspect of the problem of drug usage in the Armed Services—the obligations which the Armed Services have to those persons who have been accepted into the service and are subsequently found to be dependent upon drugs. It provides that the Armed Services have the obligation to attempt to locate such individuals, the obligation to encourage them to seek out treatment and rehabilitation services without fear of criminal or administrative punishment for the addiction itself, and the obligation to furnish treatment and rehabilitation services to them while they are still in the service. These services may be provided through Armed Forces based treatment programs or through any suitable treatment program, including but not limited to programs administered by the Department of Health, Education, and Welfare and the Veterans' Administration, under such agreements as shall be acceptable to the Secretary of Defense and consistent with this amendment. A member may not be released from active duty until a competent medical authority shall have certified that the individual is rehabilitated, has failed to respond to adequate treatment and rehabilitation services, or has refused to accept such services. A "drug dependent person" is defined as one who is dependent upon any drug controlled by the Controlled Substances Act (heroin and other hard narcotics; stimulants; depressants; tranquilizers; marihuana, LSD and other hallucinogens, etc.) or who is dependent upon alcohol, which leading medical authorities recognize as a drug.

In the past, drug dependent individuals have not been adequately screened from the Armed Forces at the time of induction and, once in the service, have been ignored or—when they can no longer be ignored—punished or removed from the services and returned to civilian society. This policy has hindered the security of the country as well as jeopardized the health of the individuals concerned.

Several advantages are achieved by placing treatment and rehabilitation obligations squarely upon the military during the time such individuals are in the Armed Services. This policy:

1. Gives the Department of Defense an incentive to screen out such individuals and to develop new methods for determining which individuals are likely to become drug dependent persons. To date such individuals, when they become a burden, are simply eliminated from the Armed Forces and told to return to civilian society. This constitutes a great waste in administrative, judicial, and retraining costs and often a human tragedy in terms of the individual dropped from the service.

2. Gives the Department of Defense an incentive to develop more substantial prevention programs, to seek out those persons who have become drug dependent, and to encourage such persons to seek treatment. These steps constitute the most effective methods of preventing the most serious—and most burdensome—drug dependence problems. If the Department is given the responsibility of dealing with these problems, it is likely to take those steps necessary to stop the problem at the earliest possible stage.

3. Assures individuals in the Armed Services of the minimal medical attention they deserve with respect to their drug dependence, but does not prevent the punishment of those individuals who do not voluntarily seek out medical assistance and, who persist in using drugs illegally or who commit illegal drug-related offenses.

Throughout, the amendment allows the Secretary of Defense the flexibility and administrative latitude necessary to develop procedures consistent with the role and mission of the Armed Forces and with modern medical and scientific techniques while, at the same time, setting out those basic principles which are essential to assure minimal treatment and rehabilitation services. It requires, however, that the Secretary of Defense, within 60 days from the effective date of the Act, present to the Congress a detailed report on the steps he will be taking to implement the amendment and the funds he will need to do so.

The amendment does not deal with more controversial questions relating to the civil commitment or retention beyond the regular term of servicemen who are drug dependent, the type of discharge which drug dependent individuals should receive, or the scope of services which drug dependent veterans should be afforded. Rather, it simply concentrates on the obligation of the Armed Services to provide avenues for minimal medical attention to those whom it drafts or otherwise accepts into the Armed Forces.

Mr. BYRD of West Virginia. Mr. President, I wish to compliment the distinguished Senator from Iowa for his dedication to this cause, the fight on drug abuse, in connection with which he has labored so long. I compliment the Senator for his compassion, his diligence, and his foresight.

I would like to be joined as a cosponsor of the amendment, if the Senator would add my name as a cosponsor.

Mr. HUGHES. I would be pleased to add the name of the Senator from West Virginia, and I ask unanimous consent that this be done.

Mr. BYRD of West Virginia. I thank the distinguished Senator.

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

THE UNITED STATES AND NATO; TROOP REDUCTIONS—II

Mr. MANSFIELD. Mr. President, yesterday I spoke on the subject of U.S. troop reductions in Europe and stated that on this question, which has a national interest, I had received numerous communications, the overwhelming number of which were in favor of the general thesis of troop reductions. In that connection, I inserted a series of editorials and commentaries in the RECORD and said I intended to continue to make similar insertions in the RECORD on subsequent days.

I therefore ask unanimous consent to insert in the RECORD another series of editorials and commentaries dealing with this important question of U.S. troop reductions in Europe.

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

[From the Boston Herald-Traveler, May 17, 1971]

THE GREAT DEBATE

(By Paul Greenberg)

If the debates in the U.S. Senate these days leave one with a vague case of deja vu—the same feeling that it's all happened before—maybe that's because it has. The fight over the Mansfield Amendment, a tempting proposal for the unilateral reduction of American forces in Europe, dated back to the Great Debate of 1950–51.

And dawgone if it didn't star some of the same participants—Harry Truman and Dean Acheson. The terms of the debate haven't changed: It's still Fortress America versus the Atlantic Alliance. Only now it's Robert A. Taft's view that's mod and dapper Dean Acheson who's out of style.

Robert Taft's hardy isolationism is now reflected in the speeches of unlikely epigones like J. William Fulbright and George McGovern. The Mansfield Amendment of 1971 is the lineal descendant of Senate Resolution 8 of 1951.

It was sponsored by Senator Kenneth S. Wherry of Nebraska to keep President Truman from assigning American troops to Europe. The progression from Ken Wherry to Mike Mansfield within two decades is alone an indication of how far isolationism has come.

For a while it looked as though withdrawing from Europe was going to be as big a hit as the revival of No, No, Nanette this year. The Mansfield Amendment was an attractive vehicle and loaded with stars.

A supporting role was assigned the European bankers, who were complaining again about those high-living Americans; it would have been very satisfying to respond by taking back some of those expensive American troops who have been protecting them for a couple—three decades. There were some vague misgivings about Congress being the one to deploy American troops, but stomp-the-executive has become such a popular pastime in the Senate that this really wasn't much of an obstacle.

In the nick of time, the Europeans did the sensible thing and revalued their currencies upward, taking the heat off both the dollar crisis and American resentment. And the decisive argument against the Mansfield Amendment was contributed by one Leonid Brezhnev of Moscow, U.S.S.R.

With a sensitivity to the fine nuances of American politics that might be expected in the average Muscovite, the Soviet leader chose this particular moment to clear up an earlier and vaguer proposal for a mutual reduction of forces in Europe, thus putting a price on a concession he was about to receive free, courtesy of the U.S. Senate.

It may take a while for Russian diplomacy to recover its flawless image in the popular mind. As an American diplomat, Edwin O. Reischauer, once said of some Communist leaders: "They are not supermen at all. They are men with feet of clay, which extend almost all the way up to their brains." Whatever functionary advised Comrade Brezhnev on the timing of his offer, he rates an all-expense paid tour of Siberia.

And as if this were not enough to do in the Mansfield Amendment, there were Truman and Acheson blazing away like the U.S. Cavalry, or maybe the Over-the-Hill Gang. The emergence of Harry Truman and Dean Acheson from history must have been a little too much for Mike Mansfield.

Complaining over the remains of his amendment, he called them "Old Guardists, old faces . . . Most of these people have a vested interest in a policy they helped create years ago." It's hard to imagine a vested interest that would distract Harry S. Truman from his beloved library to go to the aid of a Republican president.

And would a vested interest have Dean Acheson back on the Hill lobbying like mad, buttonholing fresh-faced senators who might have to be reminded what the Great Debate of 1951 was all about? Surely it couldn't have been a vested interest in political office or popularity, not at their age.

Maybe it wasn't so much interest as memory that moved these two men. A shared

memory of a country that had rapidly and happily demobilized, that wanted to concentrate on its own problems again and let the world tend to its, a country worried about inflation and questioning the necessity of the draft . . . the America of the late 1940s, which pared its military to the bone just in time for Korea. What events in the news would have jogged their memory, and moved them to sally forth again?

Considering the proposals that abound in the United States Senate these days, of which the Mansfield Amendment is only one, what wouldn't have?

[From the Los Angeles Times, May 17, 1971]

OUR EUROPEAN TROOP COMMITMENT

For about 10 years Mike Mansfield (D-Mont.), the majority leader of the Senate, has been saying that the United States has far too many troops committed to NATO, and that a great many of them could be brought home without jeopardizing the defense of Western Europe. And for about 10 years the response of successive Presidents has been to say that, for a variety of reasons, the senator's proposal simply wasn't feasible.

Now Mansfield has decided to force the issue. Next Wednesday the Senate is scheduled to vote on his bill—actually an amendment to an extension of the draft law—to cut American forces in Europe in half to 150,000 men by the end of the year.

Not so surprisingly, considering its history of poor congressional relations, the Nixon Administration was caught by surprise on the timing of the Mansfield move. After an initial period of confusion, the President opened a counteroffensive. His position was, first, to oppose any Senate move on NATO as an unwarranted interference with the foreign policymaking rights of the executive branch and, second, to muster a bipartisan phalanx of statesmen experienced in European affairs to recite again the reasons why a reduction of U.S. forces in NATO at this time would be inimical to American interests.

Given the mood of the Senate, the President's first argument is not likely to prove too persuasive. The second point carries greater weight. As former Secretary of State Dean Acheson noted, the real goal should be to negotiate with the Soviet Union a mutual reduction of forces in Europe, so as to remove at the same time not only American troops, but the main reason for their presence.

It's a sound argument, but there are sound arguments on the other side as well. The strongest is that now, as throughout NATO's long history, the Western Europeans simply have not been contributing their fair share of men and resources to their own defense. This gap between ability and actual performance has been filled by the United States, with about 300,000 troops who have with them more than 200,000 dependents. These together account for a net dollar drain of about $1 billion a year.

We believe that U.S. strength in Europe could and should be cut, and that our NATO partners should carry more of the defense burden. But we also know that the various problems involved—of European security, of the economics of defense, of the Western world's overall relations with the Soviet Union—are far too complex and interrelated to be resolved by the easy expedient of cutting our NATO forces in half by year's end.

The Mansfield amendment is a sign of exhausted patience and a clear warning to the Administration and NATO that the status quo in European defense is no longer tolerable. Its timing may be awkward but its goal is sound, and support for that goal in the Senate and in the nation can only grow in the months ahead.

[From the Washington Star, May 17, 1971]

POOR ROGERS, SENATORS IGNORE HIS TRIP

(By Mary McGrory)

Like any homecoming traveler, Secretary of State William P. Rogers was hoping maybe somebody would ask him about his trip.

At the Senate Foreign Relations Committee, nobody wanted to hear.

It had been a triumphal tour—they loved him at Tel-Aviv—but the unhappy senators only wanted to talk about Saigon.

The first bouquet handed out on Capitol Hill had a rock in the middle. Sen. George D. Aiken, R-Vt., noted dryly that if there was "almost universal approval" for our Middle Eastern policy, there was "almost universal disapproval" for our Far Eastern ventures.

The secretary found it hard to believe. Working in an unsolicited reference to his travels, he reported that all the other countries say President Nixon is doing a grand job of getting out of Vietnam. The Senate is beyond caring what the neighbors think. The wind-down may be big in Beirut; its bombing in Boston. Senators are getting mail from constituents asking them if they are mice or men about stopping the war.

They are making a belated effort to prove they are men, struggling to regain powers they meekly surrendered to Lyndon Johnson. But Rogers told them there was no way. The commander-in-chief is gripping his sword.

After Rogers finished his 41-page putdown Friday of the Senate's wistful appeal to be included in foreign policy, Chairman J. W. Fulbright said the secretary had "gone as far as Katzenbach."

It was Nicholas DeB. Katzenbach, Johnson's undersecretary of state, who told the Senate Foreign Relations Committee that the Gulf of Tonkin resolution had been the "Functional equivalent of a declaration of war." The statement so angered Eugene McCarthy that he stalked out of the hearing room and into the presidential primaries. That was three summers ago, and the senators are as powerless and frustrated as the tribes who stormed the city on May Day.

Rogers' hearty baritone assurances that the President is really getting out met with angry resistance. Part of the problem may be the senators realize that the secretary is as excluded as they are. In the division of powers at the White House, Rogers gets the Middle East, Henry Kissinger handles the Far East.

Rogers has ended up with the curious and demeaning assignment of soothing the Congress on invasions. Before Cambodia, he said it would not happen. After Laos, he said it would never happen again.

He blandly told the senators that if they had been that exercised about Cambodia, they could have voted against further funds in December. They did not, and the administration is confident that they will once again shy away from cutting off all war funds under the McGovern-Hatfield amendment.

"We have learned a lesson," Rogers said. "We know we need congressional and popular support."

There is no evidence to support him. Majority leader Mike Mansfield, hopeless about Vietnam, has offered a resolution to withdraw 150,000 NATO troops. The administration promptly called in the establishment elders, the grey-beards who built the Grand Alliance and originally cheered the Vietnam war—"the old, cold warriers," in Sen. Stuart Symington's disdainful phrase.

Dean Acheson, Harry Truman's secretary of state exhibited anew that contempt for Congress which made his stewardship so stormy in the days Nixon was accusing him of having "lost" China. Acheson called the Mansfield proposal "asinine." His host was pleased to have a change of subject, and a new display of divisions within the Democratic party.

"The same old refrain," said Sen. Frank Church, D-Idaho, with unaccustomed bitterness. "The same old team is gathered together to tell of the calamity that will fall if there is any change in foreign policy."

Rogers explained there could be no "precipitate withdrawal" of American troops from Europe—the matter has only been under discussion for 15 years—because it would tell the world "we had lost our resolve." That is the reason given by President Nixon for persisting in Indochina.

The unhappiness caused by such rigidity was most emotionally voiced by Sen. Jacob K. Javits, R-N.Y., who has never given the administration any trouble on Vietnam until lately. Now the usually voluble, anxious-to-please senator is thoroughly aroused about the havoc of the involvement.

"President Thieu said Vietnam could take 15 years," he cried to Rogers. "Why aren't you here asking us to join you to put an end to this sorry decision? You resist at every turn. We who are trying to cooperate are accused of being unpatriotic or worse."

The secretary said he had never talked in such terms, Javits retorted that the vice president had, and the secretary said it was "inexcusable."

"Are you aware of the anguish of this country?" Javits asked.

Rogers said he was, but there is no sign the administration knows or cares. The President, like Lyndon Johnson before him, is going to run the war. He won't say when he will end it or how. The Senate can like it or lump it.

The chances of negotiations with Congress are no better than the chances of negotiations with the North Vietnamese.

[From the Sun-Sentinel, May 17, 1971]

SENATOR MANSFIELD TOYING WITH FATE OF THE NATION

A move clearly calculated to put the administration "between a stone and a hard place," has all the earmarks of a very dangerous game of political tinkering with national defense.

Senate Democratic Leader Mike Mansfield has proposed an amendment to the draft extension act that would half U.S. troop strength in Europe, thus seriously affecting the capability of the North Atlantic Treaty Organization.

Observers state that President Nixon will not agree to a compromise, and intends meeting the proposed amendment directly in a hope that it will be defeated.

His only other choice, analysts say, is to veto the draft bill if it is passed with the troop-cut amendment. Thus he is in a position of jeopardizing the input of replacements required by the draft which would expire June 1, if not extended.

In making his move, Senator Mansfield could not have been unaware of a recent commitment by President Nixon to the 15-member North Atlantic Council.

In his message to the council which met in Brussels on Dec. 3, 1970, Mr. Nixon made the following statement: ". . . We have agreed that NATO's conventional forces must not only be maintained, but in certain key areas, strengthened. Given a similar approach by our allies, the United States will maintain and improve its own forces in Europe and will not reduce them unless there is reciprocal action from our adversaries."

The reference to ". . . our adversaries," is significant. When the treaty was signed in 1949, participating members had fresh in mind the Communist coup in Prague which resulted in establishment of the Communist regime in Czechoslovakia, and the Berlin blockade was in progress. There has never

been any question as to who is "the adversary."

In 1968, members of NATO made an approach to the Soviet Union on the matter of reducing potential tension in Europe by discussing possible troop cutbacks. Almost on the heels of the approach, the Soviet Union and four other Warsaw Pact countries invaded Czechoslovakia.

This overt act of aggression, even against one of their own allies, on the part of the Communists, left no doubt of the unreserved willingness by the Soviets to use military forces to back up political intentions.

Because of the implications of the Soviet move against Czechoslovakia, NATO ministers met in November, 1968, and agreed that there was an immediate need for an improvement in the quality, effectiveness and deployment of NATO forces.

It is against this background, and also the established fact that Warsaw Pact forces are on the increase, that the dubious proposal for troop reduction has been put forth.

Since we can in no way believe that a respected U.S. senator who has dedicated a lifetime to national service would deliberately participate in an action designed to harm the country, we must deduce that the move by Senator Mansfield is purely political in motive.

It is probable that even if push gets to shove and Mr. Nixon does veto the draft extension act in order to preserve the backbone of NATO some sort of emergency extension will be enacted.

Even so, the American public should now be alert to the complications that can be involved in the legislative process when politics become directly tied to things as vital as the defense posture of the nation.

It was not unexpected that the Soviets jumped on the controversial issue in their usual, subtle fashion of fanning the flames that lead to division.

Communist Party chief Leonid Brezhnev Friday made an oblique invitation to NATO to discuss military disengagement in Central Europe.

What he is attempting, in fact, is to drive another wedge into the Western alliance. The West has been talking uselessly with the Communists for years. In Korea, Paris, Helsinki, Vienna and elsewhere, talk without meaning continues.

Meanwhile, our own house continues to divide, politically and defense-wise. How long can it stand against such internal attacks?

BUDD W. BOYER.

COMMENTARY OF JOSEPH MCCAFFREY, MAY 14, 1971

The cold warriors have rallied behind President Nixon in his assault on the Mansfield Amendment to the draft extension, an amendment which calls for halving the number of troops we maintain in Europe.

This has worked up former Secretary of State Acheson so much that he calls the proposals "absolutely asinine;" not just asinine, but "absolutely" asinine which is whole hog, or at least a very large sampling of the hog.

Everyone who has ever contributed over the last twenty five years to dropping the temperature in the cold war has been pulled from the bench, from the shower room, and even beyond that, and put into the fight against the Mansfield Amendment.

The odds, of course, are against the amendment, but now it has become a viable issue, and the American people will begin to wonder why we are still putting up their tax dollars to maintain three hundred thousand troops in Europe, twenty six years after the end of World War II.

Perhaps the Senator should now move for a compromise. He might be able to strike a bargain with the Administration. How about leaving three hundred thousand troops luxuriating in Europe, in return for pulling out all our troops from Indo China by December 31st?

That would be fair; certainly it would be fair to the troops stuck in Vietnam, while the men and women serving in Europe, who aren't on hardship duty, wouldn't mind having to stay there another twenty or thirty years, thus easing the defense costs of the French, the Italians and the British.

If we could get our men home from Vietnam, we could afford to continue subsidizing the defense of Europe; after all we're subsidizing just about everything else.

Because that vote, regardless of its outcome signals clearly the discontent of a growing number of Americans with, as Senator Mansfield said, too many of our elder statesmen living in the past. The vote will show, finally, that we admit the world is changed.

Wednesdays vote is the first step toward reducing our troop strength in Europe.

COMMENTARY OF JOSEPH MCCAFFREY, MAY 17, 1971

In what would appear to be a deliberate case of over kill, the Nixon Administration has proven again its matchless ability to mount a public relations campaign as it works to defeat the Mansfield Amendment.

Its latest recruit, thus giving it a full deck, is former President Lyndon Johnson. Adjacent to the front page story in the Sunday Times announcing that Mr. Johnson had joined forces with the Administration was a two column head which testified to the legacy of our foreign policy over the last ten years; the headline read: "G.I. Heroin Addiction Epidemic in Vietnam."

What the campaign against the Mansfield Amendment tells most strikingly is that there seems to be very little difference between the Nixon Administration and the Administration it succeeded.

The war goes on, the policy of troops in Europe is sacrosanct. Unperturbed over the hysteria he seems to have created within the establishment, Senator Mansfield is hopeful that the front page stories will move us off dead center as far as our NATO policy is concerned; if we don't follow is lead now and act unilaterally at least we should move swiftly to negotiate a withdrawal vis a vis the Warsaw Pact troop strength. This is something he suggested ten years ago, only to have it brushed aside by the Democratic Administration then in power.

The Establishment resists change, and nothing better illustrates this than the cries of shock at the thought of reducing, twenty six years after the end of World War II, our troop level in Europe.

But no matter what the outcome of the Wednesday vote, the vote itself signals the end of an era . . . an end which has been long over due.

COMMENTARY OF JOSEPH MCCAFFREY, MAY 19, 1971

The Administration has won a smashing victory with the defeat of the Mansfield Amendment, and the policy of maintaining troops in Europe has been approved, until the next challenge.

They have remained in Europe for twenty-six years, so they may now be regarded almost as a permanent commitment.

Yet the victory today was not so much for retaining the troops in Europe as it was for retaining full, complete control of foreign affairs by the President. The Senate itself said by this vote that this is within the purview of the President.

The vote showed that the Senate itself is not too ready to grasp the nettle, just as it has never really faced up to the responsibility of ending our involvement in the war in Vietnam. It could do this without fan dancing around with so called intent of Congress resolutions, it could end the war by using the one power Congress has, the power of the purse . . . it could stop putting up the money for the war. But the Senate really doesn't want the responsibility for ending the war, just as last nite it didn't want the responsibility for closing out a long over due chapter on World War II, that's the war we fought two wars ago.

But this vote does not end the issue. It's now incumbent on the Administration, by its own Executive efforts, to reduce the U.S. personnel stockpile in Europe. The matter has not died with tonight's Senate vote, far from it, instead it has become a real, vibrant issue.

Because when the Senate ducked tonight, the issue went right over the Senate to the people, and now they will begin to wonder about the remnants of the ancient war they inherited and are still paying for, to the delight of the European nations whose defense costs we help subsidize.

[From the New York Post, May 17, 1971]

MATTERS OF TIME AND PLACE

Sen. Mansfield's proposal for a 50 per cent reduction in U.S. forces in Western Europe is coming before the Senate at a poor time and in the wrong context. At a moment when German Chancellor Willy Brandt is pressing for detente between West Germany and the East and when Soviet leader Brezhnev has unexpectedly invited negotiations between NATO and Warsaw Pact members on mutual troop cuts, there is little compelling argument for a unilateral American pullback. Indeed, Mansfield himself seems to have tacitly conceded the vulnerability of his position by placing new emphasis on a swift response to Brezhnev's overture and the early beginning of such negotiations. That effort deserves top priority.

It is ironic that some of those now rallying to President Nixon's side in his conflict with Mansfield have been most disposed to disparage Brandt's "Ostpolitik" program. Dean Acheson and other founders of the NATO school were quick to warn that Brandt's endeavors were a threat to the old school tie, as if NATO were the only enduring monument to their own labors. We have never viewed NATO as sacrosanct. It was the product of a difficult, dangerous time, but it will achieve its largest place in history if it proves to have been the prelude to a new era of sanity.

It is too early to weigh the full meaning of the Brezhnev initiative, but we welcome Secretary of State Rogers' apparently genuine if cautious interest in pursuing it. There may well be validity in his contention that it renders the Mansfield move a hindrance to negotiation at this juncture; its passage now would diminish any Soviet incentive to compromise what the Senate had already conceded.

In any case the matter is probably now academic as far as the Senate is concerned. The important question is whether the new possibility for broader talks will be seized—or whether Mansfield's defeat will be translated as a triumph for sterile continuance of NATO business as usual.

Meanwhile, we urge Mr. Mansfield to concentrate his energies on enactment of the McGovern-Hatfield amendment to set a "date certain"—December 31—for our withdrawal from the wasteland of Vietnam. On that front nothing has happened to modify his sense of urgency.

[From the Washington (D.C.), Daily News, May 17, 1971]

USE OF "SURPLUS"

(By Virginia Prewett)

We citizens of the United States are about to be told by the Nixon Administration and an impressive bi-partisan group of leaders

that we "must" spend around $14 billion in Europe annually to "maintain NATO." Senator Mike Mansfield is the authority for the sum spent—and a definition of "maintaining NATO" is "keeping Russia from gaining domination of Western Europe's giant industrial plant."

Observers taking the long view see many other things that we "must" do for other nations. The British writer and philosopher, C. P. Snow, says that if the developed world doesn't get busy helping the poorer nations, in 20 years we will be "in a state of siege" by the underdeveloped nations.

A few years ago I reported a proposal made by the left-leaning member of Peru's powerful Miro Quesada family, following a visit to Maoist China. After working all the way thru the United States' past and present relations with the underdeveloped world, he came up with this: The underdeveloped nations will combine and tell the United States what we must produce and give them for development. He envisaged the future United States as a kind of drone society supplying without cost the needs of the needy nations.

President Jose Figueres of Cost Rica, a respectable liberal friendly to the United States, more recently made another suggestion: That the U.S. apply in its industrial life principles already used to get rid of our agricultural surpluses.

Under the so-called "Cooley loan program," the United States sells surplus farm products to needy nations, which pay in their currencies. U.S. funds thus accumulated overseas are lent to the purchaser nations for developmental purposes, on easy terms.

President Figueres says it would cost us little more to produce industrial goods to full capacity—and that we can take up unemployment slack in so doing. The "surplus" would be distributed to the underdeveloped nations which cannot afford to buy thru regular channels of trade. Terms should not burden the needy nations with increasing payment deficits and heavy loan commitments.

He proposes an international, multinational agency to control the flow of surpluses to the less developed nations. It must be regulated so that it does not prevent development of local manufacturing in those nations and their eventual "development" to become not so needy.

"Don Pepe" Figueres' suggestion may seem thorny and unpalatable to most of the people now running the "developed world." But we must be aware that other minds, other views and other concerns than our own will help shape our national future.

Underdeveloped countries increasingly insist that our present trade and financial dealing with them are "exploiting" them. One way or another, our neighbors mean to force us to contemplate a future in which the rich nations do not get steadily richer, while the poor nations grow progressively poorer. Unless we want their ideas forced upon us eventually, we should develop positive and progressive ideas of our own.

[From the Washington Star, May 17, 1971]

BREZHNEV'S MOVE

Why Leonid Brezhnev chose this time to press for negotiations on mutual troop reductions in Europe is one of those mysteries that pervade the twistings of Kremlin policy. The Soviet Communist party chief's amplification of his March 30 remarks on armed forces reductions can be seen as consistent with past Russian proposals for a European security conference. But the timing of his newest pitch, a few days before a Senate vote on halving our NATO forces, can be interpreted in contradictory ways.

It would seem to be in the Soviets' interest to encourage—or at least do nothing to discourage—the move for reduction of America's 300,000-man European contingent. Benign silence might have been the indicated Moscow tactic in these circumstances.

The Brezhnev call for negotiations, on the contrary, has provided an additional argument for those who favor maintaining our NATO strength at its present level. As administration spokesmen were quick to ask: Why should America unilaterally give away half of her bargaining strength with East-West negotiations possibly in the offing?

The NATO countries have been proposing mutual and balanced force reductions for the last three years. If an agreement with the Communists bloc is now possible, that would have considerable value for the general easing of world tensions. A precipitous weakening of our NATO commitment, with consequent loss of belief in the nuclear umbrella we hold over Western Europe, could increase the chance of trouble in the future.

It is significant that West Germany, which is pursuing its own goal of relaxation in relations with the East, sees this cause and over-all European stability threatened by a significant unilateral pullout by the United States.

The Brezhnev overture is worthy of the most serious scrutiny by the NATO members. It could come to something, or nothing. A mutual reduction of conventional forces, however, would have economic as well as security benefits for both East and West, American officials, meanwhile, must keep their eyes on a goal that is even more vital for world survival—agreement with the Soviets on strategic arms limitations.

Wednesday's scheduled vote on the Mansfield amendment, which would attach the NATO reduction to the draft bill, has more riding on it than an easing of the balance-of-payments problem. The long-term prospect for peace, through a mutual reduction of the armies that face each other in Europe, would be served better by keeping our troops where they are until the negotiating possibilities can be explored.

[From the Billings Gazette, May 12, 1971]

OTHER PEOPLE'S MONEY

European nations that accuse the U.S. of being careless with its money and thus causing the dollar crisis are playing loose with the truth.

U.S. policy is involved, including the billions being poured overseas into the Vietnam War, the fact that the Johnson Administration was reluctant to tax to pay for the war, the campaign promise of President Nixon to repeal the surtax, which he did.

It all helped prolong inflation.

Foreign critics of the U.S. policies played their role, too.

Some of the Vietnam War money finds its way to Western Europe, adding to the glut of dollars.

Trade barriers such as Japan and France have erected hurt sale of American farm products and some manufactured goods.

Other counties rely on the U.S. to pay for the nuclear umbrella that protects against Communist expansion in Europe and Asia.

West Germany seeks and wants a large American military establishment that more than offsets military buying from us.

Other NATO nations do not make a proportionate contribution to its support.

Few of our industrialized friends pay their share of helping developing nations.

Their relatively high interest rates attract U.S. dollars in a disproportionate amount.

These factors considered, our friends overseas have some restructuring of their own to do.

So does the U.S. but don't count on any action in Washington that will curb economic recovery here to keep money from going over there.

President Nixon has enough trouble at home.

[From the Livingston Enterprise, May 17, 1971]

MIKE'S RIGHT—REDUCE IN GERMANY

Germany has been on the U.S. gravy train ever since World War II. The United States has rebuilt, retooled, modernized and provided other forms of handouts to the tune of billions and billions of dollars, plus the fact that we spend billions to maintain a substantial United States Armed forces contingent in Germany as a part of our NATO contribution to the defense of Western Europe. But, the other NATO nations drag their feet and do not live up to their fair share of troop, equipment and monetary requirements.

Now, the declining value of American Eurodollars has turned the tide and the exchange ratio favors the German mark. Henry Ford II has indicated that higher production costs in the U.S. eventually may find Americans servicing foreign-made cars. So, our handouts to modernize German, Japanese and other nations has led to the U.S. loss of more and more world markets for automotive, electronic, steel and other products as foreign labor and production costs decline and those in the U.S. mount and mount. Not only does our foreign trade decline, but foreign competition on the home market has reduced U.S. production and added to the numbers on unemployment rolls.

But, our foreign aid program—a big bill of expense with no economic return—goes on and on. We have the notion we can go to the moon, be lavish and wasteful with military commitments, engage in expensive boondoggles, keep on a dangerous deficit spending binge and still bury our heads in the sands against the reality of the sad, sad situation in which we exist. The British Empire collapsed, but did we benefit from England's lesson. Now, it seems likely that Britain will join the European Common Market and the U.S. will have an even stronger competitor.

The big bugaboo is the Russian threat. Then, there's the Red China threat. France doodled behind the Maginot Line, but when the attack came the French vaunted armed force collapsed.

If there's German, French and other European NATO allies' apathy, what good would be an island of U.S. deterrence in Germany? Majority Leader Mike Mansfield has the courage to renew his efforts to reduce our troop commitments in Germany. He has run counter to the Nixon Administration and the Pentagon. Just as we made a mistake in Indo China, so we have made a mistake much too long by the German troop contingent. We hope Mike is successful. Commonsense is on his side.

MANSFIELD'S BAD IDEA

Senator Mike Mansfield, the majority leader, picked a poor time to propose bringing home half the American troops stationed in Europe.

The Soviets are pushing hard in Central Europe, the Mediterranean, the Middle East. American withdrawal would be a great, bloodless victory for the Soviets at a time when their military buildup, especially in newer and bigger intercontinental missiles, is causing intense worry at the Pentagon.

Brezhnev and his marshals would surely interpret such an American move as a sign of weakness and crumbling resolve.

One explanation for Mansfield's announcement is that he was trying to get back at our Western European allies for devaluing their currency while we spend so much of our substance in their countries in maintaining our troops.

Columnist Joseph Kraft suggests that Mansfield was merely trying to shake up our allies and make them assume more of the costs of defense.

But Sen. Mansfield's interest in economy

could prove expensive if it causes American troops to be brought home from Europe too soon. It could be the most costly military miscalculation since the United States underestimated Japanese intentions and capabilities just before Pearl Harbor.

A LOST VOTE, A LIVE ISSUE

The defeat of Sen. Mansfield's proposal for a 50 per cent slash in U.S. forces in Europe was arithmetically decisive. The outcome was actually assured when Soviet leader Brezhnev unexpectedly entered the debate by announcing his desire for negotiation of mutual troop cuts between NATO and the Warsaw Pact countries. In the aftermath of that inadvertence, President Nixon could persuasively argue that adoption of the Mansfield plan would diminish the Soviet interest in negotiation.

But the Administration's last-minute emphasis on that point—echoed by the NATO alumni association in Washington—drastically alters the meaning of the Senate result. Having belatedly dedicated so much urgent rhetoric to the importance of talks with Moscow, the President and his bipartisan backers face the clear obligation to arrange for negotiations forthwith—and in a forthcoming spirit.

That was not the setting in which the debate began, and an accident of history may have salutary results. In the long run, Sen. Mansfield may have achieved more in defeat in these circumstances than he might have won in victory before Brezhnev spoke. For those of his opponents who were basically resisting West German Chancellor Willy Brandt's quest for detente now find themselves morally committed to the spirit of his endeavor.

[From the Washington News, May 18, 1971]

MANSFIELD VERSUS NATO

President Nixon is right to resist strongly Sen. Mike Mansfield's reckless move to slash U.S. troop strength in Europe from 300,000 to 150,000 this year.

The Senate majority leader is tampering with the balance of power in Europe.

If successful, the Mansfield move would demoralize and undermine the North Atlantic Treaty Organiztion, our key alliance and one that has kept the peace along the Iron Curtain for over two decades.

An abrupt 50 per cent withdrawal of U.S. forces from NATO would destroy allied confidence in America and the value of its commitments. The only gainer would be the Soviet Union, which since Stalin's day has been patiently waiting for such a United States retreat.

Mr. Nixon's stand has been impressively supported by two former Presidents, two ex-secretaries of state and a platoon of senior statesmen.

A Mansfield-sized troop withdrawal could undercut current East-West talks on limiting strategic arms and on the future of Berlin. Also, it would weaken the U.S. 6th Fleet in the Mediterranean when Middle East peace hangs in the balance.

It is tragic that Sen. Mansfield should move to throw away our bargaining cards just as Soviet Leader Leonid I. Brezhnev finally shows an interest in negotiating with NATO on reducing troops in Central Europe.

Nevertheless, we sympathize with the mood in the Senate behind the Mansfield amendment: weariness with the Vietnam War and high military budgets; belief that the NATO allies are not carrying enough load, and worry that military spending abroad weakens the dollar.

Such spending does weaken the dollar. But so do mindless tourism and insatiable consumption of fancy imported goods.

This is not to argue that 300,000 men in Europe is a holy figure that can never be cut. However, with peace and security at stake, troop reductions should be made only after careful congressional hearings and close consultation with our allies.

Sen. Mansfield did neither. Before NATO could be consulted, he sprang his plan in the form of a rider on another bill. The move already has weakened the alliance by putting America's reliability in question.

The best way the Senate can repair the damage is to defeat the Mansfield rider—overwhelmingly.

[From the Washington Star, May 18, 1971]

MANSFIELD ADDS TO CONFUSION

(By Charles Bartlett)

Sen. Mike Mansfield has been so consistently responsible and so often right on uncertain turns in foreign policy that it seems almost foolhardy to resist his new initiative to reduce the number of American troops in Europe.

A rereading of Mansfield's appraisal of Vietnam in late 1962, a time when the United States had lost 50 men instead of 50,000 and spent $5 billion instead of $100 billion, evokes poignant melancholy. President Kennedy then viewed Mansfield's disagreement with the swelling American role no more warmly than President Nixon views his legislative maneuver on NATO.

Moreover no one can deny that the pressures by the Mansfield group of senators have been valuable in helping successive administrations to persuade Europeans, particularly the West Germans, to assume a larger share of the NATO burden. Until this dissent arose, no significant figure since Sen. Robert A. Taft had argued forcefully that American defense efforts ought to be matched by West Europeans.

Win or lose, the new Mansfield push is certain to affect usefully the current negotiations with Bonn to set more generous terms for offsetting the costs, both fiscal and balance of payments, of the American garrison force. As always, these are stiff dealings and while the Germans seem ready for the first time to make some direct contribution to the fiscal costs of keeping Americans in Europe, their generosity is restrained by their tight budget.

But the Mansfield proposal does not deserve all the momentum it derives from the crisis of speculation against the dollar. It shares in fact a bad fault of recent policy on the troop issue. The unpublicized agreement in Bonn and Washington has been to trade the administration's adherence to present troop levels for Bonn's willingness to suffer quietly the discomfort of a heavy influx of dollars.

This facilitated President Nixon's anxiety to keep interest rates low to speed the domestic recovery. The arrangement was artificially disrupted, apparently in a CUD conspiracy to embarrass the Brandt government, by the release of four economic reports which touched off the speculative fever.

The disruption can have constructive results in forcing both governments to deal more directly and squarely with the separate problems of the Eurodollar and European defense. One consequence of merging the two had been to postpone and tangle the creative response to these problems.

Now there is likely to be a Nixon initiative on the Eurodollar, an effort to regulate the flow without damaging an important capital market. There may also be an effort to systematize the flexible currency exchange rates, a reform for which some in government have been pressing. Progress may even be made toward an international reserve system.

On the defense issue, a new public awareness of this country's burden will certainly stimulate those who have backed the status quo to do some fresh thinking. The American government cannot indefinitely tolerate the disparity between the share of its wealth being committed to defense and far smaller allocations by rich nations like West Germany and Japan.

But the Mansfield proposal, linked as it is to the money crisis, revives the confusion of the dollar and defense issues. The deficits have plainly been swollen by foreign military expenses but only a small slice of recent deficits can be attributed to the outlays in Germany.

The evil of this confusion is that it raises the image of the United States as a tottering giant who is pulling back from the realities because he cannot cope with his circumstances. This is an exceedingly dangerous image in a polarized world.

[From the Washington Post, May 18, 1971]

LAST STAND OF IMPERIALISTS

(By Frank Mankiewicz and Tom Braden)

Sometime—perhaps in the year 2,000—historians may look back upon the gathering at the White House last week and conclude that it was the last stand of the imperialists.

There was Dean G. Acheson, John J. McCloy, Lucius D. Clay, George W. Ball, Henry Cabot Lodge. The names read as though from old newspaper clippings: one caught oneself with the question, "Is Lovett still alive?"

But most of the rest were there—the last surviving veterans of the cold war, the Marshall Plan, Greek-Turkish aid and the Great Debate of 1950 which ended in the commitment to send four divisions to Europe. They were gathered at the behest of the President to defeat a proposal by Sen. Mike Mansfield to send half those troops back home. Nor is there much doubt that these last scions of Theodore Roosevelt and Henry L. Stimson will win the battle. But they will win it because Soviet Premier Brezhnev intervened with an expression of interest in troop withdrawals. They will win it on a technicality, not on points.

For the old guard is departing the scene. In their day, these men, and superiors now in their graves created an American empire unparalleled in history. They signed defense treaties with 42 nations, kept three and a half million men under arms, nearly half of that number overseas; they built or bought 2,200 military bases in 33 countries; they spent since World War II on defense alone more than a trillion dollars, and lent dependent nations $150 billion more. And they are through, as surely as they are old. For their countrymen no longer believe in the credo to which they devoted their public lives.

Consider, if you will, the difference between what the old guard thinks, and what most Americans think, bearing in mind, that most Americans are now under 30 years of age.

The basic consideration of the old leaders was that the whole point of foreign policy was to stop communism in the interest of "the Free World."

Young America does not believe that opposition to communism per se is a worthwhile goal. It is not clear to them why Communist Cuba is more evil than free Haiti.

The old men believed that any trouble anywhere in the world was due to Communist influence, that communism was on the march, ready to take advantage of the slightest turmoil in order to confound the "Free World."

Young America thinks of the Soviet Union as status-quo oriented, seeking advantages to be sure, but in no different manner than do we.

The old men believed that communism was monolithic; the young think nationalism is the stronger force. The old men believe the United States must play a strong role in Europe, working for integration, solving the problem of divided Germany. The young think Europe has recovered and should ensure its own defense. The old men think the phrase "national security" means defending the "Free World."

The young think national security means the solution of domestic problems—race, poverty, ecology. They are interested in Vietnam, but only because they regard what their country is doing there is immoral. They are not at all interested in NATO.

Which side is right? Historians may say that the cold warriors, having stopped Joe Stalin, kept the war going out of habit and momentum. But when present day revisionist historians speak of the sins of Dean Acheson it is useful to reflect that fashions change: Frank Kellogg won the Nobel Peace Prize.

Perhaps the crux of the generation gap is that the older men have their eyes turned abroad; the young look inward.

And so, though Sen. Mansfield's proposal will probably not pass, it seems as sure to pass eventually, as, in a different sense, will the generation which won the cold war. The numbers are on the other side. The age of American imperialism is about to end.

[From the Evening Star, May 18, 1971]

MIKE MANSFIELD'S WELCOME HERESY

(By Tom Wicker)

Sen. Mike Mansfield of Montana has done us all a service. His proposal to force a 50 percent reduction in American forces in Europe has made it clear how difficult it is in this country to change a policy that has achieved institutional status, no matter how little sense the policy may have come to make.

Mansfield's welcome heresy also has exposed the extent to which American foreign policy-making is dependent, not just upon the standards and concerns but even upon the personalities of the past. For not since the Grand Army of the Republic held its last encampment has there been such an ingathering of elders and bygoners as President Nixon has mobilized in support of the proposition that NATO—must never—no, never—be reconsidered like any other question of priorities.

Never mind the crumbling and festering American city; never mind the mounting demands for tax dollars for education, health, transportation, welfare, job training; never mind the cost of maintaining a half-million persons, including dependents and 128 generals, as well as 7,000 tactical nuclear weapons, in Europe; never mind the international payments deficit to which this endless commitment annually contributes $1.8 billion.

Never mind all that; the wisdom of the ages says NATO must go on essentially untouched.

One primary argument against Mansfield's proposal is that since NATO is an alliance, the United States must not proceed unilaterally but only in concert with the other parties.

The record shows, unfortunately, that the French have pulled out, the Portuguese have their forces on duty maintaining their African empire, Britain has eliminated conscription, Canada has cut its European contingent, etc., ad infinitum. Who's unilateral? And who has borne the bulk of the load for two decades, with precious little help in sight?

The other argument is that Mansfield's proposal would sabotage any effort to follow up Brezhnev's suggestion that a reduction of forces and armaments in Europe might be negotiated by the NATO and Warsaw Pact countries.

Of course, when Brezhnev said something about like that last year, nothing came of it. And the major reason Washington seems more interested this time around is because the Brezhnev proposal provides a handy argument against Mansfield's amendment.

In fact, Nixon has made such a concerted effort—one of the most vigorous of his administration—to defeat the Mansfield amendment because of the internal power of a policy long established, particularly when those who established it are still around to defend their handiwork.

There is nothing to suggest that, before Mansfield acted, the administration had any great plans for negotiating troop reductions, either with the allies or the Soviets; and many of the patriarchs who were rushed into the breach have also opposed other movements in the glacier of East-West relations—say, Chancellor Brandt's efforts to begin Soviet-German reconciliation.

So the truth is that, far from being the disaster pictured at the White House, Mike Mansfield's amendment (which comes 26 years after World War II ended and only after he failed to stir three administrations with milder proposals) not only shows us something about the viscid sense of priority and reality in government, it may also force some action at last, even if it is defeated this week.

Having insisted that the Mansfield amendment would kill any chance to negotiate reductions with the Soviets, the administration can hardly fail now to make a serious effort to get such negotiations going; if it refuses to do so, or if it backs off from any effective agreement, Mansfield and his supporters will be strengthened in future demands for unilateral reductions.

As the senator says of his amendment, "if defeated, it will not be dead." That means the issue is going to be forced—which, sadly enough, is about the only way issues ever get dealt with around here, in any administration.

[From the Boston Globe, May 18, 1971]

MR. NIXON'S UNLIKELY ALLY

The odds against it would have been prohibitive, but the Russian Communist party leader, Leonid I. Brezhnev, has become President Nixon's strongest ally in Mr. Nixon's effort to defeat Senate Majority Leader Mike Mansfield proposal mandating a 50 percent cutback in the number of American troops (300,000) in Western Europe.

And that is not all. Mr. Brezhnev now finds himself in effect allied, also, with most of the aging Cold War warriors of the Truman and Johnson Administrations whose fear of Communist aggression was responsible for sending American troops to Western Europe (as well as to more than 2000 other bases in more than 30 nations all over the world).

Politics and diplomacy do indeed become curiouser and curiouser—even when it is by accident.

Sen. Mansfield's proposal, an amendment to a bill extending the draft law, might well have been defeated anyhow in the Senate vote scheduled for tomorrow, though this was far from certain. But the Brezhnev suggestion that the time has come for negotiations looking toward mutual withdrawal adds immeasurably to the earlier Nixon argument that "this is not the time to dismantle our forces unilaterally in Europe."

From the standpoint of parliamentary fun and games, with the President and his congressional opposition locked in another titanic struggle over the constitutional division of powers, it is sort of a pity that Mr. Brezhnev was not alerted to the dramatic show his intrusion has dimmed for the time being. This will come later on other amendments to the draft law, not to say the draft law itself, with Mr. Nixon far from out of the woods. He has challenged Congress too often for it to let him off scot-free.

But from the standpoint of a possible relief from East-West tensions at long last, the Brezhnev proposal comes at an opportune time. This makes his accidental alliance with the U.S.'s most persistent Cold War warriors all the more titillating. Neither they nor Mr. Nixon himself are now in a position to casually downgrade Mr. Brezhnev's proposal, for it may be put down as a virtual certainty that some erstwhile supporters of the Mansfield amendment have sought, as their price for backing away from the amendment, an Administration pledge to accept the Brezhnev offer.

Mr. Mansfield himself was one of the first to put on the pressure.

"I wish," said he, "they would reply in the affirmative and set a date—preferably in June."

And the Administration has disclosed that it is feeling pressure. After his first seeming indifference, Secretary of State Rogers said on Sunday that he will attend the next meeting of NATO allies to discuss the proposal, and that Ambassador Jacob D. Beam would seek details in Moscow. He still called it vague, and vague it may be. But the whole Administration is now on notice, anyway, that even the usually mild-mannered and amenable Mr. Mansfield is on the alert for dilatory tactics.

However disposed the Administration may be to "negotiate from strength," a fine-sounding phrase, Mr. Mansfield is one of a growing number who have come to recognize that two can play at this game, and, when they persist in it, the ultimate test of strength becomes inevitable.

Mr. Mansfield now will probably lose his amendment. But he (and all of us) may see the beginning of the release of tension at which he has been aiming right along. He has not yet asked for Senate observers at the negotiations which now appear to be in the cards, but this would be an excellent idea.

[From the Wall St. Journal, May 18, 1971]

RIGHT AIM, WRONG METHOD

We retain the sympathy expresesd over the years for Senator Mansfield's efforts to reduce American forces in Europe, but at the same time we are disturbed by the means he now proposes to use. The amendment currently before the Senate would do the right thing in the wrong way at the wrong time.

In previous years the Senate majority leader has introduced "sense of the Senate" resolutions calling for a "substantial" reduction in forces. These non-binding resolutions have not been put to a vote, though they have attracted a majority of the Senate as cosponsors.

With the administration expressing no interest in reductions unless the Soviet Union agrees to reduce its troops in Eastern Europe, Senator Mansfield now proposes to force unilateral American reductions by using Congress' appropriation power. His amendment to the draft extension bill would stipulate that funds can be used in Europe only to support a force half the present size.

Without going into the exact size of any cut, we tend to take the Senator's side in much of the argument. Of course it would be most fortunate if something comes of Soviet Party Chairman Brezhnev's suggestion that it may after all be possible to negotiate a mutual withdrawal. But we do not think that the absence of such an agreement means the U.S. force must stay at its present size forever.

The problem here is not so much with the Soviets, in fact, as with our NATO allies, who have not carried their share of the alliance's effort. Certainly the United States ought to provide the nuclear umbrella for Europe's defense, and some sort of ground commitment is necessary to keep this credible. Given Europe's current economic strength, however, it should not require 300,000 Americans to meet whatever total manpower is needed to balance the Soviet-bloc threat.

We can also understand Senator Mansfield's impatience at the administration's neglect of his gentler hints in the past, and when Congress undertakes to exercise its appropriations power it at least is assuming real responsibility and no longer merely

carping from the sidelines. So there is a great deal to be said for the Mansfield amendment if it could be considered apart from the contest of a world-wide foreign policy.

In the real world, naturally, you are not allowed to consider anything in any such way. At present, indeed, you have to consider such proposals in the difficult context of a foreign policy faced with a task of excruciating subtlety; withdrawing from over-extended positions without at the same time creating an impression of collapse.

The United States has underwritten such global order as has been found since 1945, and other nations are going to judge their prospects and actions in terms of what the United States now does. American withdrawal from Vietnam, especially in the context of intense domestic pressures, raises a question about the continuing global order. Can the United States cut its losses in Vietnam but maintain its basic positions, or does it lack the will for other nations to depend on?

How other nations judge this question has many profound effects, but one of the most important and most illustrative concerns their dependence on the American nuclear umbrella. A fair number of nations have desisted from building nuclear forces because they believe the United States has the power, and more importantly the will, to protect them from nuclear blackmail. If they conclude that America lacks the necessary will, they must choose between building the weapons or being prepared to yield to pressures backed by them.

What other nations think and do will in turn heavily affect America's own security and the prospects for avoiding nuclear war. So whether we like it or not, we must weigh not only whether a proposal like the Mansfield amendment is a good idea in the abstract, but also what impression its enactment would create.

What will other nations think, for example, if they see an unwilling administration forced into a European withdrawal while it is still in the midst of an Asian one? What kind of forces will be unleashed if Europe concludes its all-important arrangements with the United States are subject to unilateral changes by such devices as a troop-level amendment tacked onto a bill to extend the draft?

This range of questions, it seems to us, is heavily decisive against enacting the amendment in the here and now. We can only hope—and it is no more than a hope—that the administration, the Senate and our allies can find some way to achieve the same aim by a less disruptive method.

[From the Des Moines Register, May 18, 1971]

U.S. TROOPS IN EUROPE

Senator Mike Mansfield (Dem., Mont.) has been trying for a decade to reduce the size of United States armed forces in Europe, on the reasonable ground that the situation has changed since the 1940s and early '50s when the forces were first established there. Western Europe no longer has much fear of a Soviet invasion, nor of local Communist coups or revolutions. It has recovered from the wreckage of World War II and is now strong enough economically, socially and politically to need only a little outside help, even in standing up to a superpower.

U.S. armed forces on the line in Europe do greatly strengthen the effect of the North Atlantic Treaty pledge of joint defense. But Mansfield thinks 150,000 is a more suitable number than 300,000 now that World War II is 25 years in the past and the United States has many better ways to use the money.

The Administration response to Mansfield's latest effort—a proposed amendment to the draft extension bill—is shrill in the extreme. President Nixon, Secretary of State William P. Rogers, and a host of eminent past government leaders have spoken out that pasage of the Mansfield amendment would destroy the North Atlantic alliance (NATO) and put Europe and America into grave danger.

That is nonsense. It would merely reshuffle somewhat the shares of manpower and costs of Europe's defense.

Europe, which is 3,000 miles closer to the supposed danger, has long been less excited about it than the United States, judging by behavior. The European NATO governments devote a smaller percentage of their resources to defense than the United States does, and fall further short of their pledges to NATO.

West Germany, which is arguing hardest against any such American troop cut, has repeatedly been offered two outs; it could pay the full costs of American troops in Germany, or it could expand its own armed forces to fill the gap. It has done a little of both and right now is joining in the hysterical outbursts against the Mansfield proposal. But its major enterprise is "Ostopolitik"—a foreign policy designed to improve relations with the Soviet Union and the East European Communist governments.

Secretary Rogers was particularly critical of the "timing" of the Mansfield proposal—as if it hadn't been repeated in many forms for 10 years. Rogers said it would spoil prospects for negotiations with Russia about mutual troop withdrawals from central Europe.

Soviet Party Chief Leonid Brezhnev did on March 30 and again May 14 offer to negotiate about mutual troop withdrawals, which would be a fine thing if the terms were right. There is a built-in difficulty that Soviet withdrawals could be just a few miles, and American withdrawals across the Atlantic. But thinning down the Soviet garrisons in East Germany, Czechoslovakia, Poland and Hungary would be worth some risk-taking.

Mansfield feels his efforts contributed to Brezhnev's offer and urged the Administration to negotiate. On Monday the U.S. ambassador in Moscow was conferring with the Soviet foreign minister to discuss the possibility of troop withdrawals, so the "spoiling" did not last long.

The Mansfield amendment has enough strength in the Senate to worry the Administration into drastic counter-efforts—but no one expects it to pass the House, so the Mansfield effort is symbolic.

But symbolic of what? Destruction of NATO? Nonsense. Neo-isolationism? Nothing of the sort. Mansfield is one of the most informed men in Washington on foreign affairs. His amendment is an effort to force the Administration to take its eyes off the remote past and reorder priorities and burdens in a sensible way—if possible, by agreement with Russia.

[From the Washington Evening Star, May 19, 1971]

MIKE MANSFIELD'S DANGEROUS DOLLAR DIPLOMACY

(By Smith Hempstone)

Mike Mansfield is not a dishonorable man. Nor is the Senate majority leader a foolish one. But his proposed amendment—it will be voted on this evening—to the Senate version of the House bill extending the draft for two years is one of the most dangerous and mischievous ones seen in these parts for many a year.

The Mansfield amendment would slash U.S. troop levels in Europe from 300,000 to 150,000 by Dec. 31 of this year. President Nixon is on record as opposing any significant cuts in the absence of reciprocal action by the Warsaw Pact, the Communist equivalent of NATO.

Mansfield does not pretend to detect any thinning out of Moscow's forces. Nor does he offer any new insights into the Kremlin's intentions. Which is just as well. When last seen in action, the Red Army was crushing the life out of Czechoslovakia in 1968.

The Montana Democrat, who has a history of opposition to the present level of commitment of U.S. forces to NATO, is particularly angry with the Europeans now because of the recent monetary crisis. He wants to save money. But how much would be saved and at what cost to America's security?

The 1950 Lisbon Conference recommended a NATO strength of 90 divisions. At present, NATO can muster 59 divisions, less than two-thirds of its proposed strength. These divisions face 103 Warsaw Pact divisions.

And it is not giving away any military secrets to reveal that few (if any) of the 22 NATO divisions guarding the three historic invasion routes through West Germany are at anything like full strength in terms of either men or equipment. The West German divisions, almost without exception, are short of junior officers and trained NCOs.

In terms of hardware, the Russians and their allies can field 6,250 tactical aircraft and 15,800 tanks. To oppose them, the NATO commander has 3,500 planes and 6,400 tanks. And this at a time when the United States has lost its nuclear superiority.

The brutal truth is that NATO forces at their present levels could not hope to win a conventional war with the Russians. The best they could hope to do is to delay a Russian thrust long enough to prevent an immediate and total collapse of Western Europe. Mansfield would detach two of the four plus American divisions committed to this already dangerously weak force.

Mansfield's men maintain that Europeans should do more to provide for their own security, and indeed they should. But the only way to do that significantly would be to revive the spirit of German militarism. With Germany divided and Berlin a constant source of East-West irritation, is that really desirable? There was, it may be recalled, a certain amount of unpleasantness about that sort of thing 30 years ago, which caused us all some inconvenience.

And the truth is that the American troops in Europe are there as much to protect U.S. interests as to protect the Europeans. Western Europe is the cornerstone of the structure of a durable peace not only there but in the world. And the integrity of our relationship with Western Europe is the hinge upon which our lives and security hang.

Mansfield would tamper with this relationship. To the doubt cast on our credibility by the American withdrawal from Southeast Asia and Korea, he would add the shadow of a pull-out from Europe. Under those circumstances, could anyone blame the Europeans for tempering their policies toward us?

And to what end? The cost of maintaining 300,000 troops and their dependents in Europe is about $14 billion annually. But of this sum, only $1.73 billion affects our adverse balance of payments of about $11 billion. In other words, for a balance of payments saving of approximately $900 million, Mansfield would fiddle with the delicate balance of power created since World War II, creating doubts in the minds both of our allies and the Russians as to our commitment to defend Europe.

The security of Western Europe, upon which that of the United States depends, is worth more than that. And if the Mansfield amendment passes this evening and remains in the bill, then President Nixon ought to veto it, even though that would mean yet another bitter fight to secure legislation extending the draft for two years.

The old and discredited "fortress America" concept, the daydream of pre-World War II isolationist Republicans, has no place in today's Realpolitik.

[From the Washington Evening Star, May 19, 1971]

CRISIS-WISE NIXON FACES TWO MORE

(By Frank Getlein)

President Nixon has made something of a career, as well as a small fortune—as fortunes in book-writing go—out of facing the crises of his life and subsequently dramatizing them in confessional literature and on the tube.

Right now, he is faced with two new ones. They will be good raw material for the next volume of his memoirs, "Six More Crises and How They Grew," but the President's performance in handling them unfortunately reveals him as a linear, one-at-a-time, isolationist crisis-handler, the last thing in the world called for by the times.

The first is the dollar crisis. Travelers in Middle Europe are finding their travelers' checks unexpectedly discounted and sometimes simply refused. These home voices from abroad, however, are the least of the troubles of the dollar crisis. The dollar has taken a nose-dive in terms of the German mark and several other, less powerful European currencies. The problem: How to save the dollar. The solution so far: Don't bother, let it seek its own level in relation to hard currencies like the mark.

New crisis No. 2 is the proposal of Sen. Mike Mansfield, the majority leader, to cut in half the number of American troops in Europe by the end of the year. The White House response to this dreaded threat of reduction in military expenditure was in the classic Nixonian moment of crisis tradition.

Instead of his dog Checkers, who presumably has long gone to the Happier Hunting Ground, Nixon brought on the ghosts of policies past. In an old-grad reunion of the architects of NATO, the White House presented the wisdom of the aged. The Where-Are-They-Now show included Dean Acheson, Truman's secretary of state, once regarded by Nixon as of questionable loyalty to the United States; his fellow Democrat and former undersecretary, George Ball; John McCloy, our one-time ambassador to the Krupp cannon works and high commissioner of occupied Germany, and a handful of old NATO soldiers who give no sign of fading away.

Their verdict, to no one's particular surprise, was that what they had wrought in the noontime of their lives was for eternity and should be changed not a jot or tittle by such young whipper-snappers as Mansfield.

If ever two crises were initimately linked together, they are these. The real question is not what to do about day-to-day exchange-rate jiggling between the mark and the dollar, but how the mark got so hard and the dollar so soft.

The answer is clear. It happened in great part as a result of our smashing defeat of the Germans in World War II, thus forcing them to rebuild their industry from scratch, thus getting newer and better systems than our old ones. This process was enormously helped along by the Marshall Plan, but the final push was certainly accomplished by the use of American troops to protect Germany from what once was considered an impending threat of Russian attack.

Since Germans in arms give most Europeans the willies—as in Kaiser Willie, rather than as in Willy Brandt—the Americans took over the German defense, pumping dollars into Germany and leaving the defeated Nazis free to accentuate the positive in industry while the conquering freedom forces poured their money down the rathole of military expenditures.

The mark got hard not only in contrast to the dollar getting soft, but as the direct and inevitable result of that process. The most dollar-softening part of our economy is the former ally.

The Russians took a different view of their Germans. They kept them. All we got was Wernher von Braun, who has done nothing but increase the flow of dollars into dollar-softening activities like space.

In view of all this, the Mansfield amendment to the draft extension bill is the most sensible thought anyone has had about either the dollar crisis or the crisis of the American military presence in Europe.

The two things are not separate crises, except on the non-stop Checkers show that the President has been producing and starring in since even before Checkers. They are inseparably linked and will stay that way regardless of the Golden Age Club's outings at the White House or Secretary of the Treasury John Connally's cool.

Due to considerations of domestic politics and foreign relations, the Mansfield amendment has little chance of becoming law at this time. Even if it is passed, the President can veto it and make his draft quotas out of deferred college graduates.

But the amendment points the way to some serious and long overdue rethinking of the high cost of our 20-year, largely accidental history as a military-imperial power.

[From the Washington Post, May 19, 1971]

THE RIGHT WAY TO DEFEAT MIKE MANSFIELD

It is important for the Senate today to defeat the Mansfield amendment and to defeat it sharply but for the right reasons, so that the Senate's vote can be translated into a constructive influence on American policy and not merely seized upon by the administration as a political trophy or a poultice to injured pride. We say this out of our considerable shock that the President, faced in the Mansfield amendment with a difficult but quite manageable challenge, should have seen fit to fall upon it combatively as a major, unpardonable assault on his presidential prerogatives and personal authority, and that he should have brought to bear in a gratuitous blitz just about every big gun of the last generation except Nikita Khrushchev. Not for the first time, Mr. Nixon has made it almost embarrassing for his friends on this issue to extend him their support.

Nonetheless, responsible senators cannot let their pain at the administration's tactics obscure the requirements of sound policy. The Senate's message, in rejecting the Mansfield proposal to halve American troop strength in Europe this year, ought to be loud and clear. There is no good reason to take up the President's summons to a constitutional confrontation, nor, of course, to shun an assertion of the Senate's proper interest in foreign policy. It would be damaging to echo any of the President's and his more passionate supporters' rhetoric to the effect that NATO is a great monument to American fortitude and a useful instrument still for fighting the good fight against the menacing red hordes, and that any change in the American military posture on the continent invites catastrophe. It would be short sighted, too, to give the impression that balance-of-payments considerations either dominate American foreign policy or can be safely ignored.

The Senate should prove first, in our judgment, that it respects the real complexities of foreign policy. George Ball makes the point nicely in an article elsewhere on this page. There is a need not to act so precipitately that the Germans will be panicked to the left, towards a "Rapallo" deal with Moscow, or to the right, towards a great military, even nuclear, role. There is a need to show awareness that, by addressing force reductions as an alliance, NATO can improve chances of negotiating orderly and significant mutual reductions with the Warsaw Pact; in particular, East-West talks including nuclear arms, as Mr. Brezhnev has just suggested, may offer a way to break the SALT stalemate over American forward based aircraft stationed in Europe and Soviet medium-range missiles trained on Europe. Not least, careful treatment of troop levels will enhance the Senate's status and self-confidence as a competent partner to the President in the making of foreign policy—an essential requirement if the Senate is to hold the country's confidence on this and other issues.

A troop amendment on the lines of those proposed by Senators Mathias and Nelson would be well suited to these positive purposes. Essentially, their amendments ask the President to join with the allies and enter negotiations with the Warsaw Pact, and meanwhile to discuss troop levels and sharing of the burden within NATO itself. The latter charge may be somewhat superfluous, since NATO talks with the Warsaw Pact could not proceed except on the basis of consultations within NATO. The President would be expected to report back to the Senate at reasonable intervals. Nixon, in his present mood, evidently does not wish to receive any negotiating suggestions from the Senate, even when such suggestions may coincide with his own policy, even when they may explicitly and sympathetically reinforce his own policy, even when they are wise. We hope his mood changes. He would be exceptionally ill advised, we believe, to reject a responsible helping hand from the Senate at a time when he himself is talking about the need for building "unity" behind a foreign policy for all Americans.

[From the Washington Post, May 19, 1971]

EUROPE'S UNEASY SUMMER: U.S. TROOPS RECALL—A MATTER OF TIMING

(By George W. Ball)

I do not quarrel with Messrs. Mankiewicz' and Braden's requiem for "the last of the imperialists" in yesterday's Washington Post, nor do I even object to their including me among those thus celebrated. I strongly suspect that their description of the cleavage in thought between my generation and those under 30 is all too accurate—though I take no comfort from that conclusion.

My quarrel with Senator Mansfield's proposed amendment, which would abruptly direct the President to bring home half of our troops now deployed in Europe, relates primarily to method and to timing.

NATO is an alliance of nations that perceived a common danger and organized to meet it. It can survive and function only on the basis of mutual confidence, which means that the member nations should not act peremptorily and without full consultation. NATO survived General de Gaulle's rude and arbitrary withdrawal, but only because France did not play anything like the leadership role now played by the United States, nor did Germany depend for her security on France's staying power, as she does on America's.

For our country to act so capriciously would be reckless and destructive, particularly if, as I believe to be the case, Western Europe is at a kind of climacteric—a period of change in life where its future cannot be taken for granted. It is here that the matter of timing becomes important, for, though I do not believe for a moment that American troops could or should be a permanent aspect of the European landscape, the present moment would seem the worst possible time for a substantial and abrupt withdrawal.

Between Chancellor Brandt's *Ostopolitik* and the negotiations over Britain's entry into the common market, Europe is going through an uneasy summer. The recent apparent reversal of French policy betrays this. Free of the Gaullist enchantment, France can no longer blink at the fact that West Germany is the strongest power in continental Western Europe. Thus Frenchmen are beginning to fear that, unless Britain casts her lot with Europe as a counter-weight to emerging German power, the specter of German domi-

nance will become increasingly more disturbing, particularly as the Germans begin to probe, no matter how tentatively, the potential for new arrangements with the East.

Europe at the moment is at a crossroads. If Britain joins the European Community, there is a good chance that, over the next few years, Europe can build solid foundations for a modern political structure that should assure not only cohesion and stability, but tighten Germany's Western links. But, if the effort should fail, then latent forces of fragmentation could well begin to operate and Russia would make the most of the political malaise that would ensue.

France would tend to turn in on itself as it did between the wars. A new generation of Germans would feel strong pressures to seek illusory ties with the East—a phenomenon that has occurred again and again in German history. Italy, with its political center already badly eroded and suffering the new disquiet of a Mediterranean nation no longer washed by an exclusively Western sea, might pursue a quite uncertain course—particularly if, as seems possible on the demise of its 79-year-old leader, Yugoslavia should begin to fall apart.

Thus, for these reasons alone, it seems too nervous a moment to disturb the confidence of Europe—and particularly Germany—in America's intentions and staying power. But I recognize that the arguments rest on the assumption that it is important to maintain a power balance with the Soviet Union—which many of my young friends do not share—and the further assumption that the Soviet Union would almost certainly take advantage of opportunities for expanding its influence in Western Europe if it saw the chance to do so.

To conclude that the Soviet Union is in an expansionist phase one need look no further than the recent vast extension of Soviet power in the Mediterranean and Egypt. And to the young, who would insist that the Soviet Union is no worse in its motive or actions than the Untied States. I would pose only one question: Why, in that case, need Russian maintain a wall in Berlin, or forcibly prevent its own citizens and those of Eastern Europe from moving to the West? Evil as it may appear to our self-flagellating youth, the "American empire," even at the height of its pre-eminence, never sought to encage the millions in its orbit. And would the young moralists of today feel no qualms if more and more of the world's population were forced within an expanding prison?

In any event, why hurry as Senator Mansfield would have us do?

Once there was a village that was saved from the constant devastation of destructive floods by the building of a dam. For a quarter of a century the village prospered; then a restless new generation asked the penetrating question: "Why do we need the dam? After all, there has not been a flood for 25 years." So they tore it down.

It is a partially inept parable, since it implies a sense of permanence with regard to our NATO deployments that I do not endorse. Yet it does underline one simple point: Change for the sake of change is no sound policy for a great nation.

[From Newsday, May 19, 1971]

SENATOR MANSFIELD'S NUDGE

President Nixon's quick and positive response to a Russian bid for talks on European troop reductions was both diplomatically and politically canny.

The idea was raised Friday in a speech by Soviet Communist Party General Secretary Leonid Brezhnev, and by Monday the U.S. ambassador to Moscow was meeting with Foreign Minister Gromyko to pass along the Nixon administration's receptiveness to the suggestion. Such a quick response is a signal obviously intended to be picked up in capitals other than Moscow. For it tells our North Atlantic Treaty Organization allies that the U.S. is, indeed, interested at this time in a change in the status of forces on the continent.

As Senate Majority Leader Mike Mansfield (D-Mont.) has noted—to the administration's embarrassment—the large American commitment in Europe is a serious contributing cause to a balance of payments deficit that is reaching new highs. Mansfield wants the U.S. to pull half its troops out of Europe.

The President's rapid acceptance of the Soviet initiative cuts some of the ground out from under the Democratic majority leader since Mr. Nixon has contended that such a large troop withdrawal would hurt the U.S. bargaining position in any negotiations with the Russians on troop reductions. Now that the door appears to be opening to such negotiations, the President's case is enhanced.

This turn of events, however, reflects credit on Mr. Mansfield. For there is a strong possibility that his suggestion—considered draconian by many—was the catalyst that made things happen. The entire U.S. position vis-a-vis both Russian and the NATO allies has been on dead center far too long. And if Mansfield's nudge produces real movement, he'll have performed an outstanding service.

[From the Washington Evening Star, May 19, 1971]

THE LONG SPOON

A statesman—it was not Senator Mansfield—once observed that when you sup with the Russians, you are well advised to employ a long spoon. This exhortation to caution and reserve should be kept in mind now that Foreign Minister Gromyko has confirmed that the Kremlin is willing to discuss mutual troop reductions in the North Atlantic Treaty Organization and the Warsaw Pact.

Moscow's proposal is interesting in two respects. For the first time, the Russians appear to be saying that such negotiations can take place outside of the framework of a European security conference. Such a conference, advocated by Moscow for years, has two goals: To secure the withdrawal of all American forces from Europe and to sanctify the continent's post-World War II boundaries, including Russia's annexation of the Baltic states and the creation of East Germany. The West is opposed to such a conference at least until after the question of Berlin is settled.

Secondly, Communist party leader Brezhnev in his recent Tiflis speech and Gromyko in his conversations with American Ambassador Jacob D. Beam have indicated that, also for the first time, the Kremlin is prepared to discuss reductions in "national" (i.e., Russian) as well as "foreign" (i.e., American) forces.

For those whose recollection of history does not predate the Tonkin Gulf resolution, it may be worth noting that the Soviet (and North Vietnamese) technique of negotiation is precisely the same as that employed by a chap named Adolf Hitler when dealing with democracies. First you set totally outrageous conditions. Then, when a tide of appeasement begins to flow in your foe's country, you "settle" for more than you could have reasonably hoped to get—and in the bargain gain a reputation for being conciliatory.

Still and all (as contemporary philosophers say), the Kremlin's proposal deserves the serious examination it will get at the June meeting of NATO foreign ministers in Lisbon. Two points should be made, however:

A thinning out of Russian troops in the satellite states in exchange for U.S. withdrawals from Europe would be meaningless if these troops were allowed to concentrate on the Soviet Union's western frontiers, barely a day's march from their old caserns, with their American counterparts an ocean away.

Since the Warsaw Pact forces heavily outnumber those of NATO, the only acceptable mutual reductions would be those made in terms of percentages, not in absolute numbers of troops.

In short, that long spoon should be kept close to hand.

[From the Washington Evening Star, May 19, 1971]

MENACE FACING WESTERN SECURITY

(By David Lawrence)

Are both Eastern and Western Europe to be left to the domination of the Soviet Union as the North Atlantic Treaty Organization is weakened? This is the menace facing the security of Europe as well as the United States—one of the biggest which has arisen since the end of World War II.

Because the majority leader of the Democratic party in the Senate has proposed that the number of American troops in Western Europe be cut in half, Russia has decided that this is the time to assure itself of a military hold on all of Europe which it never would otherwise have had a chance to attain.

The Soviets have indicated that they are willing to negotiate a mutual withdrawal and reduction of troops in Warsaw Pact countries and of those mobilized under the North Atlantic Treaty. But the fact is that even if Russia withdraws some of its divisions from the captive nations in Eastern Europe, while many American troops are pulled back to the United States, this would make the Soviet Union much more dangerous from a military standpoint than before, as it still could quickly move its forces into Central and Western Europe.

Also, if all of the armies of the North Atlantic Treaty Organization and those of the Warsaw Pact countries are to be considered for equal reductions in the negotiations, the Communists would retain a position of greater military power because at present they have twice as many divisions as NATO in Central Europe.

The entire controversy emphasizes the dangers of intrusion by the legislative branch of the government here in international affairs. The United States has been holding talks with the Russians about strategic arms limitations, but now we will be at a disadvantage because of the revelation that the administration doesn't have the strong backing of Congress. Seldom has such a movement arisen to impair American foreign policy. Obviously, the issue is one that will be placed before the American people in the 1972 presidential campaign.

Divided government has inflicted a serious blow to the conduct of the country's foreign relations. Too many people do not realize that if Great Britain, France and other free countries of Europe become subjected to the military control of the Soviet Union, the influence of the Communists could be immediately extended to Latin America. Serious complications in this hemisphere could ensue.

If there ever has been a time when both political parties should be united behind the President in support of our commitments abroad, it is now in the current state of affairs in Europe. This is why 24 officials of four preceding administrations and two former Presidents—Truman and Johnson—have come forward with endorsements of Nixon's statement of his intention not to reduce troops in Europe unilaterally, but to honor the pledges of the North Atlantic Treaty.

Aggression in Europe against the Western countries—brought about by the Soviet Union—could become a greater possibility if our troop strength is lessened. Gen. David A. Burchinal, deputy commander of U.S. forces in Europe, told a House committee this week that our troops there are already

weakened and that further cuts would be an open invitation to military adventurism by the Communist bloc.

The secretary-general of the North Atlantic Treaty Organization, Manlio Brosio, stated on Monday that a sizable reduction of American forces in Europe would increase the risk of nuclear war with Russia. He said it would also spoil the chances of an agreement with the Soviet Union to reduce the number of NATO and Warsaw Pact troops facing each other across the Iron Curtain. He added:

"Our defense posture would be weakened and the risk of earlier use of nuclear weapons would be increased."

So our allies in Europe recognize the danger of the proposed unilateral withdrawal of American forces.

The establishment of the North Atlantic Treaty Organization has been the means of maintaining security for Western Europe. Soviet imperialism now rules in Eastern Europe and may threaten to impose its will on Western Europe. The free nations of the world must quickly demonstrate that they are united and will resist any form of aggression.

[From the New York Post, May 19, 1971]

TRANSATLANTIC PARTNERS

(By Max Lerner)

Despite my disagreement with Sen. Mansfield's determined drive to get half the American troops out of Europe, and whatever its final outcome, I am glad he has stirred the slumbering issue to life.

Unexamined assumptions are dangerous, in public policy as in private life. Mansfield has made me, for one, dust off my own encounters with the NATO problem, my travels and conversations in Europe, to rethink the Europe-America partnership.

That's what it is. Make no mistake about it. The Senators and commentaters who treat troop cuts just as a matter of saving some money, and getting soldiers back to Kansas and away from the sin-places of Europe, are ripping a single thread out of a whole coat.

The cost is nothing less than an alliance system, stretching far beyond the military, between Europe and America. It is probably the most crucial alliance system in the world, since it likes two creative continents, Europe and America—two culture clusters very much in ferment, two power structures which are unequaled by any other combination in the world. Don't give it up or let it be broken too cavallerly.

The heart of the alliance—NATO, the defense system—came into being 25 years ago. It isn't anywhere near the whole Europe-America story, which includes the business investments, the currency exchange system, the trade union relations, the scientific and technological exchange, the intellectual interplay.

But the common defense of Europe, and through it the defense of America, is part of it. We have all but forgotten that millions of young Americans died in two monster wars because European stability broke, and its breaking engulfed America.

In his pre-Nixon phase, in 1965, Henry Kissinger wrote a sharp analysis of what he called "The Troubled Partnership" (Anchor Paperback). I should myself call it the Tired Partnership. A 25-year marriage is a long marriage, between continents as between a man and a woman, but in neither case do you opt out just for the hell of it. As in a marriage also, there have been neurotic interactions between these transatlantic partners

The Europeans went into NATO to resist Russian invasion; they have stayed in it to get the umbrella of American nuclear protection. They make their contribution to the NATO conventional forces grudgingly—just enough to keep American forces there, but not so much as will make the nuclear umbrella unnecessary.

America in turn wants the ground and air resistance to be more than a token, so that a Soviet attack will meet "multiple options" and a "flexible response," instead of triggering a nuclear response automatically.

To freshen the alliance I am all for putting more pressure on the European partners to carry their weight and do more to achieve adequate force levels. I am also for helping them move forward an independent European nuclear deterrent, if possible, to get them free of dependence on America. And obviously I am for talks with Russian and the Warsaw Pact group about mutual troop reductions on both sides, which is the only thing that makes sense.

But we must change the psychology of the partnership. It's time for the U.S. to drop its old habit of having the commander of the NATO forces always an American, and time also to cut the top European group into consultations on nuclear policy. Finally it is time to recognize that while NATO itself can't become a bargaining unit for a European detente—a thaw in relations with the Russians—its members can do it bilaterally.

That is just what Chancellor Brandt has been trying to do in his Ostopolitik and he needs more encouragement from the State Dept. than he has had. For continued peace in Europe depends not only on a military power balance, which NATO has supplied, but also on a sense that the congealed waters are running again and the sap is flowing again in the trees.

Brandt made it clear, in a sharp statement on the Mansfield sortie, that the Germans must be sure of America's presence in Europe if they are to bargain effectively for a detente with the Russians.

Nixon brought out an array of bigwigs to back up his anti-Mansfield drive. For me what counts is not so much their authority as the witness they bear to the long partnership, which has kept the peace too well to be unraveled in a fit of alliance fatigue.

[From the Los Angeles Times, May 19, 1971]

CONGRESS IS GIVING NIXON TROUBLE, AND THE TROOP ISSUE IS ONLY ONE ITEM

(By D. J. R. Bruckner)

What most surprises one about the fight between Congress and the White House over presidential authority in foreign affairs is that it seems to have caught the White House by surprise. That may explain why there is a fight at all.

Former Secretary of State Dean Acheson, who is a veteran of a few similar fights, says that Congress occasionally decides to "have a go at tearing down the President." Something more is involved this time. It is true, that the constitutional division of powers regularly brings the executive and legislative branches into conflict.

During this century, at least since Theodore Roosevelt was in the White House, when the great issues of social change were fought out, the Presidents have pretty regularly carried the people against the Congress. In the last 20 years the Presidents have won most of their battles over foreign policy as well, but the longer history of the nation is mixed; Congress has won a lot of big fights against Presidents over foreign affairs.

The nation may be reverting politically to an earlier time. There is good evidence that, over the past four years, Congress has stepped up its struggle for a veto in foreign affairs as a response to popular pressures. This is not very surprising. The cost of our foreign policy since World War II has been immense and the apparent rewards are diminishing. We are embroiled in a war which appears to have no end, and two Administrations have been unable to explain convincingly why there is no end of it. If there has not been in fact a lot of official lying about our activities abroad for a dozen years or more there appears to have been lying, and, politically, the consequences are the same.

The battle of the moment is over the proposal of Sen. Mike Mansfield (D-Mont.) to cut our commitment of 310,000 men to NATO in half by the end of the year. Mansfield has been talking about this idea to almost everybody for at least two years; the fact that the Administration is surprised that he offered it for a vote now is good evidence that the White House never respected him enough to believe what he was saying, and that it has made little effort to understand the current mood of Congress.

Mansfield's proposal is offered as an amendment to a bill to extend the military draft. Also related to that one bill are proposals to limit the draft extension to one year, end the draft this June, and set a date for the end of the war in Vietnam. They will all be fought over separately and the President might eventually win on all the issues, even if he has to veto the draft bill to get his victory. But there are more proposals, on Vietnam, military spending and a declaration of limits on the President's authority to declare a war, pending in the Senate.

Over the weekend the President gathered round him a raft of former molders of public opinion from past wars and other administrations to resist the Mansfield amendment. On this issue he probably has more of the old liberal establishment of the country on his side than the old traditional Republican establishment. But the scope and energy of the many congressional efforts to restrain his authority in all areas of foreign policy is more suggestive of a war than a battle.

The Administration's position is inflexible. The White House sent Secretary of State Rogers, who gets along better with the Senate than anyone else in the Administration, up to the Capitol to reject all possible compromise on the NATO issue and on the issue of warmaking powers. Sending a strong message of defiance by means of a friend makes things clear among antagonists.

There are unfortunate aspects to this situation. The fact is that Mr. Nixon has conducted foreign policy more cautiously, and probably more reasonably, than his predecessor. He seems to have convinced the Russians that new accommodations are possible; his Administration has come fairly close to arranging new settlements for the Middle East; it has wisely stood back and allowed European nations to try to find their own new arrangements in the world; it seems to be making a realistic approach to the China question. But it has seriously misjudged the domestic reaction to its handling of the war in Vietnam, and it has been secretive and often contemptuous in its dealings with Congress.

In the 1968 campaign Mr. Nixon did fairly well with his claim that he had a plan to end the Vietnam war, which he would not reveal. A candidate can get away with that; a President cannot. A President's relationships with Congress have a Constitutional basis and his relationship with the people a historical basis. His authority may be disputed from time to time, but his real power is always a feeling among the people that he is generally "a good guy." His first political obligation, then is to be candid, specific and courteous in trying to perform his job and achieve his aims. Even then, he may lose some battles because Congress sometimes fights dirty and people will disagree. But without that kind of openness of mind and conduct, a President will probably lose all his battles, and his programs, and possibly his office.

[From the Washington Post, May 19, 1971]

WARNINGS OUT OF THE WOODWORK

(A commentary by Nicholas von Hoffman)

Today the Senate votes on Mike Mansfield's proposition to halve the number of

troops we keep in Europe doing nothing other than satisfying ancient geopolitical theories. They have been there for a generation. It was precisely 20 years ago that they were sent over the objections of men like Sen. Robert A. Taft and other well-known Reds.

The thought of the removal of any of these troops touches off something close to hysteria, not only in the present administration but among the ghosts of administrations past. Characters have been coming out of the woodwork whom we haven't seen in years to shake bony fingers of warning at us. They even found old Dean Acheson to bulge his eyes and twitch his moustache while he decried the very idea and called it "asinine."

He was calling Taft names two decades ago. But whose judgment have the years shown to be more wisely founded, Acheson's, Truman's, Dulles' or Taft's? Taft is dead, but this is a propitious time to print excerpts from his speech to the Senate of the United States on January 5th, 1951:

"During recent years a theory has developed that there shall be no criticism of the foreign policy of the administration, that any such criticism is an attack on the unity of the nation, that it gives aid and comfort to the enemy, and that it sabotages any idea of a bipartisan foreign policy for the national benefit. I venture to state that this proposition is a fallacy and a very dangerous fallacy threatening the very existence of the nation.

"In very recent days we have heard appeals for unity from the administration and from its supporters. I suggest that these appeals are an attempt to cover up the past faults and failures of the administration and enable it to maintain the secrecy which has largely enveloped our foreign policy since the days of Franklin D. Roosevelt. . . . It is still fashionable to meet any criticism by cries of isolationism. Criticisms are met by the calling of names rather than by intelligent debate.

". . . It seems to me that our battle against communism is in fact a world-wide battle and must be fought on the world stage. What I object to is undertaking to fight that battle primarily on the vast land areas of the continent of Europe or the continent of Asia where we are at the greatest disadvantage in a war with Russia . . . We must not undertake anything beyond our power, as we have in Korea. We must not assume obligations by treaty or otherwise which require any extensive use of American land forces.

". . . In committee Secretary Acheson was asked the direct question by Sen. Hickenlooper: 'Are we going to be expected to send substantial number of troops over there as a more or less permanent contribution to the development of these countries' capacity to resist?'

"Secretary Acheson: 'The answer to that question, Senator, is a clear and absolute No.'

"Is such a military possible for any period of years without inflation and the loss of liberty at home?

". . . The larger the Army with very little to do, the more difficult it will be to maintain its morale.

"The key to all the problems before Congress lies in the size of our military budget. That determines the taxes to be levied. It determines the number of boys to be drafted. It is likely to determine whether we can maintain a reasonably free system and the value of our dollar, or whether we are to be weakened by inflation and choked by government controls which inevitably tend to become more arbitrary and unreasonable.

"And finally the policy we adopt must be approved by Congress and the people after full and free discussion. The commitment of a land army to Europe is a program never approved by Congress, into which we should not drift. The policy of secret executive agreements has brought us to danger and disaster. It threatens the liberties of our people."

With that, Sen. Taft sat down and was beaten, beaten not only by those who are dead but by many who still sit in the Senate, Aiken, Fulbright, Pastore, Long, Ellender and others. Some learned and others didn't. LBJ was a member of the Senate, as was Richard Nixon.

In 1951 it wasn't so easy to see that Sen. Taft was right. Not only were we going through one of our periodic attacks of commiephobia, but Hitler was a lot closer; the idea of appeasing any antagonist was much more frightening.

But now it is a full generation later, and it turns out that Taft was right, right on every question all the way from inflation to the terrible demoralization of troops. Right on point after point, and yet in the face of all these years of facts and experience Acheson comes out of nowhere to say "asinine" and Nixon calls it "isolationism."

Well, it was neither. It was a way to defend the country without destroying it, a way to be part of the world without running it, and we still, on the morning of this vote, so long after the last one, haven't found anything better.

[From the New York Times, May 19, 1971]

THE MANSFIELD PROPOSAL

It is a bizarre context in which the Senate will vote today on Majority Leader Mansfield's amendment to slash American forces in Europe in half by the end of 1971. In Moscow, Premier Kosygin has just reiterated the Soviet Union's willingness to "do everything possible to reach agreement" on mutual force reductions in Central Europe by NATO and the Warsaw Pact.

But in Washington the Democratic leader of the Senate is exerting himself to the end that the United States will break its word to its NATO allies and shove aside the agreed goal of mutual balanced force reductions which the Alliance has pursued vigorously for three years.

No one can guarantee that the negotiations for balanced force reductions would succeed; the only certainty is that there would be no point in attempting them in the unlikely event that the Mansfield amendment became law. Those American forces on the ground, committed to the common defense, are NATO's trump for any such negotiation. Moscow will not pay a price for their reduction if the United States intends to gut them in any event.

It is surely a measure of the widespread revulsion in Congress and the country over the disastrous American military adventure in Southeast Asia—and the chronic balance-of-payments deficit it has helped produce—that the Mansfield proposal could have any chance in the Senate today. Men who would have stoutly opposed any unilateral American pull-out in breach of Alliance policy in the past now go along out of Vietnam war-weariness and disillusionment.

But Europe is not Asia; the United States' stake in Europe remains as clear as the United States' interests in Indochina remain obscure. Furthermore, ten European allies have committed themselves to ease the American burden in NATO by spending a billion dollars over the next five years to improve their own forces and NATO's infrastructure.

A pullout of half the American forces would leave the West Germans with the strongest NATO force by far on the Central European sector, a prospect as worrying to the Bonn Government as it inevitably would be to Germany's neighbors, East and West. It would seriously damage chances for a viable Berlin settlement and for progress on arms control. It would wreck Bonn's efforts to build more peaceful relations with the Soviet bloc.

Those Americans who are so easily falling for the superficial allure of the Mansfield proposal need to be reminded of the history of NATO initiatives for mutual and balanced force reductions, beginning at Reykjavik in 1968 and culminating in Rome last year with proposals for exploratory discussions with the Warsaw Pact nations. It was only after the Rome initiative that the Warsaw Pact first signaled a willingness to discuss mutual troop reductions with NATO. And it was at the Soviet Communist party Congress two months ago that Leonid Brezhnev finally indicated Moscow would participate in a conference dealing specifically with mutual force reductions in Central Europe, including Soviet forces.

Mr. Brezhnev's television speech last week; Foreign Minister Gromyko's talks with American Ambassador Jacob Beam on Monday, and Premier Kosygin's remarks in welcoming Canada's Prime Minister to Moscow yesterday appear to have advanced considerably the prospects for productive negotiations.

In short, after three years of effort by the United States and its allies, the Soviet Union seems ready to negotiate realistically for mutual and balanced force reductions in Central Europe. It is this painstaking collective effort, finally eliciting a positive response, that Senator Mansfield would cast aside with his reckless proposal for a unilateral American troop pullout.

[From the Baltimore Sun, May 19, 1971]

SENATE LINEUP

The Senate is of more than two minds as it faces today the issue of the Mansfield amendment which would cut American military personel in Europe to half the present numbers by the end of this year. In fact it seems more than possible that Senator Mansfield's proposal will not come to a straight vote; that one of several substitute amendments will be approved instead. These are compromise measures, somewhere between the drastic Mansfield slash and the administration's opposition to any amendment at all.

On their face the first force of the substitute is strong disapproval of Senator Mansfield's approach, which the sponsors agree in seeing as an invitation to erosion of the American position in Europe, and indeed more widely than in Europe. Yet at the same time the substitutes acknowledge, in varying degrees, the persuasiveness of the fundamental Mansfield point that we are pursuing in Europe policies that are wasteful, are inefficient and if not outdated are in process of becoming so.

Of the substitute amendments the most carefully thought-through is, in our opinion, that of Senator Mathias, who is joined in sponsorship by another Republican, Senator Javits of New York, and two Democrats, Senators Humphrey of Minnesota and Stevenson of Illinois. Rejecting any present mandatory reductions, it requests the President to enter negotiations with the Warsaw Pact countries for mutual troop reductions in Central Europe, to negotiate also with the European members of NATO for American reductions in troop levels and contributions—that is, for a larger sharing of burdens by Western Europe—and to report back on these negotiations by the middle of September.

We can see at once why a President jealous of the foreign-policy powers of his office would find that hardly to his taste, and would wish rather for a straight defeat of the Mansfield amendment. We may guess further that the desire to put Senator Mansfield down explains in part the administration's display of interest in the latest of a series of pretty much identical Soviet calls for NATO-Warsaw Pact discussion of troop reductions.

Outside the White House, Senator Mansfield has still gained a wide audience for the proposition that the military *status quo* in Europe is hardly immutable, that the NATO

situation needs urgent reexamination and that the Congress is entitled to a say.

[From the New York Times, May 19, 1971]

THE MANSFIELD AMENDMENT: NO

(By John J. McCloy)

(NOTE.—John J. McCloy was U.S. High Commissioner for Germany 1949–52.)

The sudden reappearance of the Mansfield Resolution in its present form constitutes one of the vagaries of American politics which from time to time confound our allies and shock those responsible for the conduct of foreign policy in this country.

It is difficult to think of any single piece of legislation which embodies so many potentially disastrous consequences at this particular stage of history as this amendment to the draft act. Government officials, past and present, who were engaged in the formulation of our defense and foreign policy after the close of World War II when NATO was organized, the Marshall Plan put into operation and the Atlantic partnership formed, are just about unanimous in their belief that the passage of this amendment at this time could seriously and adversely affect the existing balance of power, profoundly impair our relations with our allies and diminish the security of the country.

Let us examine the situation that the United States is facing. We have been witnessing a substantial increase in the nuclear potential of the Soviet Union which is, in certain of its forms, seriously disturbing. It is an increase that coincides in time with a marked expansion of Soviet naval strength, as well as Soviet naval presence in the wider seas, most noticeably in the Mediterranean, which constitutes the southern flank of NATO and Western Europe. The amendment comes at a time when, as a result of the Czechoslovak invasion, there are more Soviet divisions deployed farther west than at any time since the close of World War II. It comes at a time when doubts as to the credibility of the American deterrent have been growing in Europe not only because of the increased Soviet nuclear and military power but also by reason of the apparent malaise of spirit and will which the Vietnam war, the demonstrations, the violence and the lack of community and individual responsibility in this country seem to have induced. It comes at a time when the factual balance of payments costs of maintaining our NATO troops are, I believe, at their lowest stage in history.

One frequently hears the argument that the threat of a Soviet land attack which induced the original stationing of our troops in Europe no longer exists. This ignores both reality and history. The fact is the troops were placed there for very much the same reasons that their presence is now so vital a factor in the balance of power. If anything, the political need which was the primary cause for placing the troops in Europe is perhaps greater now that it was then.

Those troops represented and still represent the real earnest of our NATO commitment. They did restore Western confidence; they did discourage probing adventures; they did create a sense of security behind which the forces of economic rehabilitation could go to work and they did keep the peace. Today the presence of those troops actually constitutes deterrents to hostile adventures against the Free World.

The Mansfield move comes at a time when we are in the midst of negotiations to remove the dangerous leverages the Soviets are so tempted to apply from time to time on Berlin. If the Soviets see this significant reduction in American forces, one can confidently predict that their attitudes on Berlin will stiffen.

There is another argument which needs to be disposed of and it runs somewhat along these lines:

Who can say we need 300-, 400- or 500-thousand men stationed in Europe? Would not 100,000 or 200,000, or maybe even 50,000, serve the same purpose? All we really need is a symbol of our presence to create the deterrent.

To those who say that the presence of our troops in NATO simply extends the aspects of the cold war, precisely because it does confirm and solidify the alliance, I would reply that perhaps at another period in history the Alliance in its present convincing nature would be unnecessary and unproductive, but it is vital now. While it functions in full vigor, it contributes to the damping down of the cold war. For the present and the measurable future, it is the best guarantee that I can conceive of for the maintenance of the peace and the integrity of our free civilization.

A united Europe in solid partnership with the United States is essential and every effort to solidify that partnership should be exerted and every effort to dilute it should be resisted. The psychological effect of the passage of the Mansfield amendment, even if it only passed the Senate, could be profound, and this is a risk to which the security of the nation and the continuity of our foreign policy should not be subjected.

[From the New York Times, May 19, 1971]

THE MANSFIELD AMENDMENT: YES

(By David P. Calleo)

(NOTE.—David P. Calleo is professor of European Studies at the Johns Hopkins School of Advanced International Studies.)

WASHINGTON.—Senator Mansfield's proposal has been treated as an aberation by a normally balanced and solid politician. But with hindsight, it is Mr. Mansfield who is likely to appear the statesman and his opponents irresponsible. For there is an excellent case to be made for a substantial reduction in American forces in Europe.

The United States is seriously over-extended throughout the world. The signs of domestic strain are rather obvious, the pressures for a reduction of military spending compelling. To avoid a disastrous collapse of our whole world position, our foreign policy must develop a sense of priority and measure. We must stop trying to do things for others that they can much better do for themselves. We should, therefore, devolve our swollen responsibilities for security wherever other countries are rich and stable enough to assume them. There is no serious reason why the major nations of Western Europe cannot take over from us the primary responsibility for their own defense, especially conventional defense. It would not be the end of the alliance, but its rejuvenation. Britain, France and Germany have nearly 1,400,000 men under arms. If they believe these forces inadequate, they have ample resources to raise more.

Under the circumstances, to argue that we should wait for "balanced and mutual force reductions" is to miss the point entirely. What is needed is an unbalanced and unilateral reduction of America's excessive share in Western Europe's ground defense. Above all, there is needed a fundamental reform of NATO's structure to place the primary responsibility for organizing European defense upon the European states themselves.

It is quite understandable that many European politicians prefer us to continue the heavy outlay for their defense. But even if they were willing to pay much more of the real cost, why should we? Why should American youth be turned into *condottieri* for a prosperous Western Europe?

Ironically, the heaviest cost falls upon Europe's future. It is in Europe's best interest, and our own, that the European states build among themselves a solid military coalition before negotiations for a definitive European settlement. By doggedly insisting that the Europeans should rely primarily on us, instead of each other, we are subsidizing European disunity and adventurism. Indeed, our dollar deficit, caused in considerable degree by NATO's costs over the years, now threatens the whole structure of that economic community which is Europe's best hope for the future.

This week will doubtless see a fine and heartening display of old faces and old slogans. Old comrades will refight the battles of yesteryear. Threats will be contained, cowardly isolationists squelched, and our world responsibilities manfully shouldered. But when all the flags are put away, it should be painfully obvious that nostalgia for great accomplishments in the past is a poor substitute for a foreign policy. Senator Mansfield, at least, has acted with imagination, courage and common sense. It is a pity these qualities have become so rare elsewhere in the American Government.

[Valparaiso, Ind., Vidette-Messenger, May 20, 1971]

NATIONAL SCENE

(By Holmes Alexander)

WASHINGTON, D.C.—Two front wars are very bad, but what about two front retreats?

If a two-front war is a winning one (as in 1941–45), it has some redeeming feature. The same can be said about a retreat which is orderly and strategic (like the one before Napoleon, so movingly depicted by Tolstoy).

But what if the war has gone badly on both fronts, and what if the double retreat has been caused by internal political collapse? In those instances, fellow-citizens, we have a great deal to be alarmed about.

Well, with troops in Asia and troops in Europe, there is no doubt about the two-front war in which we have tried to defend ourselves against World Communism.

TWO KINDS OF WITHDRAWALS

We have known for some time that the Nixon Doctrine calls for withdrawal of virtually all ground troops from Vietnam. And very recently, although it's been forecast for some time, the Mansfield Doctrine has called for a massive troop withdrawal from West Europe.

To be melodramatic about it (justifiably, I believe), the tide of American dominance in world affairs has so markedly turned that historians may well decide to give it an approximate date, the summer of 1971.

Until Sen. Mike Mansfield, the Majority Leader, submitted the draft extension amendment which embodies the Mansfield Doctrine, only half of the historic fallback was in progress. That, of course, was the fallback from Asia, which ironically represents the Republican liquidation of an empire that was founded by Republicans.

We rightly attributed the wars in Korea and Vietnam to Democratic Presidents Truman and Johnson, but we must constantly remind ourselves that Republican Presidents introduced us to the "manifest destiny" of adventuring in the Pacific.

PURCHASING OF ALASKA

It was Lincoln's Secretary of State, William Seward, who did the purchasing of Alaska from Russia. Presidents McKinley and Theodore Roosevelt, such Republican statesmen as Hay, Taft and Beveridge, such Republican Caesarite figures as Mahan and MacArthur are the reason we got involved in islands and archipelagos to the west of California.

Europe, through Woodrow Wilson and Franklin Roosevelt, has always been a Democrat party show. There was no idea of imperial conquest in Europe, no new states like Hawaii and Alaska, nor possession like the Philippines, Guam, Midway and Samoa, which the Republicans fetched us in the Pacific.

But it's an open question of whether the Democratic-led European wars and the Wilson-FDR pitch to establish a World Govern-

ment wasn't a larger exercise in arrogance than what the GOP started in the area of Asia.

MORE IN PARTY'S TRADITION

Fittingly and sadly Richard Nixon (R.) now finds it his lot to quit on a movement of conquest which was commenced by other Republicans in another era. He has more in his party's tradition when, back in 1964, he wanted us to become the partner in France's imperial design and to keep Indochina pinned down under colonial rule. Theodore Roosevelt and Douglas MacArthur would have approved.

Fitting also, and just as sad, is the role of Mike Mansfield (D.) in signaling the beginning of our end as a power in Europe. I grant that Mansfield doesn't put it that way.

The Mansfield Doctrine would require us to withdraw 150,000 American troops from Europe and to leave 150,000 there. But it is the directional trend that counts.

YANKS ARE COMING HOME

The Yanks are coming home. And the reason for withdrawal also counts. We can't afford to stay in Europe. We're broke. The big-spending Democrats have wrecked us.

Losing wars and beating retreats are not in the American style. It is just as well for the two parties to share the blame for over-expansion. A severe contraction of our world responsibilities is now in order. A far more candid reliance on our nuclear weapons must accompany the pullback of troops and influence.

Where there has been two-party blame, there must now be all-party remedy.

[From the New York Times, May 20 1971]

MAKING IT MUTUAL

The Senate's defeat of the Mansfield amendment will make it possible to move toward East-West negotiations for mutual balanced force reductions rather than a unilateral, mandatory, 50 per cent slash in American troops along by the end of the year.

Nothing would be more dangerous than for NATO to go in disarray into arms reduction talks with the Warsaw Pact. That would be true about any negotiation at any time, but the extraordinary shift in Soviet policy on the troop-cut issue emphasizes the point. For Moscow, for the first time, has accepted NATO and the unity of the West as continuing factors on the European scene by agreeing in principle to discuss the Western proposal for mutual and balanced force reductions.

This political fact is far more important to the future peace of the world than the military terms of whatever agreement ultimately may be reached. Until now, Moscow has sought to divide NATO by reducing tension with America's allies in Europe while maintaining an adversary stance toward the United States. Even while negotiating with the United States on strategic arms, Berlin and the Middle East, the Kremlin has maintained its ideological attacks against the United States around the world. Now, for the first time, the Kremlin has agreed to negotiate jointly with the United States and its allies as a bloc.

The NATO unity Moscow has accepted after two decades will not be easily preserved in the projected East-West negotiations. It would not have been preserved at all if the Senate had opted for American disengagement from Europe, a goal the Soviet Union now seems to have postponed if not abandoned. Instead of its old call for withdrawal of foreign forces from Europe, Moscow evidently has yielded, at least temporarily, to the NATO concept of across-the-board cuts involving both national and foreign forces on European soil.

Unwilling to remove its own troops from Eastern Europe, the Kremlin appears to have accepted the argument for continuing "peaceful engagement" of the United States and the Soviet Union in Europe's future which President Johnson made in the mid-1960's. Only by assuring military stability in this way can Chancellor Willy Brandt's negotiations for a European settlement, based on the territorial status quo, be brought to fruition.

It will not be easy to reduce forces on both sides of the East-West dividing line and yet maintain the military balance. Soviet troops, withdrawn a few hundred miles, could return quickly, while American troops would have to be withdrawn 3,000 miles. In detailed studies, however, the National Security Council has devised ways that, without immediate risk, would permit across-the-board cuts of 10 to 20 per cent on both sides of the Iron Curtain as a first step. Beyond that, reductions might have to take an asymmetrical form difficult for the Russians to accept or involve far greater risks for the West. But even such risks might be considered after a peace settlement had been achieved and a united Western Europe, with Britian a member of the Common Market, had begun to move toward a more effective, common defense.

The Senate can perform a useful role in urging the Administration to press the negotiations forward. But it must not confuse the objective of withdrawal in Vietnam, an area of secondary importance to the United States, with the vital interests in Europe that demand continuing American engagement if peace is to be maintained.

[From the Washington Post, May 20, 1971]

CHALMERS M. ROBERTS—VOTES MIRROR SENATE'S MOOD

The roll call is the definitive instrument of democratic decision in the United States Senate but the outcome does not always disclose the whole story. In the case of Sen Mike Mansfield's efforts to slash the American forces in NATO, the Senate votes yesterday told far, far less than the whole tale.

In fact, Mansfield lost the battle, but won the war. What counts was not the roll calls but the mood of the Senate. President Nixon and the NATO allies cannot escape the fact that the mood was highly hostile to a continuation of the current situation.

By curious happenstance it was the Kremlin which provided the key to Mansfield's roll call defeat. Leonid Brezhnev, the Soviet leader, held out the hope that mutual reductions of forces and armaments can be negotiated between NATO and the rival Warsaw Pact. A large number of senators seized on that as a reason to stick with the present situation until they see what happens.

Nonetheless, a check of the five substantive roll calls yesterday and last night shows that a majority of the 100 senators (97 of whom showed up for one vote or another) casts a "yea" for one or another of the proposed amendments.

Of course, the votes cannot be added that way to win approval of legislation but they can be added that way to demonstrate that a clear majority was willing in one way or another to express dissatisfaction with the present state of affairs.

Although he won only 15 votes, Sen. Frank Church (D–Idaho) offered what probably was the most telling argument of the evening. He wanted to cut 50,000 troops from the current 300,000, instead of the 150,000 slash Mansfield proposed.

Church's point was that such a small unilateral move might produce a parallel action by the Soviet Union and/or provide a sort of earnest of the American intent to agree to mutual troop reductions.

But the Senate drew back from risk taking; it preferred to make a record, to admonish the President to get on with negotiations and to tell the European allies that somehow they must pick up more of the tab. Those allies should make no mistake about what happened in the Senate; they should not misread the roll calls.

The Senate debate has served a number of other useful purposes. For one it has exposed the fact that there is a minority, not yet a very large one, of senators, mostly Democrats, who have been driven specially by the Indochina war into something close to old-style isolationism.

The spectacle of Sen. J. W. Fulbright (D-Ark.) reading with approval the words two decades ago of the late Sen. Robert A. Taft was a case in point. For what Taft then was arguing was essentially that the United States had no role in Europe other than to help the Europeans back on their economic feet.

Fulbright is one of those who today simply does not believe there is a Soviet menace to Western Europe, yesterday he was conveniently bluzzing the record of the past 20 years in that respect.

A second point of value in the Senate debate has been the public revelation of where the leading Democratic presidential candidates stand on one of the critical foreign policy issues.

Two of them, Sen. George McGovern of South Dakota and Harold Hughes of Iowa appear to stand with Fulbright and Sen. Birch Bayh of Indiana is close to that position.

Senators Edmund S. Muskie of Maine and Hubert Humphrey of Minnesota are in the center of the party spectrum while Sen. Henry M. Jackson of Washington is over on the right end.

Sen. Edward Kennedy of Massachusetts, a proclaimed non-candidate who nonetheless few really rule out, appears to stand somewhere between the McGovern-Hughes wing of the party and that of Muskie and Humphrey.

Mike Mansfield is not running for anything and nobody doubts that. But the Montana senator picked his moment well to bring the NATO issue to full debate. He deserves more than a mere round of applause for that.

[From the New York Times, May 20, 1971]

THE RIGHT QUESTION

(By Tom Wicker)

WASHINGTON.—The world's greatest deliberative body has been locked in historic debate on an issue worthy of its vocal chords, to wit, the Mansfield amendment. This would force a 50 per cent reduction in the American military presence in Europe, and here are some of the subtle terms in which the Senators discussed this difficult matter.

John Stennis of Mississippi (stentorian voice, vigorous gestures, grandfatherly manner): "I don't believe you help anyone by sending him to the conference table with shackles on . . . The President of the United States is rassling with this problem day and night . . . he has the authority and I want us to keep the responsibility on him."

John Pastore of Rhode Island (gamecock strut, spread-eagled arms, bellicose tone): "We're trying to promote a little bit of equity. We got men there picking up butts, we got men there painting flagpoles, when they should be home with their families."

Hubert H. Humphrey of Minnesota (dark hair, light coat, easy flow of nouns, adjectives, verbs and adverbs): "I don't believe in giving away our power in advance of negotiations, I don't believe in unilateral disarmament."

Stuart Symington of Missouri (distinguished manner but groping for words as he answers H.H.H.): "That is approaching the ultimate in ridiculousness—may I say to my beloved friend from Minnesota?"

Mr. Pastore: "And what about those newspaper ads—join the Army and take a vacation in Europe?"

This was a debate during which all the Democratic Presidential candidates, a substantial body of men, put in an appearance,

testifying both to the importance of the issue and to the size of the galleries.

Yet, for such an occasion, the whole debate seemed rather ad hoc. Senator Mike Mansfield only precipitated the issue a little over a week ago, and many of what Mr. Pastore called "the hocus-pocus amendments" that had first to be disposed of had been devised almost overnight—a matter of which the procedural stickler, Mr. Stennis, frequently complained.

Nevertheless, the effect was a certain spontaneity not always apparent in Senate debate. Instead of reading long, gray statements in long, gray voices, most Senators were speaking extemporaneously and even with some heat. At one point, Mr. Pastore even got a round of supposedly forbidden applause from the galleries.

But neither rhetoric nor atmosphere could quite conceal the deeper problem with which the Senate was trying to grapple—not just the question of troop levels in Europe, nor even the "Constitutional issue" whether the President or Congress ought to decide it; what was really being debated was the American role in the world, and how much—if any—it ought to be changed or restricted to conform to new circumstances.

Mr. Humphrey, for instance, made it clear he was not "pleading for President Nixon" in opposing the Mansfield amendment but was "pleading for a United States foreign policy that will preserve the balance of power in this world." That is the authentic voice of those who shaped the nation's post-World War II view of the world, as was that of John Sherman Cooper, who reminded the Senate of the Soviet invasion of Czechoslovakia: "I'm not a cold warrior, I think you know that, but that happened."

On the other hand, said Birch Bayh of Indiana, "how much of a presence do we have to have to guarantee what interest?" Alan Cranston of California saw it as "morally grotesque" to regard any number of Americans, 300,000 or 150,000, as a sort of "human tripwire" deliberately set out to force the United States into defending Europe while defending them. J. W. Fulbright of Arkansas raised the question why withdrawing Americans from Vietnam, a war zone, was not a threat to national security if withdrawing them from peaceful Europe was a threat. And Mr. Pastore, conceding that Soviet activities in Czechoslovakia and the Middle East demonstrated that "the peril still does exist," nevertheless asked what should be "the American participation" and what that of other allies in countering the peril.

The vote on the Mansfield amendment won't settle that, and the debate did not always shed useful light on the matter, but there was at least a sense about the proceedings that the right question was being asked. These days, that's something.

[From the Christian Science Monitor, Thursday, May 20, 1971]

AFTER MANSFIELD . . .?

No matter what the Senate does to the Mansfield amendment now or tomorrow or a month from now the President will be the technical winner because there simply will not be any unilateral withdrawal this year of American troops from Europe.

But in the longer view of events Senator Mike Mansfield has already made the one point which really interests him now, as over a very long time in the past, which is that times have changed and the type of arrangements which the United States made for the security of Europe during the high days of the cold war are out of date and need recasting.

It seems to be just coincidence, not advance planning by anyone, that this moment of a new truth in Washington—of the inevitability of a rethinking of all involved in stationing American forces in Europe—comes just as the Russians are dangling what appears to be an invitation to open East-West talks on the subject of mutual troop withdrawals.

Whether they do want a true negotiation, remains to be tested. Their purposes in such talks, should they take place, would not at all points coincide with Western purposes. Russian national interests are Russian, not Western.

The sequence of events in all this needs to be noted. It goes like this.

March 30. Leonid Brezhnev, by then the recognized "top man" in the Russian hierarchy, made what Americans would call the "keynote" address at the 24th Russian Communist Party Congress in Moscow. News reports on it at the time were concerned mostly with what he said about Soviet domestic affairs. Most ignored entirely a brief and what seemed then, a perfunctory, passage about the desirability or reducing arms and tension in Europe.

May 11. Senator Mansfield tacked an amendment on the pending draft extension bill requiring a cut by half of the number of American troops stationed in Europe by the end of 1971.

May 14. Mr. Brezhnev delivered a televised address marking the 50th anniversary of the founding of the Georgian Soviet Republic. In it he developed in much more detail his theme from March 30. This time it was a specific invitation "to start negotiations."

May 17. Russian Prime Minister Kosygin, in a speech welcoming Canadian Prime Minister Trudeau to Moscow, picked up the Brezhnev theme and said Russia was ready to do "everything possible" to get agreement on force reductions in Europe. He called on the Western countries to "display real readiness to take practical steps in this direction."

May 17. American Ambassador Jacob Beam, acting on instructions from Washington, called at the Russian Foreign Office for clarification and to express American interest in the Russian proposals.

The sequence seems to make it clear that the Brezhnev and Kosygin moves were not a sudden attempt to capitalize on the Mansfield move in the Senate. The Russian bureaucracy does not move that fast.

Nor is there anything novel about Moscow's talk about troop reductions. Moscow has long been trying to interest the west European countries in anything which would end with the withdrawal of the United States and its armed forces from Europe.

But times have changed. Russia now has its own interests in easing tensions along its power frontiers in Europe. It has an unfriendly China at its back in Asia. It has severe economic problems at home. It has practical interests in a resettlement of East-West relations over Europe which might cause it to settle for less now than it would have expected even a few years back.

Obviously, Moscow dreams of a breakup of the NATO alliance, a withdrawal of the United States behind the Atlantic and a fragmentation of Western Europe leaving Russia dominant over all of Eurasia. And equally obvious, neither Washington nor its allied capitals in Europe has any intention of giving Moscow its dream.

But perhaps Mr. Brezhnev knows now that even a quarter of that loaf might be better than things as they are. The U.S. won't know without testing him out and discovering just what he would settle for now.

The essential fact of the moment is that whatever the Senate does to the immediate Mansfield proposal, its mood is in tune with change. The desire for a cutback in American commitments and costs in Europe, in fact everywhere, is dominant. The old arrangements are in fact out of phase with the times.

It is a coincidence, but certainly a fortunate one, that the Russians do seem to be, for their own reasons, also interested in finding out whether what could not be negotiated before might be negotiable now.

The only thing needing saying is that the State Department has properly and wisely and promptly moved to explore the possibilities opened up by the Brezhnev and Kosygin remarks.

[From the Evening Star, May 20, 1971]

DESERVED DEFEATS

Senate moves to hamstring the American commitment to NATO yesterday went down to the resounding defeats they so richly deserved. Senate Majority Leader Mike Mansfield, sensing the inevitability of defeat for his mischievous amendment which would have required a cut from 300,000 to 150,000 in the number of U.S. troops stationed in Europe by the end of the year, threw his support to Senator Nelson's softer but fundamentally equally nonsensical substitute amendment.

The Nelson amendment, which the Wisconsin Democrat sought to attach to the draft extension bill, would have forced the withdrawal of 50,000 U.S. troops annually until the 150,000-man level was reached in June 1974, if East-West negotiations for a mutual reduction were not undertaken by the end of this year. This, as Senator Stennis pointed out, would have made it possible for "the Soviets to force us to withdraw 50,000 (troops) a year by their merely refusing to begin negotiations." The Senate did well to defeat this addle-pated amendment by a lopsided 63–26 vote.

Three Democratic presidential hopefuls—Senators Bayh, Hughes and McGovern—added nothing to their already slight credentials for high office by voting for the Nelson amendment. Four others—Senators Humphrey, Muskie, Kennedy and Jackson—demonstrated better sense and a more sharply-honed feeling of responsibility for this country's security in opposing the amendment. Kennedy later joined the three superdoves in voting for the Mansfield amendment, which was defeated by a 61–36 vote.

Which is not to say that there is or ought to be anything sacrosanct about a troop level of 300,000 men in Europe. Where there is fat, it ought to be trimmed. And certainly a case can be made for bringing every pressure to bear on the European members of NATO, particularly West Germany, to absorb all or most of the $1.8 billion drain on our deficit balance of payments attributable to the stationing of U.S. troops in Europe.

But it would be madness, as former Presidents Harry Truman and Lyndon Johnson and 24 top officials from the past four administrations have testified, to legislate a unilateral American withdrawal without consideration of the effect on either our friends or foes, particularly at a time when the Russians have expressed a willingness to discuss mutual force reductions. This Kremlin initiative should be given the serious consideration it merits by the NATO foreign ministers when they meet in Lisbon next month.

It ought never to be forgotten that it is largely because of the Western security system of which NATO is the linchpin that the world for a quarter of a centry has been spared the agonies of a global war. Republican isolationism certainly was a contributory factor leading to the conflagration of World War II. It would be the final irony (in more senses than one) if Democratic neo-isolationism were to be allowed to ignite World War III.

FIRST LINE OF DEFENSE PERILED—NATO TROOP ISSUE IS CRUCIAL

The Senate vote this week on the amendment by Sen. Mike Mansfield to reduce America's troop strength in the North Atlantic Treaty Organization by half confronts the nation with a crucial foreign-policy issue.

The result of the prospective debate will influence our future role in world affairs and could decide the survival of NATO itself.

Senator Mansfield insists that the present United States troop commitment of 300,000 is excessive and an unnecessary drain on American resources. He thinks our NATO allies should do more for their own defense. He would force the withdrawal of 150,000 military personnel from Europe this year by cutting off supporting funds by an amendment to the Administration's draft-extension bill.

There is an indication that President Nixon may veto the draft bill if it is burdened with the Mansfield rider. Thus, approval of the amendment would be doubly crippling.

Disillusionment with the war in Vietnam accounts in part for the support being given the Mansfield measure. Many Americans, including defense-minded senators, have come to question the stationing of large forces abroad in the face of reported indifference on the part of U.S. allies. But this is not the issue.

Gen. Andrew J. Goodpaster, the supreme allied commander in Europe, brought the matter into sharp focus by warning that "any unilateral (U.S.) withdrawal would lead to the destruction of NATO." The key point is "unilateral."

General Goodpaster and statesmen in both political parties see danger in a massive U.S. withdrawal from Western Europe without a corresponding reduction of Soviet forces in Eastern Europe. The Mansfield amendment would undermine the possibility of a bilateral troop reduction, hinted at recently by Soviet Party Chief Leonid Brezhnev.

Why would the Russians cooperate with us if we forfeit everything in advance? As Sen. Robert Griffin said, the timing of the Mansfield amendment could not be more unfortunate.

The U.S. troop level in Europe is at the lowest point since NATO was organized more than two decades ago—down from a peak strength of 427,000. Reduction of this force by half would be an open invitation for our allies to make whatever accommodation they can with Moscow. Instead of being an assertion of our strength and resolve, an American force of only 150,000 men could be viewed as little more than a hostage in Europe to overwhelming Russian power.

NATO remains a first line of national defense. It should be strengthened, not weakened, at a time when Soviet military might is at an all-time high and increasing steadily.

COUNTING GAINS AND LOSSES

(By Max Frankel)

WASHINGTON.—No simple box score can record the gains and losses that were registered in the Senate's rejection of a move to reduce by half the American forces in Europe this year, or even over the next three years.

Sen. Mike Mansfield, D-Mont., the majority leader, who forced the issue after a patient six-year effort to prod the White House into making more gradual reductions, lost the immediate battle, as he knew he would. President Nixon, firing the massive big guns of former Democratic administrations and profiting from a sudden Soviet offer to negotiate mutual reductions of troops in Europe, beat back the Senate rebellion, as he knew he could, by one means or another.

But more than that happened here during the flare-up.

Nixon has won the chance to negotiate allied and Communist troop reductions in West and East Europe without being committed to unilateral American cutbacks in advance. Mansfield and even the senators who lined up against him have now imposed on the President a duty to negotiate in earnest with the Russians where previously they sensed no real urgency or desire for success.

Nixon has won the right to reassert the President's control over the rhythm of decision-making on foreign policy issues. Yet Mansfield, simply by staging the confrontation and forcing a massive Administration counterattack, has staked out a powerful place for the Senate in the decision process. The President will continue to argue that he must be pre-eminent in the definition of the national security but friends and adversaries alike have now seen how big a challenge can be mounted against his judgments.

The President has won the right to reassure the West Germans and the other European allies that his pledges of support and commitments can be made to prevail inside the American government. Yet Mansfield has succeeded in alerting the allies, as never before, that they cannot indefinitely count on the American people to suffer the West's defense burdens in Europe or elsewhere while giving only grudging help.

Moreover, whether or not he welcomes it, the President has gained further evidence that his first instincts about the public's weariness and desire for a more modest posture in the world were correct. Clearly his more recent and more ambiguous interpretations of the "Nixon Doctrine" will only invite more drastic assaults on both his policies and prerogatives.

Mansfield and his like-minded colleagues, in turn, have had a taste of the overbearing reaction that their moves toward large-scale retrenchment can evoke, not only from the cold-war generation of American leaders but also from sympathetic officials, observers and commentators who basically share their desire to limit the powers of the presidency and to revise the Nation's priorities. As the war in Vietnam has shown, no foreign policy can long survive against deep divisions at home.

Both sides in the argument over the troops in Europe have gained unexpected national attention for their points of view.

Nixon and others have been able to demonstrate that keeping a force of 310,000 men in Europe and the Mediterranean involves more than their cost or the fear of Soviet attack. Their presence assures a powerful political influence over the pattern of accommodation between East and West Europe.

Any reduction of those forces has been shown to have an important bearing on future relations with West Germany, on relations among the allies, on arms control talks with the Russians and on the intangible reputation of the United States in the difficult post-Vietnam era.

Mansfield and others have effectively made the point that longstanding policies acquire a momentum of their own and that only the most persistent kind of prodding and challenge can stimulate a genuine reappraisal. The Senate critics may also have done more than any recent President to persuade the Europeans to make a more serious and sustained contribution to the common defense.

Both sides have also lost some ground. Nixon has now added Europe to the growing list of issues on which he has been unable to preserve a united front, especially between the White House and the Congress. The Senate, propelled to a vote on a concrete proposal within a week, has lost ground in its effort to demonstrate that it can calmly and exhaustively debate the complex issues of national security and assume responsibilities that were long left to the executive branch.

It may be, as Secretary of State William P. Rogers suggested last week, that neither branch of government can henceforth manage the country's foreign affairs without the habit of collaboration and constant consultation that was destroyed by the Vietnam experience.

And equally unclear, in the wake of this week's quick proposal and disposal of the Mansfield Amendment, are the real prospects of negotiating what is called a "mutual and balanced" force reduction between NATO and the Warsaw Pact nations.

Such a bargain has been defined by the President as even more complex than the proposed agreement to limit strategic nuclear weapons. His insistence on "balanced" reductions has meant that the West would want bigger cuts in the Communist forces of about 900,000 men—more than half of them Russians—than in the Western force of about 700,000 men—less than half Americans.

Some responsible officials and senators have long felt that the American proposal for such negotiations was designed primarily to frustrate the demands for unilateral American reductions.

But now that these demands have surfaced with such force and now that the Russians, for their own reasons, are openly inviting the President to start the negotiations, the Administration will be forced not only to lead the allies into the talks but also to reassess its terms for a deal.

Behind the scenes here, officials are already saying that the price to be obtained for some American troop withdrawals from Europe may not be militarily reciprocal or wholly satisfactory. Though the Russians, too, are thought to be overextended outside their frontiers, and weary of military costs, Nixon will be negotiating under the very real threat of unilateral cutbacks if the talks should fail.

To that extent, the President has lost some flexibility even in Wednesday's Senate victory while Mansfield, in defeat, has made himself one of the most important men at the bargaining table.

[From the Los Angeles Times, May 20, 1971]

OUR EUROPEAN TROOP COMMITMENT

For about 10 years Mike Mansfield (D-Mont.), the majority leader of the Senate, has been saying that the United States has far too many troops committed to NATO, and that a great many of them could be brought home without jeopardizing the defense of Western Europe. And for about 10 years the response of successive Presidents has been to say that, for a variety of reasons, the senator's proposal simply wasn't feasible.

Now Mansfield has decided to force the issue. Next Wednesday the Senate is scheduled to vote on his bill—actually an amendment to an extension of the draft law—to cut American forces in Europe in half to 150,000 men by the end of the year.

Not so surprisingly, considering its history of poor congressional relations, the Nixon Administration was caught by surprise on the timing of the Mansfield move. After an initial period of confusion, the President opened a counteroffensive. His position was, first, to oppose any Senate move on NATO as an unwarranted interference with the foreign policymaking rights of the executive branch and, second, to muster a bipartisan phalanx of statesmen, led by former Presidents Johnson and Truman, to recite again the reasons why a reduction of U.S. forces in NATO at this time would be inimical to American interests.

Given the mood of the Senate, the President's first argument is not likely to prove too persuasive. The second point carries greater weight. As former Secretary of State Dean Acheson noted, the real goal should be to negotiate with the Soviet Union a mutual reduction of forces in Europe, so as to remove at the same time not only American troops, but the main reason for their presence.

It's a sound argument, but there are sound arguments on the other side as well. The strongest is that now, as throughout NATO's long history, the Western Europeans simply have not been contributing their fair share of men and resources to their own defense. This gap between ability and actual performance has been filled by the United States, with about 300,000 troops who have with them more than 200,000 dependents. These

together account for a net dollar drain of about $1 billion a year.

We believe that U.S. strength in Europe could and should be cut, and that our NATO partners should carry more of the defense burden. But we also know that the various problems involved—of European security, of the economics of defense, of the Western world's overall relations with the Soviet Union—are far too complex and interrelated to be resolved by the easy expedient of cutting our NATO forces in half by year's end.

The Mansfield amendment is a sign of exhausted patience and a clear warning to the Administration and NATO that the status quo in European defense is no longer tolerable. Its timing may be awkward but its goal is sound, and support for that goal in the Senate and in the nation can only grow in the months ahead.

EFFORT TO TRIM NATO TROOPS WON'T DIE OUT

WASHINGTON.—Despite the defeat of the Mansfield amendment calling for the reduction of U.S. military forces in Europe, the country is going to clip valuable coupons from it. First, it is only a temporary setback, for eventually the idea will prevail. Second, it will hasten overdue reforms of the whole structure of European defense.

Sen. Mansfield (D-Mont.), the majority leader, proposed cutting America's European forces from 300,000 to 150,000. The Administration charged that this would fatally weaken NATO, but that was not, and is not, the intent of Mansfield and his supporters. Their main object is not to reduce the strength of the NATO forces, but simply to reduce the excessive and unfair American contribution to it. The other NATO countries could easily make up the deficiency, or even enlarge NATO if they thought it desirable.

Mansfield has said on more than one occasion that there is no reason why "over 250 million people of Western Europe, with tremendous industrial resources and long military experience, are unable to organize an effective military coalition to defend themselves against 200 million Russians—who are contending at the same time with 700 million Chinese."

And Kurt Eissinger, the former chancellor of Germany, has asked, "Is it not a disgrace that 200 million Americans must protect 250–300 million Europeans?" He urged the NATO countries of Europe to "unite their power so that they can play a completely new and completely different role in the world."

But why should they if the United States is willing to continue paying most of the cost for their defense, as it has for over 20 years?

The Mansfield amendment lost not on its merits, but by careless legislative strategy. As Sen. Margaret Chase Smith (R-Me.) said, the majority leader could not have been "more wrong" in his timing. He brought it up without warning, without broad consultation with key senators, and without time to develop and publicize the persuasive arguments for its adoption.

Mansfield exposed himself to a White House blitzkrieg, which included lining up former Presidents Johnson and Truman, against the amendment. The public, however, was not told that another former President, Gen. Eisenhower, had called for reduction of American NATO forces even before Mansfield. The Administration argued that any action at this time would be "hasty" and "precipitant." Eisenhower, the first commander of NATO, disposed of that old stall when he said on October 26, 1963:

"Though for eight years in the White House, I believed, and announced to my associates, that a reduction of American strength in Europe should be initiated as soon as European economies were restored, the matter was then considered too delicate a political question to raise. I believe the time has now come when we should start withdrawing some of those troops."

A "unilateral" reduction of American European forces we are told, would be a "shock" to NATO, but it may be recalled that NATO survived the shock of France withdrawing all of its armed forces several years ago.

[From the Baltimore Sun, Thursday, May 20, 1971]

GERMAN SHARE

No wonder the American military presence in Europe has moved into the more general argument over international money instability. Dollar support of some 300,000 troops in Germany is a highly visible part of that excess of foreign spending over earnings abroad which explains our persistent balance-of-payments deficits. During these same years the West Germans were working up cumulative payments surpluses. Basically it was the disharmony between American deficits and German surpluses that has set the more money crisis off.

In the early Sixties the West German government took account of these disparities and agreed to offset dollar spending in Germany by dollar purchases in this country. But as early as 1968 Dr. Joseph Aschheim of the George Washington University was presenting his view to the Joint Economic Committee of Congress that these offsets were more apparent than real. The Germans were merely buying American war goods which they would have had to buy somewhere anyhow. And their purchase of special U.S. bonds merely converted short-term into longer-term dollar demands. There was in fact, no incremental assumption by the Germans of pay-out costs for the American troops.

Yet Dr. Aschheim argued that a good case could be made for German payment of up to half the expense of an American presence which, to be sure, helped the Americans and NATO, but in a particular way helped the Germans hold that part of their country not already in Communist hands. On the basis of the 1968 figures, Dr. Aschheim reckoned the total load—not just dollars spent in Germany, but the overall Treasury burden of the U.S. troops in Germany—at some $4 billion a year. German payments—out of those cumulative surpluses—of $2 billion a year to the United States, he said, would have turned American deficits in several years into surplus, and reduced those that continued.

The Aschheim figures were of course, arguable, as was his premise that West Germany's share of the total could go as high as 50 per cent. He was careful to warn that "the bargaining position [in this money matter] of the United States should not be the threat of U.S. [troop] withdrawal." What he was suggesting, and presumably because his science is economics, not strategy, was that money stability was an element of free-world security just as was military presence, and that the one shouldn't imperil the other.

QUORUM CALL

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 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. ALLEN) laid before the Senate the following letters, which were referred as indicated:

PROPOSED AMENDMENT OF THE BUDGET, 1972, FOR THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE (S. DOC. NO. 92–19)

A communication from the President of the United States, transmitting amendments to the request for appropriations transmitted in the budget for the fiscal year 1972, in the amount of $18,500,000, for the Department of Health, Education, and Welfare (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED LEGISLATION CONCERNING THE UNLAWFUL SEIZURE OF AIRCRAFT

A letter from the Acting Secretary of Transportation transmitting proposed legislation to implement the Convention for the Suppression of Unlawful Seizure of Aircraft, and for other purposes (with accompanying papers); to the Committee on Commerce.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States transmitting, pursuant to law, a review entitled "Determining Army Major Equipment Needs—Problems and Suggestions for Improvements" (with accompanying report); to the Committee on Government Operations.

WELFARE REFORM

A letter from the Secretary of Health, Education, and Welfare transmitting background information regarding the Nation's welfare programs (with accompanying papers); to the Committee on Finance.

REPORT OF THE NATIONAL SAFETY COUNCIL

A letter from the President of the National Safety Council transmitting pursuant to law, a report of the audit of the financial transactions of the Council for the year 1970 (with accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions and memorials were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. ALLEN):

A resolution of the Legislature of the Territory of Guam; to the Committee on Armed Services:

"RESOLUTION NO. 220

"Relative to expressing to the Government of the United States of America the concern of the people of Guam that the installation of a Naval pier and expansion of the Naval Magazine in Sella Bay in the territory of Guam will involve the storage of tactical atomic weapons, and requesting the Government of the United States to consider other alternative locations

"Be it resolved by the Legislature of the Territory of Guam:

"Whereas, it has recently come to the attention of this Legislature that the proposed plan for the installation of a Naval pier and expansion of the Naval Magazine at Sella Bay pursuant to the fiscal year 1971 Military Construction Program contemplates the expenditure of approximately Twenty-Five Million Dollars ($25,000,000.00) over the next four (4) years, such expenditure being allegedly for the purpose of receiving and storing ammunitions, explosives, and weapons; and

"Whereas, the people of Guam, being aware that there has been no statement from the Navy regarding the proposed site for the storage of the tactical atomic weapons to be moved from Okinawa after its reversion to Japan, are concerned in view of the substantial proposed expenditure by the U.S. Navy in Guam, that the Federal Gov-

ernment might be considering the storage of tactical atomic weapons on their island; and

"Whereas, it is the consensus of this Legislature that the storage of such atomic weapons on the Island of Guam, which is a highly populated area would not be in the best interest of the people of Guam, seriously threatening the health and safety of the citizens of Guam; and

"Whereas, the Legislature wishes to propose to the Government of the United States that other areas in the Pacific islands which have expressed an interest in having such a military installation, are more suitable for the storage of tactical atomic weapons, such areas not having the large population of Guam; now therefore be it

"Resolved, that the Eleventh Guam Legislature does hereby on behalf of the people of Guam express their concern that the installation of a Naval pier and expansion of the Naval Magazine in Sella Bay will involve the storage of tactical atomic weapons in the territory of Guam, and request the Government of the United States to consider other areas, which would be more suitable, for the storage of such weapons; and be it further

"Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States, to the President of the Senate, to the Speaker of the House of Representatives, to the Secretary of the Interior, to the Secretary of Defense, to the Secretary of the Navy, to the Attorney General of the United States, to the Chairman of the Senate Committee on Interior and Insular Affairs, to the Chairman of the House Committee on Interior and Insular Affairs, to Representative Patsy T. Mink, to Guam's Washington Representative, to the President of Friends of the Earth, to the Pacific Representative of Friends of the Earth, and to the Governor of Guam.

"Duly and regularly adopted this 23rd day of April, 1971."

A resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"RESOLUTIONS

"Urging the United Nations to establish 'World Prayer for Peace Day' and urging all nations to participate in a joint effort to effect an end to armed hostility

"Whereas, The daily news reports of armed conflicts, social unrest, distrust and despair which permeate the world bring feelings of shock and frustration to men of good-will; and

"Whereas, For too long a period, men, wearied by the enormity of the problem and frustrated in their planning of a solution, have been unsuccessful in their attempts to effect an end to the turmoil; and

"Whereas, The time has come for a united world effort for all men and nations to pause in their busy work-a-day and reflect on the problem, then exert an individual and national effort to bring a cessation to all armed hostilities and join in a common cause of peace to all men; therefore be it

"Resolved, That the members of the Massachusetts House of Representatives respectfully urges all members of the United Nations to join together and declare August 15, 1971, as "World Prayer for Peace Day" and encourage all nations, both members and nonmembers, to set this date aside as a day of commitment for peace, wherein an opportunity is given to all peace-loving people of the world to petition their respective governments to initiate immediate action to bring peace to the troubled areas, instill trust, cooperative effort and assistance where none now exists, and, further, to call for all warring nations to implement an immediate exchange of all prisoners of war so that all nations may prosper and grow and take their rightful place in the family of nations; and be it further

"Resolved, That the Massachusetts House of Representatives respectfully urges all legislative bodies in the family of nations to join in this crusade for peace and exert their every effort on all leaders to bring a speedy cessation to all hostilities and join in "World Prayer for Peace Day"; and be it further

"Resolved, That the Massachusetts House of Representatives hereby gives its wholehearted support to bringing an end to hostilities in Indo-China and the establishment of "World Prayer for Peace Day" by the United Nations; and be it further

"*Resolved*, That copies of these resolutions be forwarded by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the Senators and Representatives in Congress representing this Commonwealth, to all the presiding officers of all the State Legislatures in the Nation and to the Secretary General of the United Nations.

"House of Representatives, adopted, May 27, 1971."

A joint memorial from the Legislative Assembly of the State of Oregon; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT MEMORIAL 9

"To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the Fifty-sixth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas control of stream pollution and stream flow control has become a matter of vital interest to the Congress and the people in all 50 states; and

"Whereas the Congress and most of the various branches of government concerned with river and stream control and improvement have indicated almost unanimously their vital interest in the maintenance of clean water in our rivers and streams and in the control of seasonal fluctuations in the flow of our rivers and streams; and

"Whereas the matter of releasing water from storage and flood control reservoirs during low stream flow periods is a proven method of maintaining the necessary biological oxygen content of rivers and streams, satisfactorily diluting polluting nutrients from treated effluent and eroded agricultural fertilizers, and otherwise providing a livable habitat for fish and wildlife, reducing health hazards for residents and visitors, and enhancing the esthetic values of our nation; and

"Whereas control of seasonal fluctuations in the flow of rivers and streams prevents damage to riparian property caused by erosion and flooding of lands adjacent to such waterways and prevents the pollution of such rivers and streams from sediment, debris and other deleterious materials washed into such rivers and streams from adjacent lands; and

"Whereas water quality control and stream flow fluctuation control provisions for the operation upon completion of the Scoggins Creek dam and reservoir, a Bureau of Reclamation project in the Tualatin River basin of Oregon, were not included in the project authorization; and

"Whereas the Tualatin River traverses an important agricultural area as well as flowing through one of Oregon's most heavily populated suburban residential regions and several important cities and towns, and empties into the Willamette River just prior to that stream's passage through the center of the heavily populated Portland, Oregon, metropolitan area; and

"Whereas water quality control and stream flow control, if provided in the Scoggins Creek dam and reservoir project authorization, will not require change in the proposed physical structure of the project, nor will it require additional appropriations beyond those envisioned in the authorization for construction; and

"Whereas implementation of these controls will set a precedent for future Bureau of Reclamation projects of this type to conform with similar dam and reservoir projects operated by other federal agencies; and

"Whereas the adoption of such a program will be to the benefit of all the states, directly or indirectly, including residents of affected areas, visitors, and the impetus it will give to local governmental and private pollution and stream flow control efforts; and

"Whereas it is vital that the Congress and the federal administrative bodies continue to show leadership in water quality and stream flow controls; and

"Whereas water quality and stream flow controls, to be workable, must be a nonreimbursable portion of the project because of its value to visitors from every state and the demonstrated impossibility of allocating such minor operating costs fairly to any state, or portion thereof, city, district, or individual property owners when most of an entire river basin and scenic area is involved; now, therefore,

"*Be it Resolved by the Legislative Assembly of the State of Oregon:*

"(1) The Congress of the United States is memorialized to reassert its continuing leadership in the improvement of our rivers and streams by amending the Scoggins Creek Dam authorization to include water quality and stream flow controls as nonreimbursable operating provisions of the project, as the establishment of a policy for reclamation projects in line with prior policy expressed by the Congress and found to be to the best public interest by other federal administrative bodies.

"(2) The Chief Clerk of the House of Representatives shall cause copies of this memorial to be sent to the presiding officer of the Senate and of the House of Representatives of the United States and to each member of the Oregon Congressional Delegation.

"Adopted by House April 26, 1971.

"Adopted by Senate May 7, 1971."

A resolution of the Legislature of the Territory of Guam; to the Committee on Interior and Insular Affairs:

"RESOLUTION No. 219

"Relative to requesting the United States Department of the Interior, National Park Service, to release its master plan on the proposed Guam National Seashore for public review and to recommend the establishment of the Guam National Seashore as a national park

"Be it resolved by the Legislature of the Territory of Guam:

"Whereas, it has recently come to the attention of the Eleventh Guam Legislature that the U.S. Department of the Interior through its National Park Service has developed a master plan for the proposed Guam National Seashore, such plan being proposed in July 1967, revised in September 1967, and being printed in a third draft in January 1968, over three years ago; and

"Whereas, it is the understanding of this Legislature that the master plan has been reviewed and recommended by the Operations Division, the Cooperative Activities Division, and the Design and Construction Division of the National Park Service, and that the only step necessary for final recommendation is the formality of signing the master plan; and

"Whereas, this plan proposes a general development of a Guam National Seashore from Fena Valley Reservoir in the Northwest, to Nimitz Beach on the Southwest, to Cocos Island on the Southeast, to Merizo Marina on the Northeast; and

"Whereas, a substantial portion of the land proposed to be set aside for the development of a Guam National Seashore, namely

that area known as Sella Bay, is now being considered by the Federal Government for acquisition by the Federal Government as an ammunition wharf; and

"Whereas, the proposed acquisition by the Federal Government of Sella Bay and the area surrounding it for use by the Navy as an ammunition wharf would be totally inconsistent with the plan proposed by the U.S. Department of the Interior for the development of a Guam National Seashore; and

"Whereas, the people of Guam have long considered the development of a Guam National Seashore and have continually opposed the proposed acquisition by the Federal Government of Sella Bay and the area surrounding it as an ammunition wharf, it being agreed that the land in question is one of the most beautiful areas in the American commonwealth and a unique example of coral ecology which should be preserved for future generations; and

"Whereas, the master plan for the proposed Guam National Seashore has been withheld from the public and is presently not public information despite the extreme interest by the people of Guam in the preservation of this area and the importance of the position and views of the Department of the Interior regarding this matter; and

"Whereas, the Legislature has been informed that a copy of the master plan has been distributed to the Department of the Navy, but no such copy has been distributed to the Legislature of Guam, the duly elected representative of those people most ultimately concerned with the development of the National Seashore; now therefore be it

"Resolved, that the Eleventh Guam Legislature does hereby on behalf of the people of Guam respectfully request the U.S. Department of the Interior to recommend the final adoption of the master plan for the proposed Guam National Seashore, and to release the plan to the Legislature of Guam and the general public so that the Legislature and the people of Guam will have such plan before them while considering the vital issues concerning the proposed acquisition of Sella Bay and the true import of the area may be more fully understood and considered; and be it further

"Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States, to the President of the Senate, to the Speaker of the House of Representatives, to the Secretary of the Interior, to the Secretary of Defense, to the Secretary of the Navy, to the Attorney General of the United States, to the Chairman of the Senate Committee on Interior and Insular Affairs, to the Chairman of the House Committee on Interior and Insular Affairs, to Representative Patsy T. Mink, to Guam's Washington Representative, to the President of Friends of the Earth, to the Pacific Representative of Friends of the Earth, and to the Governor of Guam.

"Duly and regularly adopted this 23rd day of April, 1971."

A resolution of the Legislative Assembly of the Commonwealth of Puerto Rico; to the Committee on Labor and Public Welfare:

"RESOLUTION 345

"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 Puerto 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 Senate 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 of the Organization of American Historians regarding the appropriations for the National Park Service; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Appropriations, with amendments:

H.R. 7016. An act making appropriations for the Office of Education and related agencies, for the fiscal year ending June 30, 1972, and for other purposes (Rept. No. 92–145).

By Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences, with an amendment:

H.R. 7109. An act 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 (Rept. No. 92–146).

EXECUTIVE REPORTS OF A COMMITTEE

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

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

John Shaheen, of Illinois, to be a member of the U.S. Advisory Commission on Information;

Joseph F. Donelan, Jr., of New York, to be an Assistant Secretary of State; and

Charles J. Nelson, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Botswana, to the Kingdom of Lesotho, and to the Kingdom of Swaziland.

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. MANSFIELD:

S. 2021. A bill for the relief of Col. Paul E. Greiner, U.S. Air Force, retired. Referred to the Committee on Armed Services; and

S. 2022. A bill for the private relief of James J. Eder. Referred to the Committee on Interior and Insular Affairs.

By Mr. BAYH (for himself, Mr. COOPER, Mr. HUMPHREY, and Mr. SCOTT):

S. 2023. A bill to provide for a procedure to investigate and render decisions and recommendations with respect to grievances and appeals of employees of the Foreign Service. Referred to the Committee on Foreign Relations.

By Mr. EASTLAND:

S. 2024. A bill for the relief of Mr. and Mrs. Yue Wilson. Referred to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2025. A bill to repeal section 212(B) of the Merchant Marine Act, 1936 as amended. Referred to the Committee on Commerce.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAYH (for himself, Mr. COOPER, Mr. HUMPHREY, and Mr. SCOTT):

S. 2023. A bill to provide for a procedure to investigate and render decisions and recommendations with respect to grievances and appeals of employees of the Foreign Service. Referred to the Committee on Foreign Relations.

JUSTICE FOR THE FOREIGN SERVICE

Mr. BAYH. Mr. President, I am today introducing a bill to amend title VI of the Foreign Service Act of 1946 in order to establish a Foreign Service Employee Grievance and Appeals Board. I am delighted to have the distinguished senior Senator from Kentucky (Mr. COOPER), the Senator from Minnesota (Mr. HUMPHREY), and the able minority leader (Mr. SCOTT) join me as cosponsors of this bill.

The suicide of Charles W. Thomas, a veteran Foreign Service officer, has called dramatic attention to a grievous situa-

tion which Congress should long ago have taken action to correct.

Charles W. Thomas had a brilliant background—a law degree from Northwestern, a doctorate in international law and international relations from the University of Paris, fluency in French and Spanish, a working knowledge of three other languages—and a distinguished career as a Foreign Service officer dating back to 1951. In 1966 a rating by the inspector general for the Foreign Service, Ambassador Robert McClintock, recommended that Thomas be immediately promoted from grade four to grade three and be assigned to the National War College. This report, however, was misfiled under the personnel record of another officer with the same name.

In 1969, without the report in his file, Thomas was dropped from the Foreign Service for too much "time in grade." Special appeals from Thomas' superior, Fulton Freeman, Ambassador to Mexico, and from Senators PASTORE, PELL, COOPER, COOK, MUSKIE, and myself failed to change the record.

Thomas was forced to retire at age 47 with 18 years in the service but with no pension until he reached 60, after dedicating his life to the career principle. For 2 years he looked for a job but could find no suitable employment. In April of this year he shot himself, leaving a wife and two children. Ironically, they now receive a $320-a-month Government annuity, a poor substitute for the pension Thomas would have been entitled to had he been promoted in the normal course of events.

Mr. President, I ask unanimous consent to include several newspaper articles relating to the Thomas case at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. BAYH. Mr. President, why did this obvious miscarriage of justice occur? Mr. President, the State Department is the only Federal agency which does not guarantee that all its employees will have a chance for a hearing on complaints in regard to promotions and "selection out." Charles Thomas had no access to a grievance panel or a review board.

Thomas' case is more dramatic than most because of the ultimate outcome. But his is not an isolated case. Many other instances of bureaucratic mismanagement and unfair personnel procedures have come to my attention.

Under present procedure the Department does have a grievance procedure for Foreign Service employees, but performance ratings, promotions, and discharge actions are all excluded from that procedure. In the case of performance ratings, a Foreign Service employee "may submit a statement or document to refute statements in his record which he considers to be based on incomplete data or on limited observation, or to be unfair"—see section 522 of the Uniform State/USIA regulations—but that is all he can do, other than carrying on informal discussions. Civil service employees of the State Department, on the other hand, have access to a complete system of review of all performance ratings which are appealed.

The Foreign Service officer corps is a commissioned service, and as such Foreign Service personnel are analagous to Armed Forces personnel. The same type of career principles in regard to fairness, justice, and protection against reprisal and discrimination should be applied to the Foreign Service as are applied to similar personnel. The bill which I am introducing today, to establish a Foreign Service Employees Grievance and Appeals Board, is modeled on the grievance procedures of other Government departments, including that of the Department of the Navy.

The Foreign Service Employees Grievance and Appeals Board will guarantee that every Foreign Service employee will receive a fair hearing and review of any complaint relating to a grievance or an appeal of an adverse personnel action. The Board will have the power to order that remedial action be taken if the Board finds a grievance to be meritorious.

The American Foreign Service Association, an organization of 7,500 Foreign Service employees, fully supports this bill.

I ask that a brief summary of the provisions of this bill, and the full text of the bill, be printed at this point in the RECORD.

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

SUMMARY OF BILL

S. 2023 is "a bill to provide for a procedure to investigate and render decisions and recommendations with respect to grievances and appeals of employees of the Foreign Service."

The bill amends Title VI of the Foreign Service Act of 1946 by establishing within the State Department and Foreign Service Employees Grievance and Appeals Board which is directly responsible to the Secretary of State. This Board is required to "receive and investigate any complaint filed by an employee relating to a grievance or an appeal of an adverse personnel action." In the case of a "grievance" the Board has the power to direct the Secretary to take remedial action if the grievance is found to be meritorious. In the case of an "appeal of an adverse personnel decision" the Board makes recommendations to the Secretary, and the Secretary is required to make the final decisions within thirty days.

The Board is to consist of three members: (a) a chairman designated by the Federal Mediation and Conciliation Service who serves for two years; (b) a member designated by the Department who also serves for two years; (c) a member designated by the employee filing the complaint who serves only for such time as the employee's case is under consideration.

Employees who file a complaint are guaranteed a hearing, the right to counsel, and access to all documents relating to his case.

S. 2023

A bill to provide for a procedure to investigate and render decisions and recommendations with respect to grievances and appeals of employees of the Foreign Service

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title VI of the Foreign Service Act of 1946 is amended by adding at the end thereof the following new part:

"PART J—EMPLOYEE GRIEVANCE AND APPEALS PROCEDURE

"DEFINITIONS

"SEC. 691. When used in this part, the term—

"(1) 'Employee' means any officer or employee of the Service who is a citizen of the United States and appointed or employed under the provisions of this Act;

"(2) 'Board' means the Foreign Service Employees' Grievance and Appeals Board established under this part;

"(3) 'Grievance' means any complaint against any injustice, unfair treatment of an employee, or aspect of his work situation arising from his employment or career status, or from any actions, documents or records, which could result in career impairment or damage, monetary loss to the employee, or deprivation of basic due process. It shall include but not be limited to: actions in the nature of reprisals and discrimination, actions related to promotion or selection out, the content of any efficiency report or related records, separation for cause, denial of a salary increase within a class, written reprimand placed in a personnel file, or denial of allowances.

A 'grievance' shall not include any matter relating to:

(A) the substantive aspects of foreign policy; or

(B) the general management policy of the Department of State, unless and to the extent that that policy directly affects a right accorded the employee by this Act;

"(4) 'Appeal' means a request for reconsideration of any decision in the nature of an adverse personnel action or any decision or action by any officer or employee of the Department of State included in the definition of 'grievance' above.

"ESTABLISHMENT, FUNCTIONS, AND ORGANIZATION OF THE BOARD

"SEC. 692. (a) There is established within the Department a Foreign Service Employees Grievance and Appeals Board which shall be directly responsible to the Secretary.

"(b) The Board shall receive and investigate any complaint filed by an employee relating to a grievance or an appeal of an adverse personnel action. If the complaint relates to a grievance, the Board shall render a decision in accordance with section 698(a) of this Act, and that decision shall be final and binding upon the Secretary. If the complaint relates to an adverse personnel action, the Board shall make findings and recommendations to the Secretary in accordance with section 698(b) of this Act. If an efficiency report or record is a basis for complaint the Board shall receive, consider, and make findings and recommendations without regard to whether such report or record has been reviewed by a selection or promotion board and without regard to whether further administrative action may have been taken upon such review.

"(c)(1) The Board shall consist of the following three members:

"(A) a member designated by the Federal Mediation and Conciliation Service who shall be the chairman;

"(B) a member designated by the Department; and

"(C) a member designated by the employee filing the complaint

"(2) A member designated under clause (A) or (B) of paragraph (1) of this subsection shall serve for a term of two years, except that if any such member is designated to fill a vacancy occurring before the expiration of the term for which his predecessor was designated, he shall serve for the remainder of such term.

"(3) The member appointed under clause (C) of such paragraph shall only serve until

the complaint of the employee designating the member has been disposed of. Any member designated under such clause (C) is not required to be an officer or employee of the Government. If he is not such an officer or employee, that member shall receive from the Department compensation up to the maximum rate for Department Consultants (including traveltime) during the time he is performing duties as a member of the Board.

"(4) A member of the Board may be redesignated. Each member shall be reimbursed by the Department for travel, subsistence, and other necessary expenses incurred in the performance of his duties.

"(d) A decision, finding, or recommendation of the Board shall be made only upon a vote of at least two members.

"(e) A member designated under subsection (c)(1)(A) or (B) of this section shall disqualify himself from sitting in any question exists as to the impartiality or obvolved or in any case in which a substantial question exists as to the impartiality or objectivity of that member. If so disqualified, or in case of the inability or unwillingness for any other reason of any member of the Board to serve or continue to serve in a particular case, an alternate member—

"(1) shall be designated in the same manner in which the member who is disqualified or unable or unwilling to serve was designated;

"(2) shall be designated within ten days (excluding Saturdays, Sundays, and holidays) after the date on which the member for whom he is an alternate is disqualified or is unable or unwilling to serve, in the case of a member designated under subsection (c)(1)(A) or (B) of this section, or within thirty days after such date, in the case of a member designated under subsection (c)(1)(C) of such section; and

"(3) shall only serve until that case is disposed of.

"(f) Designations to fill vacancies shall be made in the same manner in which the original designations were made.

"(g) The chairman of the Board—

"(1) shall have the administrative responsibility for assigning the business of the Board to the other members and to the employees of the Board; and

"(2) may obtain such facilities and supplies, and appoint and fix the compensation of such employees, as may be necessary to permit the Board to carry out the provisions of this part. Such employees shall be appointed and compensated in accordance with the provisions of title 5, United States Code.

"(h) All expenses of the Board, including compensation, shall be paid out of funds appropriated to the Department.

"(i) The records of the Board shall be maintained by the Board and shall be separate from the personnel and other records of the Department (including records of the Service). Except as otherwise provided in this part, no notation of any pending or concluded action by the Board shall be placed in the personnel records of any employee connected with such action in any way.

"FREEDOM FROM RESTRAINT; RIGHT TO COUNSEL; REVIEW OF EMPLOYEE RECORDS

"SEC. 693. (a) The Secretary shall insure that an employee filing a complaint under this part shall be free from any restraint, interference, coercion, discrimination, or reprisal in presenting his complaint, or by reason of it.

"(b) The employee has the right to a representative of his own choosing to advise him, represent him, and accompany him as necessary, at every stage of the proceedings under this part. The employee's representative need not be an attorney at law or an officer or employee of the Government.

"(c) The Secretary shall insure that witnesses and other persons involved in proceedings under this part shall be free from any restraint, interference, coercion, discrimination, or reprisal in taking part in such proceedings or by reason thereof.

"(d) The chairman of the Board shall have the authority to review all personnel records of any employee taking part in complaint proceedings in order to insure that no reference of such participation is in any manner included in such employee's personnel records. Any such employee shall have the right to request the chairman to make and the chairman shall make, such a review.

"FILING OF COMPLAINTS; ACCESS TO DOCUMENTS

"SEC. 694. (a) No particular form is required for any complaint filed by an employee under this part. Such a complaint, however, shall be in writing. The following may be included in the complaint:

"(1) the employee's name, his foreign service category and any employee group designation within that category, his class, post of current duty, and the date, if known, of departure from the post of current duty;

"(2) a statement, with reasons, explaining the employee's complaint;

"(3) evidence supporting the employee's complaint, which may include, but is not limited to, copies of official records of the Department (except as otherwise provided in subsection (b) of this section) and statements of witnesses; and

"(4) the designation of the member of the Board which the employee is authorized to make under section 692(c)(1)(C) of this Act.

"(b) If any matter referred to in subsection (a) of this section has not been included in the complaint, the Board may request that the matter be furnished within thirty days after the request is made by the Board. If the matter requested is the designation of a member of the Board by the employee, and the employee does not furnish such designation within thirty days, the complaint of the employee shall be considered withdrawn.

"(c) The complaint and any written statement or document submitted in connection therewith by the employee, a witness, or any officer or employee of the Department shall be subject to the provisions of sections 287, 1001, 1621, and 1622 of title 18, United States Code.

"(d) In order to determine the validity of the complaint, the Board shall have access to any document or information considered by the Board to be relevant to the complaint, including the personnel records of the employee, and of any rating and/or reviewing officer (if the subject matter of the complaint relates to that officer), or any other document or information in the Department. Any such document or information requested shall be provided by the Department within five days (excluding Saturdays, Sundays, and holidays). A rating officer or reviewing officer shall be informed by the Board if any report for which he is responsible is being examined.

"(e) The Department shall furnish the employee within fifteen days (excluding Saturdays, Sundays, and holidays) from the date of request therefor any document or information which the employee considers necessary to the development of his evidence. In no event, however, shall the employee be furnished personnel records of any officer or employee of the Government.

"(f) The Department shall expedite any security clearance necessary for the purpose of allowing any member of the Board, the employee, his counsel, or any witnesses to have access to classified material.

"RULES OF EVIDENCE

"SEC. 695. (a) The Board may consider any relevant evidence coming to its attention, whether or not such evidence has been formally presented to it. The employee shall, however, be advised of all evidence considered by the Board and shall be given a reasonable opportunity to rebut it.

"(b) In its investigation of a complaint, the Board shall be guided by the principle of relevance. It shall not be limited in its investigation by the rules of evidence as applied in courts of law to either criminal or civil proceedings. Cases of doubt shall be resolved in favor of admissibility.

"(c) Testimony may be received by the Board in the form of sworn affidavits or in the form of unsworn statements. A copy of any such affidavit or statement not furnished by the employee shall be provided to the employee. Submission of any affidavit or statement by the employee shall not affect his right to a hearing under section 696 of this Act.

"(d) If, upon examination of the evidence submitted by the employee and evidence obtained under section 694 (d) of this Act and subsection (a) of this section, the Board determines that the complaint is meritorious, the Board may—

"(1) make its decision or findings and recommendations, as the case may be, in accordance with section 698 (a) or (b) of this Act; or

"(2) request the employee to furnish additional evidence and request the Department to furnish any statement and evidence it may desire to rebut the complaint and evidence so far considered by the Board. The chairman of the Board shall furnish the employee with a copy of any statement or evidence submitted by the Department and any documents proffered by the Department in substantiation of such rebuttal. Any such statement, evidence, or document shall be furnished to the employee not later than five days (excluding Saturdays, Sundays, and holidays) after its receipt by the Board. The Board shall avoid, if possible, extending its investigation of the complaint beyond one additional submission by the employee and one submission in rebuttal by the Department.

"(e) If the Board is of the opinion thereafter that the record as constituted fails to sustain the complaint, it shall notify the employee of its proposed finding to that effect and afford the employee a period of thirty days (excluding Saturdays, Sundays, and holidays) from the date of the Board's notification to request a hearing, if the employee has not already done so. If the Board is of the opinion that the complaint is meritorious, the Board shall make its decision or findings and recommendations, as the case may be, in accordance with section 698 (a) and (b) of this Act.

"HEARINGS

"SEC. 696. Any employee may request the Board to hold a hearing. If any such request is made within thirty days after the employee files his complaint, or within the period provided by section 695(e) of this Act, the Board shall hold the hearing as soon thereafter as practicable. In the further exercise of its responsibility in regard to the conduct of any of its hearings, the Board shall apply the following rules:

"(1) The chairman of the Board shall have the responsibility for notifying all interested parties of the date of the hearing at least ten days (excluding Saturdays, Sundays, and holidays) prior thereto.

"(2) Hearings shall be open unless the employee requests otherwise.

"(3) Except as provided in paragraph (4) of this section, the employee is entitled to be present at the hearing if he desires. At any time he is not present, the employee shall be represented at the hearing by counsel.

"(4) Hearings shall be conducted in an orderly manner, and the chairman may exclude or expel any person from the hearing for contumacious conduct or misbehavior that obstructs the hearing.

"(5) Testimony at hearings shall be given

under oath or affirmation, which the chairman shall have authority to administer.

"(6) Each party shall have the right to examine and cross-examine all witnesses. The chairman shall adjourn the hearing, if necessary, in order to obtain evidence of witnesses outside the metropolitan area of Washington, D.C. The evidence of witnesses may be by deposition on notice before any official in the United States authorized to administer an oath or affirmation, or, in the case of witnesses overseas, by deposition on notice before an American consular officer.

"(7) Where the Department determines that it is not practicable to comply with the request of the Board to make an employee available as a witness, it shall notify the Board in writing of the reasons for its determination. If, in the Board's judgment, compliance with its request is essential to a full and fair hearing, it may postpone the hearing for a reasonable period of time. The Board shall notify the Department of the reasonable period within which the witness is to be made available, and that failure to comply with the request shall be construed as an admission of the facts at issue in favor of the employee. If the Department then fails to make the witness available within such period, such facts shall be so construed.

"(8) The hearing and any depositions shall be recorded and transcribed verbatim, the cost to be borne by the Department, and a copy of the transcript shall be furnished to the employee without charge.

"(9) The Board shall keep a minute book of its disposition of all complaints, and shall keep in its permanent custody the full record of all its investigations.

"(10) Service on the Board shall be considered official duty status. Hearing time shall be considered official duty time. The employee and his representative, if a Government employee, shall be afforded reasonable official time to prepare the presentation of his complaint and the evidence in furtherance thereof.

"SUSPENSION OF DEPARTMENTAL ACTION

"SEC. 697. If, during its investigation, the Board determines that (1) the Department is considering any action (including any action that may lead to separation or termination of the employee or any action with respect to post-promotion board or post-selection board procedures) which is related to, or may affect, an investigation of a complaint before the Board, and (2) the action should be suspended, the Department shall suspend such action until the Board has ruled upon such complaint.

"RULINGS BY THE BOARD

"SEC. 698. (a) If, under section 695 (d) or (e) of this Act or after a hearing under section 696 of this Act, the Board determines that a complaint relating to a grievance is meritorious, it shall direct the Secretary to grant such relief as the Board deems proper under the circumstances.

"(b) (1) With respect to complaints relating to appeals of adverse personnel actions, the Board shall certify to the Secretary that it has found the complaint to be meritorious. The Board shall forward the entire record of its investigation, including the transcript of the hearing, if any, to the Secretary with such recommendations for relief as it deems appropirate, including—

"(A) prohibiting permanently any action suspended under section 697 of this Act;

"(B) removing from the employee's personnel record any efficiency report or record complained of;

"(C) extending the time-in-class for the employee for the period covered by any efficiency report or record complained of, or one year for each report or promotion board affected whichever is greater;

"(D) if the Board considers it necessary in order to rectify the injury fully, recommending that the Secretary consider the immediate promotion of the employee; and

"(E) any such other recommendation as the Board believes to be justified under the particular facts of the case.

"(2) Not later than thirty days after submission of a case relating to an adverse personnel action to the Secretary by the Board, the Secretary shall—

"(A) accept the Board's recommendation;

"(B) return the case to the Board for further investigation; or

"(C) reject the Board's recommendation in whole or in part as detrimental to the provable foreign policy interests or the national security interests of the United States.

"(3) Any determination by the Secretary to reject the Board's recommendations in whole or in part shall state the reasons therefor and shall be signed personally by the Secretary, and a signed copy thereof shall be furnished the employee. No copy of the Secretary's determination to reject a recommendation shall be placed in the employee's personnel record.

"(4) The Secretary shall, in any event, return the record of the case of the Board for retention in its permanent custody.

"(c) (1) If, under section 695 (d) or (e) of this Act or after a hearing under section 696 of this Act, the Board fails to find that a complaint is meritorious, it shall so inform the employee in writing. It shall further ensure that no documents, including the transcript of the hearing, if any, are placed in the employee's personnel record which would indicate that a proceeding under this part has taken place. No notation of its failure to find for the employee shall be entered in the employee's personnel records or anywhere else in the records of the Department, other than in the records of the Board.

"(2) An employee whose complaint is found not to be meritorious may obtain reconsideration of his complaint only upon presenting newly discovered relevant evidence not previously considered by the Board and then only upon approval of the Board.

"ENFORCEMENT

"SEC. 699. The Board shall promptly notify the Secretary, with recommendations for appropriate disciplinary action, of any contravention by any person of any of the rights, remedies, or procedures contained in this part."

SEC. 2. Section 637(a) of the Foreign Service Act of 1946 is amended by adding at the end thereof the following new sentence: "Provisions of part J of this title shall be in addition to, and shall not be construed to supersede, any provision of this subsection."

EXHIBIT 1

STATE DEPARTMENT HIRES WIDOW: GOVERNMENT JOB AFTER FAMILY DRAMA

(By Dan Thomasson)

The State Department has hired at about $15,000 a year the widow of a career diplomat who killed himself after a fruitless, two-year effort to win a department hearing on his protests that he had been unfairly mustered out of the Foreign Service.

The widow is Mrs. Cynthia Thomas, 34, mother of two, a graduate in international relations from Sarah Lawrence College who had aided her husband in his overseas assignments but never had held a State Department post.

Her husband, Charles Thomas, 48, had been a diplomat for 18 years before being notified that he would be forced to leave the service in 1969 because he had failed of promotion.

NO HEARING

In the following two years he was unable either to win a hearing or to find other suitable employment. He was turned down for a number of jobs as being overqualified. At one point he and his wife even turned to seeking work as domestic servants.

One day recently, with no outward sign that it had become too much, he finished repairing a fence at home, went into the house and shot himself with a gun.

"I guess he felt he was worth more to me and our two children dead than alive," said Mrs. Thomas, who now can collect the $320-a-month government annuity he had been prevented from collecting until he was 65.

Sen. Birch Bayh, D-Ind., who with Sen. John Sherman Cooper, R-Ky., had sought unsuccessfully to help Mr. Thomas win a department hearing, was advised May 7 by deputy under secretary of state William McComber Jr. that he had decided to hire Mrs. Thomas.

SELECTED OUT

Mr. Thomas first came to Sen. Bayh's attention last summer when an Indiana attorney with whom Mr. Thomas had gone to school complained Mr. Thomas had been "selected out" of the Foreign Service because of failure to advance. The "selected out" system requires the dropping of all Foreign Service officers who haven't been promoted within a certain period of time.

The attorney noted that Mr. Thomas, who had grown up as an orphan in Indiana, was an ex-Navy fighter pilot with three degrees, two of them in law. He was fluent in two foreign languages and conversant in four others and had held a number of important posts since joining the service in 1951.

Sen. Bayh investigated and became convinced that Mr. Thomas' failure to earn promotion involved bureaucratic bungling and a stubborn refusal by State Department officials to accept favorable reports on his work from his superiors.

A recommendation for Mr. Thomas' immediate promotion from foreign service inspector Robert McClintock had been misfiled. A letter from ambassador to Mexico Fulton Freeman praising Mr. Thomas and urging his advancement had been ruled out of consideration.

Sen. Bayh found Mr. Thomas' record was studded with laudatory remarks from superiors and that even the reports of those reviewing his record for promotion showed no reason for his having been turned down.

INTRODUCE LEGISLATION

It was while he was serving as the chief U.S. spokesman on science at the UNESCO conference in Paris in mid-1968 that he was notified, that he would be forced to leave the service in 1969. Ironically the paper he prepared on that conference has won high praise in diplomatic circles.

Within the next few weeks Sen. Bayh will introduce legislation to force the State Department to give employees a chance for a grievance hearing in firing and promotional matters—a right afforded to workers in every government agency except the Foreign Service.

Meanwhile, Mr. McComber has assured Mrs. Thomas and Sen. Bayh that her State Department job will in no way compromise her efforts to win retroactive reinstatement for her husband.

"That really is my goal," she said. She said she wants the reinstatement to include his promotion for several years back. She said she would use money due from back pay to establish a fund to reward excellence on the part of young Foreign Service officers.

"My husband believed in merit," she said. "And I want him to be rewarded for his excellence."

[From the Philadelphia Bulletin, May 2, 1971]

FOREIGN SERVICE OFFICER'S SUICIDE CASTS DOUBT ON STATE DEPARTMENT POLICY

(By Clark Mollenhoff)

WASHINGTON.—Several Congressmen have raised strong questions about State Department personnel policies in the wake of the suicide of a veteran foreign service officer who was passed over for promotion.

Charles W. Thomas, who killed himself

April 12, had been "selected out" of the foreign service despite what his supporters say was a brilliant record. Under the "select out" system, an officer is released from the service if he doesn't get a promotion to a higher grade within a certain period.

His Congressional supporters said Thomas' failure to earn a promotion was the result of bureaucracy bungling and refusal to correct errors in his personnel file.

AN ALGER STORY

For most of his 48 years of life, Thomas' career appeared to have almost a Horatio Alger quality.

Thomas was born to poor parents in Orange, Tex., and at four was an orphan living in the home of a sister in Fort Wayne, Ind.

He ranked fourth in academic standing and was president of his class at North Side High School in Fort Wayne. He was selected as an alternate for appointment to the U.S. Military Academy at West Point.

Instead, he graduated with a B.S. in economics and government from Northwestern University, supplementing a scholarship by working as a bus boy, janitor and farm worker.

HIS LAW DEGREE

After serving as a Navy fighter pilot in World War II, Thomas returned to Northwestern, again on a scholarship, and received a law degree.

Later he earned a doctorate in international law and international relations from the University of Paris.

He was fluent in French and Spanish, and had working knowledge of German, Italian and Portuguese. He had been admitted to the bar in Illinois and the District of Columbia.

He entered the foreign service in 1951. Thomas' record brought high praise from all of the ambassadors he served. A 1966 inspector general report, by Ambassador Robert McClintock, recommended he receive an immediate promotion to grade three and assignment to the National War College.

INTO THE TANGLE

At this point, Thomas began to run into the bureaucratic tangle. The McClintock report was misfiled into the personnel record of another foreign service official with the same name.

Without the special recommendation, Thomas failed to gain a promotion.

A special plea from Thomas' superior, Ambassador Fulton Freeman, failed to change the record. On May 6, 1968, Freeman wrote to John Steeves, then director general of the foreign service, to complain about an apparent "miscarriage of justice" in the lack of promotion for Thomas.

REVIEW REFUSED

"I feel even more strongly that the foreign service stands to lose an able, effective, competent, dedicated and sincerely respected team if the Thomases are forced to resign because of a time in grade—a loss which at this critical juncture of the foreign service can ill be afforded," Freeman wrote from Mexico City.

Despite Freeman's letter, the State Department refused to review Thomas' record or to examine a charge that a political counselor insisted the high praise of Thomas be withheld because it would seem inconsistent with the earlier report.

Norbert Wyss, an attorney in Fort Wayne and a high school friend of Thomas, had followed his career with satisfaction and considered him a success as a foreign service officer.

BAYH'S LETTER

Wyss contacted Sen. Birch Bayh (D-Ind.) and Rep. Ross Adair (R-Ind.).

"I am unsatisfied with your letter (about the Thomas case) and remain undisturbed," Bayh wrote to Deputy Undersecretary of State William Macomber Jr.

"Even if Mr. Thomas had been the mediocrity that Mr. (David) Abshire (an assistant secretary of state) alleges him to be, equity would dictate that he (Thomas) be promoted so that he could retire thereafter with a pension. I find it shocking that a man with 21 years toward retirement is forced to retire at age 47, after dedicating his life to the career principle."

In the days after Thomas died, Cooper wrote a note of condolence expressing regret there was nothing any combination of Senators or Congressmen seemed to be able to do about the injustices in the foreign service system.

A few days before his death, Thomas had discussed a book on "Reform in America" with a publisher. He had completed an outline and one chapter. In the process, he quipped to his wife that an awfully funny book could be written about his own struggles to correct the record.

Now his death may help to focus attention on obvious injustices that have seldom received the attention they merit.

[From the Washington Star, June 7, 1971]

DESPAIR AMONG DIPLOMATS

(By George Sherman)

Selection out, involuntary separation, too long in class—obscure terms, perhaps, but they spell despair to Foreign Service officers of the United States.

These are the polite words for telling a career diplomat he is fired.

They are part of a system that is coming under attack both inside and outside the State Department.

Even officers who have survived the tough competition for promotion say morale is sagging and revolt simmering. A determined move is afoot to strip the "O" (for organization) office of its grip on the promotion system.

In Congress, Sen. Birch Bayh, D-Ind., and Senate Minority Leader Hugh Scott, R-Pa., plan to introduce this week legislation to force a grievance system on the State Department. It would operate directly under the Secretary of State, outside the O office.

The shock which produced this momentum came April 12 when "retired" Foreign Service officer Charles W. Thomas, 48, unemployed lawyer and linguist, put a gun to his head at his Potomac Avenue NW home.

Almost two years earlier, July 31, 1969, Thomas had been forced out of the State Department without a pension. No one clamed he was incompetent or a security risk. He was simply a victim of competition, having failed to gain promotion out of Class 4 Foreign Service officer in the required eight years.

Today the department establishment acknowledges that "unfortunate mistakes" were made in the Thomas case. They include the misfiling of an excellent performance report and alleged falsification of another—both errors unknown to the promotion boards.

For two years Thomas and his wife, Cynthia, tried to appeal the verdict. They went through the system they had served for the past 18 years. They failed. At 46, Thomas was irrevocably "selected out," only to discover that he was an over-qualified and middle-aged misfit in civilian life.

He collected nearly 2,000 job rejection letters. He went heavily into debt against his $10,000 Foreign Service annuity which would begin at age 60. He was considering a job as a night waiter to save his family from destitution. Now that he is dead, his widow gets $5,500 a year from a government pension to support her two children.

Mrs. Thomas also has been given a job in the State Department, but she intends to continue her campaign to have her husband reinstated posthumously.

Today a "Mr. X" in the department (he prefers to remain anonymous) is facing the same dilemma—being selected out for "too long in class," eight years in Class 4 without promotion. He too is under 50, therefore legally ineligible for a pension; he is a trained linguist and economist with no contacts outside the diplomatic world.

At 45, he too is worried about support for his wife and two children. The best he has been offered so far is two-year extension of his time in Class 4, making him—he says—a "non-person" ineligible for promotion.

Mr. X has refused. He charges the department with inequity and injustice and is demanding his "day in court." That means a grievance committee to hear his complaints—a committee which the regulations state should be formed within five working days after the request is received.

He has gone right up the ladder in protest—from Director of Personnel Howard P. Mace, to Deputy Undersecretary of State for Administration William B. Macomber, Jr., to Secretary of State William P. Rogers himself. He claims that his whole career in the Foreign Service has been organized to insure his ultimate "selection out."

For instance, in the early '60s just after being promoted to Class 4, he accepted several special assignments. They were considered a tribute to his excellence—a year at Harvard University in graduate economics at government expense, another year in a tough East European language course in Washington.

OUT OF CHANNELS

Mr. X did not go to East Europe. He ended up in Geneva working in the American mission on international economics. He liked the job enormously. But he soon discovered that those special assignments, taking him out of the "normal" State Department channels for efficiency reports by superiors, had hurt his promotion chances.

Promotion boards meet every fall, one each for the 8 classes of the Foreign Service. They assess some 15,000 people in the State Department, Agency for International Development, and United States Information Agency—including the 3000 career diplomats. Each board has seven members—some ranking Foreign Service officers, some drawn from other government departments, some from the public at large.

These boards are allowed to recommend a certain percentage of the hundreds in each class for promotion each year—a percentage based largely on the money available from Congress. They also rate the lowest 5 or 10 percent in each class, who automatically become candidates for selection out. Recommendations go to Deputy Undersecretary Macomber, who can narrow down the promotion lists, and then to Rogers for final approval.

The O office—a group of about 135 personnel professionals—is enormously important in organizing this procedure. Macomber is in over-all charge, but day-to-day operations—and decisions—are controlled by Mace.

THE STAFF WORK

"O" Office does the staff work for the promotion boards. "O" Office files and channels the efficiency reports which the promotion boards receive each year on every officer—reports written by an officer's superior and reviewed at the next higher level. Insiders insist that the boards, inundated with thousands of reports, rely heavily on the advice of Mace's subordinate—the chief of the Performance Evaluation Division.

Each year the process is repeated. A candidate is rated, promoted, or passed over. If he is not in either the highest or lowest percentage one year, he must start over in a new competition the next year.

Here is where time in class takes a toll. As the years build up in any one class, officers become desperate for promotion, Mr. X be-

lieves that he was penalized in this competition, because for at least two years of the eight he was allowed, no standard efficiency reports were there for the promotion boards to assess.

Nor does the loss of time end there. By specific order of the office, boards are ordered to give lower priority to those officers remaining longest in their class. An analysis in the May 1969 Foreign Service Journal pointed out the stark results—officers are allowed to remain 10 years in Class 3, but 93 percent of all those promoted that year to Class 2 had been in their grade six years or less.

Supporters of X argue that the two years he lost, early during his time in Class 4, were of official importance. * * *

"GENERAL" GRIEVANCE

His plea for a hearing has gotten nowhere. No outside grievance committee has been set up. Mace has informed him that his grievance about promotion is too "general," and specifically exempted from the grievance system in the regulations for more than 20 years.

"If I give in on X," said Mace in an interview, "everyone else will want his case reviewed. It would undermine discipline and do away with the selection board system."

This attitude only infuriates the critics. They do not take a position on the substance of X's complaint. They simply support his right to "due process of law."

They point out that the State Department, alone in the huge federal bureaucracy, does not have an operational grievance system. Despite the regulations, only one hearing has been held in 20 years—and that has been dragging on for 18 months without result.

"I am the first to admit that we need a grievance system," said Mace. "But we are all babes in the wood on this thing, it is all so new. Up until two years ago I never heard a thing about grievances over promotion. It all seems the outgrowth of the unrest of youth in this country. Organizations of Foreign Service officers have become outspoken advocates of employe rights."

The largest of those organizations—the American Foreign Service Association—is demanding immediate action. It happens to be in hot negotiations with Macomber on an executive order President Nixon is to issue this summer on the whole range of management-employee relations in the State Department.

BASIS FOR LEGISLATION

The association wants that order to include an elaborate grievance system. It has produced a draft—in fact, it is the basis for the Bayh-Scott legislation. Sources in both Macomber's office and in the association say that "something like" this grievance system probably will go into the President's executive order.

Meanwhile Macomber and company in the "O" Office are clearly trying to avert revolt in the ranks. The charges of injustice, coercion, arbitrary decisions are clearly embarrassing to a secretary of state who took office in January 1969 promising the Foreign Service "a receptive and open establishment" allowing "divergent views."

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But even those close to Macomber agree that Mrs. Thomas was given the job—hard to come by these days in the State Department—as an "act of conscience." The fact that Bayh has been investigating the Thomas case and refusing to accept the official explanations may be another explanation, critics say.

In another move, the director general of the Foreign Service, John H. Burns—who stands between Mace and Macomber in the "O" hierarchy—has proposed relaxation of the promotion rules. They were circulated death.

In essence the proposed changes would end the "psychological insecurity" in the middle grades of 3, 4 and 5. Instead of the short time now allowed in each class, the officer would now be given 20 years to get through all three classes into higher ranking Class 2.

WOULD KEEP TENURE

Those who failed would still have 20-year tenure. The department intends to ask Congress to allow pensions for Class 4 officers below age 50. Younger officers more able to find a civilian job if forced to leave the service, would face tougher competition and screening in getting across "the threshold" to Class 4.

These proposals are the results of departmental task forces set up by Macomber in 1969. Mace and others claim that now the "O" Office is being made the scapegoat for an inhuman promotion system previously forced on the department. * * *

Mr. COOPER. I have joined today with the Senator from Pennsylvania (Mr. SCOTT) and the Senator from Indiana (Mr. BAYH) in introducing an amendment to title VI of the Foreign Service Act of 1946 to provide for establishing an employee grievances and appeals procedure.

May I say that this grew out of a very unfortunate case. A Mr. Charles W. Thomas, who had applied several times for promotion, was denied promotion by a supervisory body. I do not wish to discuss the merits of the denial. I do not see, anyway, how I could substitute my judgment for that of a supervisory body.

But unfortunately, because of these continued denials, this man committed suicide, and after some investigation, we found out that there is no appeal, and no committee within the Department of State to which grievances can be submitted.

I have joined in this offer to help establish due process, primarily in the Department of State, primarily in those matters affecting members of the Foreign Service. I want to make it clear that my action is because of what I conceive to be a lack of due process. While I am very sympathetic to the facts of this case, I am not attempting now to pass any judgment on the merits of the fact that Mr. Thomas was not promoted.

JUSTICE FOR THE FOREIGN SERVICE

Mr. HUMPHREY. Mr. President, I am joining Senators BAYH, SCOTT, and COOPER today in introducing a bill which would insure that formal grievance procedures be implemented as part of the Foreign Service Act.

The Foreign Service Act was passed in 1946 and yet, as of 1971, there is still no formal means to guarantee that Foreign Service officers' complaints will be heard. This right has been recognized in virtually all labor agreements and is part and parcel of the civil service.

Why this discrepancy has been permitted for so long is beyond my imagination. Had this sheer negligence been repaired at an earlier date, a tragic loss of life and other deeply upsetting personal tragedies could have been avoided.

I am speaking of the recent suicide of Foreign Service Officer Charles W. Thomas. His death has been directly attributed to bureaucratic bungling and callous inattentiveness. Mr. Thomas was a bright, middle-aged man who had made a great contribution to the Foreign Service which he had served for 18 years. He was in line for a promotion, recommended by the American Ambassador to Mexico, Mr. Fulton Freeman, and by all rights he should have gotten that promotion. But because Mr. Thomas' file ended up in the wrong hands, because he was unable to obtain a hearing, he was forced to retire at the age of 48.

Mr. President, I ask that the article in the Evening Star by Mr. George Sherman, describing the case of Mr. Thomas and another man, be printed at this point in the RECORD.

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

[From the Washington Star, June 7, 1971]

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These proposals are the results of departmental task forces set up by Macomber in 1969. Mace and others claim that now the "O" Office is being made the scapegoat for an inhuman promotion system previously forced on the department by demands of money and long-time overstaffing of middle and upper ranks.

* * * Under Nixon came a third alphabetical exercise in manpower—the so-called Opred, Operations Reductions of the State Department.

Mace estimates that since 1968 these cutbacks have cost the department 1500 foreign service officers, all through executive order from the White House. Only coincidentally the Nixon administration has set out to "rationalize" Foreign Service employment by getting new balance between young and old, specialists and "generalists."

The critics answer that Macomber's tactics in carrying out admittedly difficult operations have only demoralized the service more. In the name of greater efficiency and despite universal suspicion of his "O" office, he has just moved to centralize and control all personnel programs still more tightly from that office. This action is based on a recommendation of one of his task forces, which, in turn—the critics say—was controlled by the personnel bureaucrats.

"O" Office has also attempted to drown out demands for an independent grievance system by setting up "unofficial" hearing panels through its own jurisdiction. These are in the hands of Robert C. F. Gordon, an old-hand career officer. Macomber commissioned him a year ago as departmental ombudsman to hear complaints from the service on everything from travel allowances to promotion.

More disenchanted critics charge that the result has become a network of informal "kangaroo courts," three-member panels set up by Gordon and "O" to hear grievances. They are not called for in Foreign Service regulations. They do not keep stenographic records, they do not allow the complaining officer either to examine evidence, to appoint an outside representative, or to question witnesses. In a word they are not independent or open.

The result is one more step in deteriorating confidence in the Foreign Service system. Younger officers feel helpless, older officers confused and uncertain about surviving the cruel competition. The more cynical of all ages wonder if they are living through the "house-cleaning" promised by the presidential candidate Richard Nixon in 1968.

Mr. HUMPHREY. Mr. President, by proposing legislation today to guarantee that any Foreign Service employee be entitled to obtain simple justice and meaningful due process is too late for Mr. Thomas. But it is not too late for the Mr. X in the article; it is not too late for all those within the service who have grievances and who have no recourse to air their complaints and obtain rectification.

Mr. President, I would hope that we could act on this bill immediately. Justice requires that we do no less.

By Mr. MAGNUSON (by request):

S. 2025. A bill to repeal section 212(B) of the Merchant Marine Act, 1936, as amended. Referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, by request, I introduce a bill to repeal section 212(B) of the Merchant Marine Act, 1936, as amended. I ask unanimous consent that at this point in the RECORD there be printed the letter of transmittal of the proposed legislation from the Secretary of Commerce, and also a statement of purpose and need.

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

MAY 19, 1971.

Hon. SPIRO T. AGNEW,
President of the Senate, U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "To repeal section 212(B) of the Merchant Marine Act, 1936, as amended," together with a statement of purpose and need in support thereof.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of our draft bill to the Congress from the standpoint of the Administration's program.

Sincerely,

(S) MAURICE H. STANS,
Secretary of Commerce.

Enclosures.

STATEMENT OF PURPOSE AND NEED

Section 212(B) of the Merchant Marine Act, 1936, directs the Secretary of Commerce to encourage and promote the development and use of mobile trade fairs designed to show and sell U.S. products throughout the world. The section requires the operators of such fairs to use, insofar as practicable, U.S. flag vessels and aircraft in the transportation of their exhibits. It authorizes the Secretary to provide technical assistance and support to the operators and financial assistance for the purpose of defraying certain expenses incurred abroad.

The section authorized to be appropriated not to exceed $500,000 per year for each of the six fiscal years beginning July 1, 1962 and ending June 30, 1968, and $166,000 for the fiscal year ending June 30, 1969. The Act also authorized the use of foreign currencies to carry out the purpose of the section.

The basic authority of the Department to foster, promote and develop the foreign and domestic commerce of the U.S. is sufficiently broad to provide the Secretary with authority to promote exports through mobile trade exhibits on a selective basis. This basic authority is not subject to the conditions contained in section 212(B), such as the limitation of financial assistance to the defraying of certain expenses incurred abroad.

The principal effect therefore of section 212(B) was to limit the types of assistance which could be extended to fairs promoted thereunder.

Although the authorization of appropriations for the purposes of section 212(B) has expired, the restrictive language of section 212(B) may still be regarded as a limitation on the Secretary's authority to promote mobile trade fairs under the Department's basic authority to foster, promote and develop the foreign and domestic commerce. Accordingly, the Department proposes the repeal of section 212(B). While this repeal would also repeal the requirement that U.S. flag vessels and aircraft be used insofar as practicable by the operators to transport their exhibits, the Department would continue to require, as a matter of policy, the use of U.S. carriers whenever available with respect to any trade fair assisted in the future under the basic authority of the Department.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 325

At the request of Mr. BEALL, the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 325, providing a survivors' annuity program for career military personnel.

S. 790

Mr. BEALL. Mr. President, on February 17, 1971, I introduced, along with Senator DOMINICK and Senator JAVITS, S. 790, the Family Physician Scholarship and Fellowship Program Act. This measure would provide scholarships and fellowships to young men and women who agree to practice in physician-shortage areas. A priority is given in awarding of these scholarships to persons who reside in the physician-shortage areas on the theory that they will more than likely return and remain following graduation. In addition, a special priority is given to lower-income students.

I am pleased that 23 Senators have joined in cosponsoring this measure and I ask unanimous consent that at the next printing of the bill the following Senators' names be added:

JAMES ALLEN, GORDON ALLOTT, J. CALEB BOGGS, BILL BROCK, LAWTON CHILES, JOHN K. COOPER,

NORRIS COTTON, ROBERT DOLE, SAM ERVIN, PAUL FANNIN, BARRY GOLDWATER, MARK O. HATFIELD, ROMAN HRUSKA,

HUBERT HUMPHREY, JACK MILLER, CLAIBORNE PELL, TED STEVENS, HERMAN TALMADGE, STROM THURMOND, JOHN TOWER, MILTON YOUNG.

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

S. 1245

At the request of Mr. Moss, the Senator from Delaware (Mr. BOGGS), was added as a cosponsor of S. 1245, a bill relating to the preservation of historical and archeological data.

THE MILITARY SELECTIVE SERVICE ACT—AMENDMENTS

AMENDMENT NO. 148

Mr. GRAVEL submitted an amendment intended to be proposed by him to the bill (H.R. 6531) an act 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, which was ordered to be printed and to lie on the table.

AMENDMENT NO. 149

Mr. BUCKLEY (for himself and Mr. DOMINICK) submitted an amendment intended to be proposed by them, jointly, to the bill (H.R. 6531) supra, which was ordered to be printed and to lie on the table.

AMENDMENT NO. 150

Mr. GRAVEL submitted an amendment intended to be proposed by him to the bill (H.R. 6531), supra, which was ordered to be printed and to lie on the table.

AMENDMENT NO. 151

Mr. JAVITS (for himself and Mr. HUGHES) submitted an amendment intended to be proposed by them, jointly, to the bill (H.R. 6531), supra, which was ordered to be printed and to lie on the table.

FARM CREDIT ACT OF 1971—AMENDMENT

AMENDMENT NO. 153

Mr. PEARSON submitted an amendment intended to be proposed by him to S. 1483, a bill to further provide for the farmer-owned cooperative system of making credit available to farmers and ranchers and their cooperatives, for rural residences, and to associations and other entities upon which farming operations are dependent, to provide for an adequate and flexible flow of money into rural areas, and to modernize and consolidate existing farm credit law to meet current and future rural credit needs, and for other purposes, which was ordered to be printed and referred to the Committee on Agriculture and Forestry.

NOTICE OF HEARING ON NOMINATIONS

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, June 15, 1971, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Jack M. Gordon, of Louisiana, to be U.S. district judge, eastern district of Louisiana, vice a new position created by Public Law 91-272, approved June 2, 1970;

Roy L. Stephenson, of Iowa, to be U.S. circuit judge, eighth circuit, vice Martin D. Van Oosterhout, retiring;

R. Blake West of Louisiana, to be U.S. district judge, eastern district of Louisiana, vice a new position created by Public Law 91-272, approved June 2, 1970.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas (Mr. MCCLELLAN), the Senator from Nebraska (Mr. HRUSKA), and myself as chairman.

NOTICE OF HEARINGS ON NATIONAL AMERICAN INDIAN AND ALASKAN NATIVES POLICY LEGISLATION

Mr. JACKSON. Mr. President, I want to announce to the Senate, the Indian community and the general public forthcoming hearings on two measures which have far-reaching implications for the Indian field.

On July 19, 1971, the full Committee on Interior and Insular Affairs will hold an open hearing on Senate Concurrent Resolution 26, a concurrent resolution on National American Indian and Alaska Natives policy; and on July 20, 1971,

the Subcommittee on Indian Affairs will hold an open hearing on S. 1401, the "National Board of Regents for Indian Education Act of 1971." Both hearings will commence at 10:00 a.m., in room 3110 New Senate Office Building.

Mr. President, Senate Concurrent Resolution 26, which I introduced on May 14, 1971, sets forth a national American Indian and Alaska Natives policy that restates and reaffirms the unique and longstanding relationship between these citizens and the Federal Government. The resolution proposes a bold new constructive course of action designed to enable both parties—the Federal Government and the Indian people—to work in mutual trust toward achieving agreed upon national goals and objectives. Senate Concurrent Resolution 26 is responsive to the kind of policy expression that American Indians and Alaska Natives have repeatedly requested our Government to adopt in their behalf.

S. 1401, which I introduced on March 29, 1971, for myself, Mr. ALLOTT, Mr. Moss, Mr. BIBLE, Mr. FANNIN, Mr. HANSEN, Mr. JORDAN of Idaho, Mr. MAGNUSON, and Mr. STEVENS, is designed to make major reforms and major institutional changes in the field of Federal Indian education. This measure would establish in the Executive Office of the President a National Board of Regents for Indian Education and would transfer to the Board of Regents responsibility for Federal Indian schools and education. Improving the quality and quantity of Indian education and maximizing opportunities for Indian control and self-determination are the major purposes of the bill.

Both measures have evoked a great deal of interest among Indian leaders and I want to be certain that their views and recommendations are thoroughly aired before final action is taken in the Senate on either proposal.

ADDITIONAL STATEMENTS

TODAY'S YOUTH

Mr. SCOTT. Mr. President, my distinguished colleague from the State of Tennessee has recently had some interesting and meaningful things to say about this country's youth. His outlook for the young people in the Nation is also his hope for a better America: that—

In their zest to build a better world, they avoid the pitfall of moving us toward a society that cares more about institutions than individuals.

Their chore is to build a Nation that is both relative and responsible to human beings. They must build a Government that does not relieve individuals of their rights in exchange for taking the responsibility for providing their every need.

I commend this worthwhile message to Senators and I ask unanimous consent that it be printed in the RECORD

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

OUTLOOK

(By Senator BILL BROCK)

I heartily disagree with those who say this is our worst generation in history as well as those who say it is the greatest.

This generation can be either, depending upon how well they accept the responsibilities of a free society.

Up until now, today's youth have enjoyed the luxury of observing from the sidelines, with the ability to criticize and offer suggestions for changes.

Now is the time to turn those suggestions into realities, and be judged for their future deeds, not for their past words.

I, for one, believe that this can truly be the greatest generation we've ever produced, and I believe that they will prove it.

My only concern for the future is that in their zest to build a better world, they avoid the pitfall of moving us toward a society that cares more about institutions than individuals.

My hope is that they don't make the tragic mistake of promoting the worth of the individual while supporting a movement toward big government that takes care of all our problems. The two simply aren't compatible.

We must maintain a healthy skepticism of bigness, which by its very nature can devour initiative along with responsibility.

Their chore is to build a nation that is both relative and responsive to human beings. They must build a government that doesn't relieve individuals of their rights in exchange for taking the responsibility for providing their every need.

Their paramount responsibility is to help create a society that gives everyone the opportunity to grow and prosper in his own way and allows everyone to live their life as an individual. In this light, they can become the greatest generation in our history.

THE 50TH ANNIVERSARY OF THE GENERAL ACCOUNTING OFFICE

Mr. FULBRIGHT. Mr. President, the General Accounting Office, which is completing its 50th year of operations this month, has compiled a fine record of service during the past half century: service to the Congress, service to the cause of a continually improving Federal administrative system, and service to the American people. I welcome the opportunity to join with my colleagues today in commending the GAO on its 50th anniversary and on the record of accomplishment which it has compiled during that period.

The GAO occupies a unique position in our Federal system. As an independent, nonpartisan, nonpolitical arm of the Congress, it has a broad range of specific duties and functions, as well as a mandate to evaluate the effectiveness of agency management. This mandate, as embodied in the Budget and Accounting Act of 1921 which created the GAO, is to "investigate all matters relating to the receipt, disbursement, and application of public funds," and to "make recommendations looking to greater economy and efficiency in public expenditures."

Since the essential mission of agency management is to effectively and efficiently marshal and utilize public monetary, physical, and personnel resources to accomplish public objectives, GAO's work clearly involves the evaluation of agency management and the making of suggestions and recommendations for its improvement.

Since GAO is in the legislative branch, and is clearly independent of the executive branch agencies, it is easy to distinguish the GAO role from that of agency management. Similarly, although the modes of operation are quite similar, it is easy to distinguish GAO's role from that of the executive agencies' internal audit, inspection, or other management organizations. These organizations, established by agency management to respond to its needs, are part of the agencies' management systems and as such are also subject to GAO's evaluation.

GAO's role is somewhat like that of the outside public accountant who is brought in by the corporate board of directors to examine into and report on the accountability of corporate management. But GAO's role goes beyond fiscal accountability, which is often the chief focus of the outside accountant's services. GAO's role extends to management and program accountability, which relate to the efficiency with which program resources are used and the effectiveness of program operations in accomplishing their objectives.

In essence, the objective of this GAO role is to serve the Congress by assisting it in the exercise of its constitutional responsibility for overseeing the use of public resources. This congressional responsibility is an increasingly complex and demanding one. Currently, the Congress is overwhelmed by the vast budget and huge staff of the executive branch, and while the Congress can and does revise or reject executive proposals, all too often it fails to challenge such proposals because it is swamped by the expertise available to the bureaucracy.

It is clear that ways must be found to enhance the effectiveness of the Congress by broadening the channels of information-gathering which feed this democratic forum. The elected representatives of the American people, along with executive agency officials, must be fully involved in debating and determining our domestic, defense, and foreign policies.

GAO, as an agency especially created to assist the Congress, has worked steadily and admirably to facilitate legislative oversight through its financial, management, and program audits and the many other services which it provides for the Congress. Each year GAO provides the Congress with substantial amounts of information and assistance through its reports to the Congress, congressional committees, and individual Members; its reports on pending legislation; its staff assistance to committees; its testimony at hearings; and a wide variety of assistance in other legal and legislative matters. During the past several years, the GAO has increased its efforts to relate its work closely to the interest and needs of the Congress, particularly on matters currently under consideration.

The Committee on Foreign Relations has called on the GAO on many occasions with requests for assistance in the field of foreign operations, and the resulting work is indicative of both the quality and diversity of the service which GAO can provide.

During 1970, GAO provided the committee with such reports as a followup review of a 1968 study of activities in Brazil and Chile under contracts between the Agency for International Development and the American Institute for Free Labor Development, which is an instrument for implementing U.S. labor

policy and programs in Latin America. GAO also examined into the records of the Departments of State and Defense concerning the use of U.S. funds to transport medical supplies donated by the Government of Honduras to the Government of Vietnam. In addition, GAO assisted the Subcommittee on United States Security Agreements and Commitments Abroad in its study of several overseas projects and provided several special reports, including a review of payments made to the Government of the Republic of the Philippiness by the United States in support of the Philippine Civil Action Group in Vietnam.

During the current year, GAO has provided the committee with a very thorough and informative report on the Government's foreign military training programs in 10 foreign countries, and is also conducting a review for the committee of the need for and utilization of excess stocks available under the U.S. military assistance program in a number of countries.

The most recent work which GAO has done at the request of the Committee on Foreign Relations is a compilation of GAO report findings and recommendations on the administration of U.S. economic and military foreign assistance programs. The report, which we have had issued as a committee print dated March 29, 1971, contains summaries of more than 80 classified and unclassified GAO reports issued during the past 6 years. The summaries cover problems of program administration in a wide variety of areas, including not only the various general aspects of economic and military assistance, but also such areas as financial participation in international organizations, private investment programs, security and supporting assistance programs, humanitarian assistance programs, commodity trade assistance, and the management of foreign currency.

I would like to particularly commend this GAO report to my colleagues in the Congress. It serves not only as a very comprehensive illustration of the scope and quality of GAO evaluation work, but also as an extremely useful source document for appraising the problems which have beset our foreign aid programs in the past and for illuminating the areas which require substantial correction in the foreign aid programs and legislation of the future.

Mr. President, the measure of the effective auditor is the results that he achieves. His checks on compliance with prescribed policies and procedures that have been adopted to promote efficient operations and conserve resources can be a valuable protective service as well as often pointing the way to desirable changes. His continued search for better, less costly, and more effective ways of doing things can make him a vital force in the management of any organization. The simple fact of his presence or the prospect of his action tends to stimulate better performance by the officials and employees of an organization.

I believe that the record of results which GAO has accumulated over the past 50 years is a most impressive one. The Comptroller General, Elmer B. Staats, is an experienced and efficient man, and all of us are in his debt. He has a fine staff of dedicated public servants. I am pleased to join in this well-deserved tribute to GAO.

THE McCLELLAN-KERR ARKANSAS-VERDIGRIS NAVIGATION SYSTEM

Mr. BELLMON. Mr. President, last Saturday I had the pleasure of joining more than 25,000 citizens of Oklahoma, Arkansas, Kansas, and other States in the Arkansas River Basin in welcoming the President of the United States to the Tulsa Port of Catoosa for the dedication of the McClellan-Kerr Arkansas-Verdigris navigation system.

President Nixon did our State and our region a great honor by officially recognizing the great accomplishment of engineering and human endeavor which this project represents. In his remarks, he emphasized the impact which this new 440-mile waterway will have, not only in the immediate area, but all across the country. He took note of the declining population of the rural areas of our Nation and of the need for job opportunities to allow the people to live where they prefer to live.

The President also noted the importance of such energy industries as petroleum and coal and the concern that is felt regarding pollution problems related to these industries. But he stated:

> We must also remember that the energy they produce is indispensable to the economic strength of the United States and to the good life which the American people enjoy.

President Nixon also recognized the Arkansas project has the potential for becoming a model river system where economic development can proceed with environmental protection assured.

He said:

> Looking at this project from an environmental standpoint we can be grateful and proud that this river system today remains largely unpolluted when we look at it in comparison to others . . . If we act now, we can make the Arkansas not only a continuing asset to this region but also an example of pollution prevention for the entire United States.

The Arkansas River project has been a dream long in the making. Now 25 years after it was first authorized by Congress, the dream has become a reality. Goods are being shipped by barge up and downstream, from ports at Catoosa and Muskogee.

Newsprint was the first commodity to move upstream all the way to the Tulsa Port of Catoosa for use by newspapers in Oklahoma and surrounding States. Two bargeloads of steel were shipped by Armco Steel Corp. from its Sand Springs plant to New Orleans. And the first 35,000-bushel shipment of Kansas wheat was trucked from Wichita to Tulsa, loaded aboard a barge and towed 1,371 miles to Chattanooga to be ground into flour.

The total tonnage is surpassing all estimates. During 1969, the first year the river was open to navigation, it carried 2.6 million tons of cargo—more than two and one-half times the million tons predicted by the Corps of Engineers when the project was authorized. In 1970, when the waterway was opened from Little Rock to Fort Smith, Ark., the year's tonnage showed a 30-percent increase. Based on the first 2 months of 1971, when 727,000 tons moved on the waterway, a projection for the year shows some 4.4 million tons.

Oklahoma is justly proud of its role in the development of America's newest waterway. The ceremonies at Tulsa last Saturday, under the able direction of F. G. McClintock of Tulsa and Kenneth W. Rugh of Bartlesville, cochairman of the Admirals Committee, attracted the attention of the whole Nation.

Mr. President, in order that Members of the Senate be more fully informed about the project and about the occasion of its dedication, I ask unanimous consent that the remarks of President Nixon and a fact sheet on the project be printed in the RECORD.

There being no objection, the address and fact sheet were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT

Mr. Speaker, Governor Hall, Governor Bumpers, Members of the United States Senate, Members of the Congress, all of the distinguished guests who are here on this platform, and all of the distinguished members of this great audience:

May I express first my appreciation for your wonderfully warm welcome. I am not speaking of the weather; I am speaking of the way you applauded a moment ago. And may I pass on a message to you that I bring directly from the White House. Mrs. Nixon said that of her many travels around this country, she has never had a warmer welcome than she had in Tulsa a few weeks ago.

And she would like to have come today, but, as you know, she is working on a White House wedding. I think she and Tricia will get through it, but I don't know whether I will make it.

I can assure you, too, that on this occasion, I only wish I could have been present for the early part of the program. I read the scenario and I saw some of the wonderful numbers that were planned. I want to express appreciation to all of them, and I know that all of you will want to join in a round of applause for that, for everybody who has performed up to this point.

I particularly want to pay my respects to the Tulsa University Choir, and also to Mr. "Sugar Bowl" Al Hirt; and to the one that all of us know for her great work for all patriotic causes is really Miss America, Anita Bryant.

While you can well understand that on such an occasion like this it is a pleasure for me to be here on the Oklahoma seacoast. I remember when I visited Oklahoma in the campaign of 1968, being lobbied a bit on this project. I flew over all of this area. I remember on that occasion Dewey Bartlett, Senator Bellmon, Bud Wilkinson, Page Belcher, talked to me about the enormous promise and, of course, the fact that this project was to be completed—and I must return to participate in this dedication. I promised to be back on the day when the Gulf of Mexico came up to Catoosa. I am delighted to make good on that promise. Here I am.

The friendliness of the people here, which you have demonstrated so eloquently today, the beauty of the land that I have seen around us as we flew in on the helicopter, always makes me glad to return to what is Will Rogers country. But this is the first time I have had a chance to go one up on that great Cowboy Philosopher. You know, with him, and all of us will remember reading him—out in Los Angeles he had a little

column, as he did all over the country and its was "must" reading for everyone, even in those days—the joke was usually, for Will Rogers, on the Government. One time in 1923 he was spoofing the Congress about its public works spending, and he made his point by saying that with all that money being passed out, he could probably even get himself a harbor built on the Verdigris River at Oologah. I think that is the way you pronounce it. I practiced it on the way out on the airplane.

Well, this magnificent new port is still a few miles downstream from Oologah, but it is close enough that this time the Corps of Engineers and the people of the supposedly landlocked Sooner State can have the last laugh. For years, there were many who dismissed the idea of an Arkansas River waterway as a foolish dream. But there were others, men like Senator Bob Kerr and John McClellan, who held it as a bold and achievable vision—and the completed project that we dedicate today has proved that they were right.

With the opening of this great navigation system, the new "Maritime States" of Oklahoma and Arkansas can look forward to a whole new era of growth and development. So, too, can Kansas, which may one day have ports of its own on the Arkansas, Colorado and all of the other States of this heartland region that will be sharing in the benefits of this waterway.

At the same time, speaking and representing all of the people of the United States as President of the United States, I can say that all the American people join you in celebrating this achievement, because it belongs to all of us and helps all the Nation. Because, you see, in a very real sense, the progress and prosperity it will bring you will mean added progress and prosperity to all of America.

We think, for instance, of the two-way savings water transportation is already beginning to bring the farm industry in this region. Lower shipping costs coming in mean that the farmer pays less for his fertilizer, machinery, and other supplies, and lower shipping costs going out mean that the farmer can pocket more of the market price of his crops and livestock.

In that way, farm income is boosted twice, and the benefits extend across America and around the world to everyone who depends on the beef, the wheat, the cotton, the soybeans, and all the other products of mid-America's agriculture.

I believe that what is good for the farmer is good for his customers and good for America, and this project proves it.

That is one big reason we are grateful to see this waterway go into operation.

As we assess the significance, we think, too, about the tremendously important oil and natural gas resources that have meant so much to the growth of Oklahoma and the industrial development of this country. We think about the major coal fields that will now become much more accessible along the Arkansas River in these two states. I realize there is legitimate concern about some of the serious environmental and pollution problems surrounding the production and use of coal and oil. But we must also remember that the energy they produce is indispensable to the economic strength of the United States and to the good life which the American people enjoy.

As this new waterway encourages growth and development, regional energy needs will increase even faster than the rapidly growing national needs. This will mean new opportunities and new challenges for petroleum and for coal, which are produced in this region. I can assure you, as I indicated in the Special Message on Energy Policy which I sent to the Congress yesterday, that the Federal Government will continue to recognize and support the vital role which these industries play.

But beyond agriculture, beyond oil, we are already seeing the first stages of a broad-based economic boom in the Arkansas River Basin. All sorts of new industries are on the way, bringing with them new jobs, new income, new vitality for communities throughout this region. Private investment planned along the waterway has passed the $800 million mark and should soon exceed the $1.2 billion in public funds spent in construction of this project.

Here again the beneficial impact will be felt not just in Tulsa, not just in the States of Oklahoma, Arkansas and others in the area, but it will be felt across America. For this great region, so ready for development, can provide part of the answer to the increasingly acute growth of congestion and uncontrolled growth in America's largest metropolitan areas. Let's look at America over the next 30 years, down to the year 2000, when some of the younger people in the year 2000 will be celebrating that millenium, a new year that comes once in a thousand years. What is America going to be like? One of the things that we know is that it is going to be a lot larger in terms of its people. There are likely to be 70 million more people in America 30 years from now than there are today.

How are we going to provide for them? How will we assure to them and to the rest of us the abundance and the quality of life which we all deserve? And even more essential, where are they going to live? Are they going to pour into the cities of America? Are they going to add to the crime and congestion and pollution that are choking our cities to death?

Did you know that two-thirds of all the counties in this part of the country—and I do not refer to individual counties, but looking at them as a group—two-thirds of them have lost population over the past ten years, and they poured into the cities? And now the question is what of the future of growth of America? I think there is an answer.

I was talking to a young couple on a trip to North Dakota a few months ago. I found that they had left North Dakota to go to a major city in the East and then they had returned. I asked them why. They said, "The reason we left was that there wasn't adequate opportunity here, not good jobs, not adequate opportunity in business, so we went East. But then some opportunities opened and we came back because we really wanted to live here. We like this country. It is a beautiful country. It is a country where we want to raise our children. And that is why we came back."

So I say let people who want to live in the heartland of America have the opportunities, have the jobs that will let them stay here and not be drawn away. That is what this project means to America and to the world.

Let me tell you what it is going to look like here. You realize that over the next 30 years this region in which we are now standing could absorb as much as ten percent of that growth? In other words, 7 million more people. This region can become a new magnet for people seeking the good life, so that we can begin to see a reversal of the decades-long migration trend from rural America to urban America—a trend which has too often acted to deplete the countryside and overburden the cities, to weaken the heart of America and to add to the fat which saps our strength.

There is virtually unlimited promise in the future of the Arkansas Basin—provided we take charge of the development process and guide it wisely. We know all too well that heedless and unplanned growth can become a bane rather than a blessing. That is why there is so much interest, particularly among our younger people, about the environment.

What will happen to our river, our countryside, if we simply have growth without planning? Questions are even being raised going to an extreme. They say why should we have growth at all. I understand the feelings that raise those questions. And yet, I think that they come sometimes, and perhaps most often, from people in regions that already have had their share, or more than their share, of American prosperity.

In this region, where you are really starting to come into your own, we cannot simply shrug off the benefits of economic growth and expanded prosperity. We need them—and we are going to continue to have them. Yet, it is still legitimate, and it is essential, to insist that quality keep pace with quantity as the Nation grows.

Looking at this project from an environmental standpoint, we can be grateful and proud that this river system today remains largely unpolluted when we look at it in comparison to others. Right now, as we dedicate this project, with industrial development along the waterway really beginning to take off, let us determine to hold the line on a clean and healthy river.

If we act now, we can make the Arkansas not only a continuing asset to this region but also an example of pollution prevention for the entire United States.

The dedication of this McClellan-Kerr Arkansas River Navigation System is an exceptional monument—a monument in action. It honors many things—it honors the leadership of the two Senators whose names it bears; it honors the leadership of the Congressmen like Page Belcher; Senators like Henry Bellmon and others who have also worked for this project. It honors the vision of many leaders of this region who are not in the Congress, the Senate or the House—the constructive partnership of economic development with environmental protection. This is a monument to American engineering and technological skill.

I think it is particularly fitting that this waterway has been dedicated to the youth of America for it is they who will benefit most from it. The surge of growth and prosperity which this region is certain to experience in decades ahead means a brighter future for the young people of these United States. And to the extent that you are able to set an example for the Nation in things like environmental planning and balanced growth, you will be doing a service to the next generation, not just regionally but throughout the United States.

But the most important consequence of this great achievement for American youth is, I believe, something that really cannot be measured in material terms. By undertaking a vast project that some called impossible and others called worthless, and making it a success, you have demonstrated once again the vitality of the American tradition of daring great things and achieving great things.

I have many memories of France's great leader, General deGaulle. He was a man with a rare understanding of what it takes to make a nation's spirit live and soar. And I remember that he often used to say that France is never her true self unless she is engaged in a great enterprise. Precisely the same is true of the United States.

The spirit that has tamed the Arkansas is the same spirit that forged the Union in 1776, that bought Louisiana in 1803, that bridged the continent with the rails in 1869, that settled the Oklahoma Territory in 1889, that developed the Tennessee Valley in the 1930's, and that put men on the moon in 1969.

In an era when some voices urge Americans not to aim so high, to turn from the pursuit of greatness to the cultivation of comfort only, it is valuable for our young people, our future leaders, to have before them this dramatic example of the young spirit still at work in America. Without this spirit, all the wealth, all the ease, all the privilege, would be as ashes for Americans. But with this spirit, all the future is ours, for what we want to make it.

It was the summer of 1946, 25 years ago, that Congress first authorized this project. I remember that summer well. Another man on this platform remembers it very well, too. That was the year I was lucky enough to win when I ran for Congress. He ran, too. He was elected from Oklahoma, I from California. And when I think of all the events that have taken place in the world in the quarter century since Speaker Albert and I were first elected to that 80th Congress, I realize what a momentous time in history this has been. And that doubles my pride in sharing with him and all the others on this platform, and all of those in this great audience, the dedication of this magnificent project—a project which was only a bold dream when we came to Congress 25 years ago, but now is a grand reality, and for generations to come it will be a living monument to what man and nature together can accomplish.

As I conclude today, I would like to conclude on a personal note of appreciation to all of those who have made this for me, personally and in my capacity as President of the United States, one of the most memorable days of my service in that office. Sometimes those of us who see the Nation only from Washington tend to get a distorted view. The reason is obvious. It is inevitable that bad news will drive out good news, not by deliberation but simply because bad news seems to make more news than good news.

Consequently, if you sit in Washington without getting out into the country, you get the impression in the country that everything is wrong, that America is an ugly country; ugly physically, ugly morally, ugly spiritually.

I want to thank all of you today, the people of Oklahoma, Arkansas, and all the others from the heartland States, for reminding us of some fundamental truths. America is a beautiful country, and the American people are a good people, they are a strong people, with faith in God and faith in themselves.

The spirit that built America, the spirit of 1776, still lives. It is a spirit of hope, it is a spirit of idealism, it is a spirit to dare and achieve great things. And if we look at America's role in the world, we see a Nation, the strongest and the richest Nation in the world. But a Nation, I can tell you, that throughout the world is not feared by any who have freedom because we will never use our strength except to defend freedom; and it is not feared by any who love peace, because America will always use its strength to serve the cause of peace and not to break the peace.

And I say to you today, I thank you for reminding all of us on this day where we came from, of all of our great traditions, and some of the good things about America.

On this day let us all stand just a little taller, let us all stand taller and say we are proud to be Americans.

Ladies and gentlemen, you can see by this picture here that where the interests of the United States are really concerned, building a better America, we are not Democrats, we are not Republicans, we put this Nation first. We are all Americans, we really are.

McClellan-Kerr Arkansas-Verdigris Navigation System

The McClellan-Kerr Project provides for the improvement of the Arkansas River and its tributaries by the construction of dams and channels to serve navigation, afford additional flood control, produce hydroelectric power, and provide related benefits, such as recreation and wildlife propagation. The navigation feature of the project consists of a navigation channel 9 feet deep from the Mississippi River to Catoosa, Oklahoma, about 15 miles east of Tulsa.

The route follows the White River and the Arkansas Post Canal a distance of 19 miles to the Arkansas River; thence up the Arkansas River 374 miles to the mouth of the Verdigris River in Oklahoma; and thence up the Verdigris River to Catoosa, a distance of 50 miles. The Arkansas River is a major tributary of the Mississippi River and enters the Mississippi River about 575 miles above the Head of Passes, Louisiana.

The project is scheduled for completion in June, 1973. It is more than 90 percent complete today with six of the waterway's thirteen locks and dams completely finished.

Completion of the navigation route to Tulsa (Catoosa) will significantly benefit the economy of the surrounding area, where existing industrial facilities have been considerably expanded and new industrial plants constructed in the past few years. According to preliminary estimates, 3,418,529 tons of cargo were moved on the navigation project in 1970. These movements included such commodities as rock, bauxite, grain, iron and steel, caustic soda, fertilizer, salt, molasses, coal, and lumber. In addition, 1,568,939 tons of within-pool movements were reported.

The project was first authorized in the River and Harbor Act of 1946. Funds were first appropriated in 1956. At the time, the project was the largest ever undertaken by the Corps of Engineers.

The Corps of Engineers has estimated a benefit cost ratio of 1.5 to 1.0 for the project. Thus, it is expected that over the life of the project, each $1.00 invested will yield $1.50 in benefits. The estimated annual benefits are:

Navigation	$40,470,000
Power	14,838,900
Channel stabilization	6,575,000
Flood control	6,602,600
Water supply	828,900
Fish and wildlife	312,000
Recreation	2,297,000
Redevelopment	3,355,800
Total	75,280,200

SUMMARIZED FINANCIAL DATA*

Estimated Federal cost (Corps of Engineers)	$491,000,000
Estimated Federal cost (U.S. Coast Guard)	2,268,000
Estimated non-Federal cost	0
Total estimated project cost	493,268,000
Allocations to June 30, 1970	427,991,000
Allocation for fiscal year 1971	24,886,000
Allocations to date	452,877,000
Appropriation requested for fiscal year 1972	16,225,000
Balance to complete after fiscal year 1972	21,898,000

Fiscal year 1972: The requested amount of $16,225,000 will be applied to:

Continue lands and damages	$763,000
Complete construction of entrance channel, and Locks and Dams Nos. 4, 13 and 14 except minor miscellaneous items	5,503,000
Continue construction of Lock and Dam No. 6, including replacement and alteration of bridges	5,806,000
Continue construction of minor miscellaneous items at other locks and dams	1,150,000
Continue acquisition of maintenance and repair fleet	1,493,000
Engineering and design	577,000
Supervision and administration	933,000
Total	16,225,000

*Source: U.S. Army, Corps of Engineers.

The funds requested for fiscal year 1972 will enable an orderly and economical rate of construction.

PHYSICAL DATA*

Waterway channels

White River—9.8 Mi., 300' wide, Mi 9.8 to 0.0.

Ark Post Canal—9.2 Mi, 300' wide, Mi 19.0 to 9.8.

Ark River—374.0 Mi, 250' wide, Mi 460.2 (1940 survey) to 41.6 (1943) survey.

Verdigris River—50.3 Mi, 150' wide (1965 survey).

All navigation channels will be excavated to an initial depth of 12' or more below normal pool level.

Locks (13 single lift)

Type—single chamber, single lift, with miter gates.

Size—110' x 600'.

Lift—Varies from 14' for Lock No. 4 to 30' for Lock No. 1.

Number of Locks and Dams—11 on Arkansas River and Canal, 2 on Verdigris River.

Dams

Movable nonnavigable type with low sills, piers, tainter gates, abutments, and overflow embankments where required.

Lands and damages

Acres: 56,160.

Improvements: Typical farm units.

Type: Predominantly agricultural.

Relocations

Roads: 18 miles, $45,175,000. (Replace 9 bridges, alter 3 bridges, and abandon 1 bridge.)

Railroads: 7 miles, $39,300,000. (Replace 2 bridges, alter 6 bridges, and abandon 1 bridge.)

Others, including Utilities, and Structures: $9,079,000.

*Source: U.S. Army, Corps of Engineers.

AIRLINE FARES, MERGERS AND COMPETITION

Mr. HART. Mr. President, more for less may have become the consumer's typical expectation and for good reason. These days everything from candy bars to bathing suits comes in smaller packages with bigger price tags. Now we have a new addition to the growing list. This time it is air fares.

On April 12 the Civil Aeronautics Board issued a ruling tentatively authorizing a 9-percent increase in the cost of air travel. That is pretty steep and may go beyond what the airlines needed to meet rising costs, but of greater concern to the air traveler is the fine print that accompanied the Board's fare hike. For in very practical terms, what the Board requires is that the fare increase—big as it is—be tied to a reduction in seating comfort.

Today on many aircraft there is five-abreast, three-and-two seating, with a 38-inch pitch—measured, that is, from the front edge of one seat to the front of the seat ahead or behind. While that may not be overly commodious, the CAB now insists that the airlines convert to six-abreast seating—meaning narrower seats—with 36-inch pitch—meaning a lot less leg room. Add it up and it comes to this: for a smaller seat and less stretchout room, the Nation's air travelers now will pay 9-percent more. To me this is not very good consumer arithmetic.

The story does not end there, however. If an airline wants to give the traveler a more comfortable seat in five-abreast configuration, it must impose an 8½-percent surcharge. To ride in the same comfort aboard the bigger jets will thus cost 17½ percent more. Indeed, because the Board imposed no seating standards for the 747, the identical 18-inch wide seat will cost the traveler 8½ percent more aboard a Boeing 707 or Douglas DC–8 than on a 747.

Now comes the final twist. Seven years ago Continental Air Lines decided it would offer as a competitive thrust, a no-frills economy fare 15-percent below the regular coach rate. For the consumer seeking an all too rare bargain in transportation, the economy package had considerable appeal—enough so that other airlines followed Continental's lead—but, significantly, only in those markets shared with Continental. Despite this emulation, Continental stayed in the black in 1970 even though its far larger rivals plunged deep into the red. Continental wants to continue competing by offering the economy fare in standard five-abreast seating with today's 38-inch pitch. But the Board has decreed that if it maintains an economy fare, it must not only crowd people in six across but reduce the pitch to 34 inches. That would be uncomfortable for Twiggy, let alone for an adult traveler of more typical proportions. Continental apparently has concluded that it cannot realistically market such a painful product nor adopt its aircraft to meet the varying seating standards the Board's order would necessitate. It will have to abandon the economy fare. Result: the bargain-conscious traveler who has been taking advantage of the economy fare will now have to pay 15 percent more—because that is the differential between coach and economy—plus another 9 percent in light of the increase in the basic fare, plus another 8½ percent if he is to get the same width seat he now has. That adds up to an utterly unjustifiable 32½-percent fare hike—and a patently foolish result.

What makes it worse is that it dampens one of the few meaningful forms of competition in the highly concentrated air transportation industry; namely, competition in the quality of service. Greater seating comfort—the availability of a lower fare for no-frill service—are important to the traveler, and they are the principal ways in which the airlines today compete.

To discourage this significant form of rivalry works at direct cross-purposes with the interests of the traveling public. If the Board wants to use a seating yardstick for the purpose of determining overall fare levels, one cannot object; but where it lays down a seating standard as the rule—and hinges it about with specific fare requirements—it hampers managerial freedom and eliminates one of the few remaining forms of competition in aviation.

The Federal Aviation Act directs the CAB to maintain "competition to the extent necessary" in air transportation to protect the public interest. Well, I for one believe that competition—much more than now exists in this industry—is necessary and of great value to the traveling public. I would hope that the Board would reconsider its ruling and listen more closely this time to the words of member Robert Murphy who dissented, in clear and convincing style, in the earlier proceeding. The carriers should be given room to compete—in price and in service. Not all will do so, but some will and their right to compete should be protected.

The importance of preserving competition in air transportation is greatly accentuated by the highly concentrated character of the industry. The largest four airlines now account for about 70 percent of passenger traffic. This is a remarkably high degree of concentration. As our subcommittee's studies of economic concentration have revealed, an industry this concentrated is inclined to be markedly less competitive than one made up of a larger number of about the same sized firms. While there are those who would like to achieve greater balance in aviation, we must be realistic and recognize that the industry's structure is what it is. Taking this as a starting point, it is important that every source of prospective competition—in fares, seating, inflight service—be protected and indeed encouraged.

The Board's ruling works at cross-purposes with this objective and may in fact signal a new anticompetitive round of decisions. Pending before the Board are three major merger proposals, and talk in the industry has it that there are a number of additional mergers in the making. Before any mergers take place which would further concentrate this industry and trigger additional mergers in self-defense, heavy weight must be accorded the value of competition and the dangers of concentration. It is my firm hope that the Justice Department will vigorously evaluate any and all merger proposals so that the public interest in competition will be fully aired. Before another industry is irrevocably concentrated and the little competition which remains is sacrificed, the public is at least entitled to a full and complete examination of the fundamental structural issues raised by major mergers restructuring an industry.

Without doubt, many of the airlines recently have experienced hard times. A recession, coupled with the introduction of larger aircraft, has led to empty planes, higher costs, and lower revenues. The carriers have blamed too much competition and low fares for their problems, even though one may wonder why some of the smaller carriers managed to show a profit. The CAB now seeks to attract more customers to the airlines by raising fares for more uncomfortable accommodations offered by fewer airlines traveling less frequently. Franz Kafka could not have written a better scenario. Indeed, if anyone doubts that history repeats itself, I would invite you to trace the evolution of the ICC and the railroad industry if you wish to learn where we are going with the CAB and the airline industry.

The time has come to reverse the process of gradually snuffing out all competitive factors in the industry. The time has come to stop treating it like a cost-plus industry which basically means the more you spend the more you make. The time has come to end the incentive for overexpenditure and inefficient utilization of capital investment which ultimately must be paid for by higher fares, higher freight rates, and fewer competitors.

The time has come to reexamine the basic assumption that extensive regulation is needed. In all areas of transportation it is increasingly clear that hidden subsidies must be ended and the neutral hand of competition must be given free reign if we are ever to have an efficient and economical transport system. The time has come to question the need for a CAB and a system of rate regulation designed to bail out improvident entrepreneurs rather than protect the best interests of the consumer. The time has come to objectively evaluate the diseconomies of scale and consider dissolution of concentration rather than mergers concentrating the industry even more.

Before we travel down the road of ever high prices, mergers, less comfortable transportation and poorer service, we should engage in a serious examination of the assumptions of regulation. Do we need rate regulations and, if so, how much and what kind? Should a Government agency also have regulatory control over the quality of service? Should mergers be tested under the antitrust laws rather than under the Civil Aeronautics Act? Should entry be regulated? Do we need the CAB? Until these and other questions are settled, the consumer and the airlines can take little comfort from the emerging pattern of CAB regulation. Thus far it seems the end products of regulation and concentration are financially unstable airlines; mergers; high-cost service in uncomfortable seating configurations; an international rate cartel; and a consuming public paying ever higher rates. The time has come to reexamine the entire system. The time has come to consider the public interest.

UNEMPLOYMENT, INFLATION, AND NATIONAL PRIORITIES

Mr. SCOTT. Mr. President, despite the tremendous growth of television, we still need our newspapers. They are printed, on paper; their words remain before us, and they can be pondered. In brief, the reader can come closer to an accurate evaluation of the facts than can the man who only listens to someone else's interpretation of them. They can be considered, reread, their hidden nuances searched.

If I may cite some examples:

On Sunday, the distinguished chairman of the House Ways and Means Committee speaking on "Meet the Press" —a TV show—said among other things as reported by the Washington Post for Monday, June 7:

> [The President] didn't create the inflation we have. He inherited it. But then he didn't have, when he came into office, the rate of unemployment that exists. That must be charged to him.

For 2½ years we Republicans have been pointing out that the inflation from which the country is now suffering re-

sulted from poor fiscal policies on the part of the previous administration. I am delighted to see that the chairman of the House Ways and Means Committee agrees with this position. So far as unemployment is concerned, which he says must however be blamed upon the President, it is a fact that the major source of unemployment today and for the past 2 years has been the winding down of the Vietnam war, and a reduction of war production associated with that war. Inevitably, one result must be a temporary increase in unemployment, especially with the currently increased numbers of persons coming on the work force. As a capsulated illustration, look at the effect of the SST termination on the aircraft industry.

It is a fact that prior to the great increase in our Vietnamese effort, unemployment in this country was 6.7 percent. It dropped to 3.6 percent in 1968. Now, with the war being cut down, it has mounted once again to 6.2 percent.

While I certainly believe that 6 percent is too much, as any high figure, for that matter, is greatly to be regretted, yet I wonder what immediate remedy other than an increased scale of war, would be suggested by my distinguished friend from the other Chamber. As is well known the national dislocations from war are massive and long lasting. The chairman of this extremely important committee from the other Chamber has only confirmed what we already know.

For a second example the New York Times for the same day—Monday, July 7—in an editorial notes that the first declared candidate for the Democratic presidential nomination proposes to shift $31 billion in current Federal spending from military to civilian purposes.

But even that good newspaper, which does not mention in its editorial that President Nixon has already reduced the military budget by $7.6 billion from its high point in fiscal 1969, and changed its percent of the total national budget from 9.7 percent to 7.3 percent, is forced to declare—

> There is good reason to doubt whether $31 billion can be sweated out of the military budget. It would mean a cut of 40 percent. Unless there is a dramatic improvement in relations with the Soviet Union a reduction of this magnitude would create unacceptable risks.

And the editorial goes on to say—

> If the reordering of national priorities is to become more than a fashionable platitude, the other (undeclared) candidates for the Democratic nomination have the responsibility to follow suit by sketching out their own alternative programs and striking their own balance between domestic and military needs.

To this we Republicans can say, "amen." And we would also point out that President Nixon has very clearly stated his priorities, which involve less military spending and more helpful attention to domestic problems. It is the legislative branch of the Government, controlled by the other party, which has so far prevented the major portion of these programs from being enacted.

THE CONCORDE, THE TU–144, AND THE AMERICAN SST

Mr. PROXMIRE. Mr. President, the day before yesterday marked the end of the International Air Show in Paris. The main stars at the show, and the ones that attracted the most attention, were the Russian and British-French supersonic transports—the TU–144 and the Concorde. These planes were big, very fast, and—in many ways—impressive.

But lest we be filled with remorse over the congressional decision against further funding of the American SST, we might recall just a few of the economic facts of life that the supersonics would face. They will cost millions more than the jumbo jet; double for the Boeing version, about 40 percent higher for the Concorde. Their range—the distance they can fly without refueling—is far shorter than existing jets; under the most optimistic conditions, supersonic will fly 2,000 miles less far than present-day jets. They will consume far more fuel—DOT recently confirmed that fuel usage by the SST fleet would approach nearly 5 percent of the world's oil reserve. Supersonic routes are severely restricted; unlike the subsonics, which can fly anywhere, SST's with the sonic boom will be limited to over-water routes. And, supersonic seat-mile operating cost would run about double those for the 747.

In short, as the Milwaukee Journal noted recently—

> The Concorde and the Russian rival offer no financial attraction to today's financially pressed airlines.

Mr. President, I ask unanimous consent that an editorial entitled "Those Supersonic Transports," from the May 31, 1971, edition of the Journal, be printed in the RECORD.

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

THOSE SUPERSONIC TRANSPORTS

Supersonic transport planes are hits of the Paris Air Show. They are the Anglo-French Concorde and the Soviet TU–144. Lest hurt pride stir second thoughts in the US about the moribund SST program, it would be good to review the facts about these aircraft.

The Concorde is a fast, noisy and expensive airplane with a relatively small passenger capacity compared to the subsonic 300 seat jumbo jets. It will carry 125 passengers at 1,450 miles an hour. Presently it will not meet the engine noise standards at Kennedy and La Guardia airports in New York. It landed at the Paris Air Show with a deafening roar and a trail of dirty exhaust.

Flyaway costs have jumped from $16 million a plane in 1966 to over $26 million today and the price is expected to go higher. The Observer of London reports that United Air Lines, in a confidential study, found that it would have to fly the Concorde completely first class, charge a 50% ticket surcharge and average 60% occupancy to make a decent return on its money—a difficult if not impossible situation.

Less is known about the Russian SST. Its arrival in Paris was relatively quiet—probably within US noise limits—and it showed little exhaust. It will carry 120 passengers slightly faster—1,560 m.p.h.—than the Concorde. The plane is for sale, but the price tag will depend on how badly the Soviets want to push their product. There is speculation it might go for as little as $20 million. The unknowns and drawbacks are operating costs, mechanical reliability and the Soviet ability to provide spare parts and service. Russia also has no air worthiness agreement with the US, required if the plane is to fly here.

Neither the concorde nor the TU–144 has the range to cross the Pacific nonstop or to go from New York to Rome.

Overall, the Concorde and its Russian rival offer no financial attraction to today's financially pressed airlines. So there is serious doubt that they will ever fly commercially. This is not sour grapes. It is economic reality.

EXPANDED OWNERSHIP

Mr. BUCKLEY. Mr. President, in the view of the Founding Fathers of this country, a widespread distribution of property ownership was essential to the preservation of individual liberty and a republican form of government. In their day, of course, they assumed that the seemingly limitless land of the new Nation afforded the opportunity for every man to own a freehold farm.

Some, however, looked ahead to the important role of property ownership in preserving the American experiment in a distant day and age, when America would lose its predominately agricultural character. As James Madison said in 1787:

> In future times a great majority of the people will not only be without land, but without any other sort of property. These will either combine under the influence of their common situation; in which case the rights of property and the public liberty will not be secure in their hands, or, which is more probable, they will become the tools of opulence and ambition; in which case there will be equal danger on another side.

Today, of course, America has come a long way from its origins as a Nation of Jeffersonian yeomen.

As we became urbanized and industrialized, we tended to lose sight of the importance of widespread property ownership. No longer can we return, as a people, to an 18th century way of life. Yet we should remember that private property is an indispensable part of the foundation of a free country. As time and technology advance, we need to reshape the Founding Fathers' idea of the importance of widespread property ownership to fit new circumstances. This is particularly true in a Nation in which millions of families now have no ownership stake in anything greater than a television set or secondhand automobile.

Mr. President, the Sabre Foundation has recently published an interesting and provocative booklet on the idea of "Expanded Ownership," a term borrowed from President Nixon's 1970 state of the Union message. I ask unanimous consent to include the text of this booklet in the RECORD.

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

EXPANDED OWNERSHIP—AN AMERICAN IDEAL

Throughout the history of the American Republic, statesmen and political thinkers have placed great emphasis on the importance of a widespread distribution of prop-

erty ownership. They viewed expanded ownership not as a goal in itself, but as a means to achieve other goals of great importance. Over the years the most frequently cited arguments for expanding ownership were these:

Individual achievement—The opportunity to acquire the ownership of property will motivate an individual to employ his best efforts to increase his productive skills. It will give him an incentive to industry, thrift, and foresight. As he begins to succeed, he will grow in self-respect, personal dignity, and independence.

Respect for Law and Order—The ownership of property breeds respect for the law that protects the right of property. Those who own property are least likely to condone the destruction of property.

Responsible Democracy—Those who own property, and are thus subject to taxation by government, are more likely to be active and responsible citizens than those who have nothing. They are most likely to resist demogogic appeals for political redistributions of wealth, and to insist upon prudence and good management in public affairs.

Economic Advancement—Expanding the ownership of property means that the benefits of property ownership, such as income, capital appreciation, and collateral, will become available to more people, including especially those of presently low incomes and employability.

Economic Education—In acquiring property ownership an individual comes to understand the workings of the American free enterprise system, and how he can take part in it to improve his lot.

Patriotism—Property owners will be the first to rise in defense of a nation in which they have a genuine stake, and which preserves their opportunity to acquire and secure property ownership.

These ingredients, taken together, comprise what might be called Thomas Jefferson's Vision of America—a nation of independent freeholders, possessing common sense and a sound education, each having his own independent source of income from his own labor and capital, and all participating in a republican self-government whose highest aim was the preservation of individual liberty.

Beginning in Jefferson's day, a long series of great legislative acts promoted the goal of expanded ownership, and did much to shape the America of today. Among the most important were:

Abolition of Primogeniture and Entail—The law of entail, enshrined in English law by the statute De Donis Conditional ibus of 1285, was aimed at preventing the subdivision of large landed estates through inheritance to many heirs. They entail restricted inheritance only to a limited class of descendants, usually legitimate male offspring, for at least several generations. Coupled with the law of entail was primogeniture, limiting succession only to the eldest son.

Recognizing that entail and primogeniture were creating a class of dispossessed younger sons, in 1776 Thomas Jefferson led a fight in the Virginia House of Burgesses to abolish these feudal remnants. Entail in Virginia was abolished in that year, and Georgia and North Carolina soon followed suit. When primogeniture was abolished in Virginia in 1785, these old institutions quickly disappeared from the new American system.

The Preemption and Homestead Acts—As the pioneers flooded across the Appalachians in the early years of the 19th Century, strong political pressure built up for making the vast lands of the public domain available for settler ownership. Congress in time responded by enacting the Preemption Act of 1841. It provided that actual settlers could preempt up to 160 acres of the public lands by starting a farm and paying only $1.25 per acre.

Proponents of expanded freehold ownership did not rest on this victory. Led by Senators Thomas Hart Benton and Sam Houston, Representatives Galusha Grow and Andrew Johnson, George Henry Evans' "Working Man's Advocate" and the nascent Republican Party, a free homestead act was passed in 1860, only to be vetoed by President Buchanan.

A Republican wartime Congress, however, enacted the Homestead Act in 1862. It gave up to 160 acres of public land outright to actual settlers, with title becoming final after five years of cultivation. In the years after its enactment, over 1.6 million families acquired homesteads. In addition to populating the prairies with free and independent homesteaders, it gave tremendous impetus to agricultural industries, particularly farm implements and fence wire. In later years the Homestead Act was expanded through the Kinkaid Act (1904), the Enlarged Homestead Act (1912) and the Stock Raising Homestead Act (1916).

Federal Farm Loan Act of 1916—With the advent of efficient rail transportation and powered farm machinery in the late 19th century a major expansion of agricultural production became economically feasible. But this required credit for the accumulation of acreages of farmland large enough to justify expensive combines, reapers and tractors, and to finance the purchase of those capital items themselves.

Unhappily, the credit system had failed to keep pace with technology and agriculture. Large central city banks had credit for manufacturing, but were reluctant and inexperienced into venturing into the farm loan area—especially when the properties securing the loans lay a considerable distance from the bank's office.

After years of agitation, given strong impetus by the Populist movements of the 1890's, Congress in 1916 enacted the Federal Farm Loan Act. This landmark act created and provided Federal capital for a system of twelve regional land banks, empowered to make loans for land purchase and equipment to local Federal Land Bank Associations, which in turn lent the funds to farmer members. A unique feature of the legislation was its provision for ultimate private ownership: the farmer was required to purchase stock in the local association equal to 5% of his loan, and the local association was required to make a similar subscription to stock of the regional Bank. As a result of this system, all Federal capital was retired by 1947 and the 12 Banks, though still under the general supervision of the Federal Farm Credit Board, are now entirely in private ownership.

Following enactment of the Federal Land Banks in 1916, several other important acts were passed to close additional farm credit gaps. Chief among these was the act of 1923 creating the Federal Intermediate Credit Banks and their associated Production Credit Associations; and the 1933 act creating the Banks for Cooperatives. In calendar year 1968, farmers and their associations borrowed a total of $9.4 billion from the various institutions under the jurisdiction of the Board. The existence of this source of credit did much to promote family farm ownership, and to produce the tremendous agricultural bounty of the nation.

HOME OWNERSHIP LOAN CORPORATION

The Home Owners Loan Act of 1933 came at a most propitious time for thousands of American home owners and their lending institutions. Due to widespread unemployment, many families were unable to continue mortgage payments on their homes, and banks and savings and loan associations were forced into frequent foreclosures.

Aware of the widespread catastrophe that would ensue if 800,000 families lost their homes, Presidents Hoover and Roosevelt gave strong support to the idea of a Federal corporation which could exchange its Federally-guaranteed bonds for home mortgages owned by private lenders. President Roosevelt argued that "the broad interests" of the Nation require that special safeguards should be thrown around home ownership as a guarantee of social and economic stability, and that to protect home owners from inequitable, enforced liquidations in a time of general distress is a proper concern of government."

For the individual homeowner, HOLC as the new mortgagee arranged what amounted to a mortgage refinancing at a lower rate and with a longer repayment period. Though HOLC conducted active operations for only four years, its efforts prevented foreclosures of over 800,000 homes. Its management functions continued until 1951, when it was liquidated at a profit to the Federal government of $14 million.

The National Housing Act of 1934—In no area was the Great Depression more of a disaster than in the area of housing and homebuilding. Despite great emphasis laid on housing by President Hoover's 1931 Conference on Home Building and Home Ownership, lenders were utterly unwilling to make long term loans in a period of growing economic disorder.

This state of affairs led in 1934 to the National Housing Act, which more than any other single piece of legislation has been responsible for making America a nation of home owners. Prior to the National Housing Act, home finance was characterized by short term loans and enormous down payments—usually 50% or more of the cost of the home. Since few could meet such drastic terms, the Act created the Federal Housing Administration and empowered it to insure the repayment of mortgage debt.

The genius of the National Housing Act lay in its avoidance of direct governmental banking and lending. Instead, the Act authorized the FHA to insure loans made by private lenders to private borrowers. Mortgagors paid a mortgage insurance premium; when their loans were retired, they were entitled to receive a rebate computed on the basis of the experience of all mortgages insured the same year as their own. In case of foreclosure, FHA discharged outstanding debts, took over the property, and attempted to regain its losses through eventual liquidation.

Over the years additional sections were added to the National Housing Act, until today there are programs for insuring single and multifamily housing; ownership and rental units; cooperatives and condominiums; nursing homes and group practice facilities; and housing for the elderly and experimental housing. Significant new programs beginning in 1961 provided subsidized home ownership and rentals to lower and moderate income families.

In 1969, FHA had insured over 38 million loans exceeding $128 billion in value, and its insurance funds contained $1.3 billion to provide for future contingencies.

Small Business Act of 1953—Although a number of measures dating to the New Deal era had some incidental effect favorable to the growth of small businesses, it was not until 1953 that Congress gave strong and institutionalized support to small business, accomplished through the Small Business Act of that year.

The Act created the Small Business Administration as an independent agency of government. The Administration was empowered to make direct loans, insure loans, and participate in loans to small business concerns, and to provide research, technical assistance and training to entrepreneurs. The initial act was substantially augmented by the Small Business Investment Act of 1958, which authorized the State and Local Development Corporation programs and the incorporation of Small

Business Investment Companies. In addition to the foregoing powers, the acts authorized SBA to arrange for small business government procurement "set asides." By delegation from the Office of Economic Opportunity, SBA also administered an economic opportunity loan program for lower income entrepreneurs.

Since its creation the SBA has been responsible for helping thousands of individuals to become successful small business owners, almost all of them of ventures which were initially unable to obtain financing from private lenders at reasonable rates.

OEO Special Impact Programs—Though the Economic Opportunity Act of 1964 had established a number of new programs for the elimination of poverty, it did not create any program which could serve as a foundation for starting large-scale, broadly-owned economic enterprises in inner cities or depressed rural areas. Thus in 1966, under the leadership of Senator Robert F. Kennedy (D-NY) and Senator Jacob K. Javits (R-NY), Title I-D was added to the Economic Opportunity Act.

The purpose of the Title I-D Special Impact program is to provide financial assistance for economic and business development programs, community development activities which create new training and employment opportunities, and complementary manpower training programs. Special Impact programs are required to be of sufficient size and scope to have an appreciable impact in the target communities in arresting tendencies toward dependency, chronic unemployment, and rising community tensions. Both low income urban areas and rural areas characterized by outmigration to such urban areas are eligible for Special Impact funds.

Special Impact funds have been used to assist community development corporations (CDCs), broadly based community organizations which work for the economic and social development of their neighborhoods. In 1969 fifteen CDCs received Special Impact support, including the Bedford-Stuyvestant Restoration Corporation of Brooklyn, the prototype project.

Among the ventures financed through I-D funds are a foundry in Harlem, a shopping center in Cleveland, a ceramic factory in St. Louis, and a feedlot in rural New Mexico. For fiscal year 1971 OEO has budgeted $32.2 million for these programs.

These are not, of course, the only acts that encouraged expanded ownership. There are also such acts as the Bankhead-Jones Farm Tenancy Act and its successors, which created the programs of today's Farmer's Home Administration; the Self-Employed Retirement Plan Act, which gave favorable tax treatment to individual retirement funds; the tax deduction for home mortgage interest, which reduces the cost of home ownership; the Federal Deposit Insurance Corporation and Federal Savings and Loan Insurance Corporation, which insure individual savings in banks and thrift institutions; and the profit sharing trust provisions of the Internal Revenue Code.

The success and popularity of expanded ownership policies of the past are encouraging some today to advocate new consideration for a national policy of Expanded Ownership—that every American family of working age should have a realistic opportunity to acquire the ownership of some meaningful form of property in a growing national economy. Unlike the early days of the republic, when property meant only a freehold farm, the term now applies to a variety of things—a home, a farm, a cooperative or condominium apartment, an individual business enterprise, shares in a partnership or corporation, membership in a cooperative enterprise, vested interest in a profit sharing trust or retirement plan, a savings or insurance equity, etc., which either has an economic, collateral, equity or use value in objective economic terms, or which is subjectively viewed by the owner as having an important symbolic value. Some would extend the concept even further, to include personal property or even a college or vocational education. President Richard Nixon has said that "we can fulfill the American dream only when each person has a fair chance to fulfill his own dreams. This means . . . *new opportunities for expanded ownership*, because in order to be secure in their human rights, people need access to property rights." Whether the Founding Fathers' dream of an America of freeholders, secure in enlightened self-government, can be achieved in the vastly different America of the 1970s is a question that has not yet been fully explored. Perhaps statesmen of the coming years can provide an answer.

QUOTATIONS ON EXPANDED OWNERSHIP

John Adams, 1776, Land Ownership and Liberty: ". . . we may . . . . . affirm that the balance of power in a society accompanies the balance of property in land. The only possible way, then, of preserving the balance of power on the side of equal liberty and public virtue, is to make the acquisition of land easy to every member of society; to make a division of the land into small quantities, so that the multitude may be possessed of landed estates. If the multiude is possessed of the balance of real estate, the multitude will have the balance of power, and in that case the multitude will take care of the liberty, virtue, and interest of the multitude, in all acts of government."

In a letter to James Sullivan, May 26, 1776.

Thomas Jefferson, 1785, On Land Ownership: "I am conscious that an equal division of property is impracticable, but the consequences of this enormous inequality producing so much misery to the bulk of mankind, legislators cannot invent too many devices for subdividing property, only taking care to let their subdivisions go hand in hand with the natural affections of the human mind. Whenever there are in any country uncultivated lands and unemployed poor, it is clear that the laws of property have been so far extended as to violate natural right. The earth is given as a common stock for man to labor and live on. If for the encouragement of industry we allow it to be appropriated, we must take care that other employment be provided to those excluded from the appropriation. If we do not, the fundamental right to labor the earth returns to the unemployed. It is too soon yet in our country to say that every man who cannot find employment, but who can find uncultivated land, shall be at liberty to cultivate it, paying a moderate rent. But it is not too soon to provide by every possible means that as few as possible shall be without a little portion of land. The small landholders are the most precious part of a state."

From a letter to James Madison, Protestant Episcopal Bishop of Virginia, and President of William and Mary College, October 28, 1785.

James Madison, 1787, Freehold and Liberty.

"The Freeholders of the country would be the safest depositories of Republican liberty. In future times a great majority of the people will not only be without land, but without any other sort of property. These will either combine under the influence of their common situation; in which case the rights of property and the public liberty will not be secure in their hands, or, which is more probable, they will become the tools of opulence and ambition; in which case there will be equal danger on another side."

The Debates in the Federal Convention of 1787, Galliard Hunt and J. B. Scott, eds., International Edition, 1920.

Daniel Webster, 1820, Property and Free Government.

"The freest government, if it could exist, would not be long acceptable, if the tendency of the laws were to create a rapid accumulation of property in a few hands, and to render the great mass of the population dependent and pennyless. In such a case, the popular power must break in upon the rights of property, or else the influence of property must limit and control the exercise of popular power. . . . In the nature of things, those who have no property, and seeing their neighbours possess much more than they think them to need, cannot be favorable to laws made for the protection of property. When this class becomes numerous, it grows clamorous. It looks on property as its prey and plunder, and is naturally ready, at all times, for violence and revolution. It would seem, then, to be the part of political wisdom to found government on property; and to establish such distribution of property, by the laws which regulate its transmission and alienation, as to interest the great majority of society in the protection of the government. This is, I imagine, the true theory and the actual practice of our republican institutions."

Address to the Massachusetts Constitutional Convention, 1820.

Thomas Hart Benton, 1826, Tenants and Freeholders.

"Tenantry is unfavorable to freedom. It lays the foundation for separate orders in society, annihilates the love of country, and weakens the spirit of independence. The tenant has in fact no country, no hearth, no domestic altar, no household god. The freeholder, on the contrary, is the natural supporter of a free government, and it should be the policy of republics to multiply their freeholders, as it is the policy of monarchies to multiply tenants. We are a republic, and we wish to continue so: then multiply the class of freeholders; pass the public lands cheaply and easily into the hands of the people; sell, for a reasonable price, to those who are able to pay; and give, without price, to those who are not. I say give without price, to those who are not able to pay; and that which is so given, I consider as sold for the best of prices; for a price above gold and silver; a price which cannot be carried away by delinquent officers, nor lost in failing banks, nor stolen by thieves, nor squandered by an improvident and extravagant administration. It brings a price above rubies—a race of virtuous and independent farmers, the true supporters of their country, and the stock from which its best defenders must be drawn."

Congressional Globe, 19th Congress, First Session (1826), pp. 727–728.

Andrew Johnson, 1850, The Homestead Act.

"(The enactment of the Homestead Act) would create the strongest tie between the citizen and the Government. He would with cheerfulness contribute his proportionable part of the taxes to defray the expenses of the political system under which he lived. What a powerful league it would form between him and the Government! What a great incentive it would be to obey every call of duty. At the first summons of the clarion note of war, his plough, in fact, would be left standing in its half-finished furrow, the only plough-horse would be converted into a warsteed, his scythe and sickle would be thrown aside, his whole armor buckled on, and with a heart full of valor and patriotism, he would with alacrity rush to his country's standard; then, if necessary, pursue the enemy even to the water's edge, and there, if unyielding, meet him amidst the dust of battle and the din of arms. If in the struggle he should be outnumbered or borne down by superior discipline, in the last dread hour of death, how consoling the reflection would be, how strengthening to the soul: I perish in defending that which is right, and a Government that has provided a home and an abiding place for my wife and for my children."

Congressional Globe (Appendix) June 20, 1850, p. 951.

Abraham Lincoln, 1860, Property and Labor.

"Property is the fruit of labor; property is desirable; is a positive good in the world. That some should be rich shows that others may become rich, and hence is just encouragement to industry and enterprise. Let not him who is houseless pull down the house of another, but let him work diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built."

Reply to a Committee from the Workingman's Association of New York, March 21, 1864.

Theodore Roosevelt, 1909, On Cooperatives.

". . . Where farmers are organized cooperatively they not only avail themselves much more readily of business opportunities and improved methods, but it is found that the organizations which bring them together in the work of their lives are used also for social and intellectual advancement.

"The cooperative plan is the best plan of organization wherever men have the right spirit to carry it out. Under this plan any business undertaking is managed by a committee; every man has one vote and only one vote; and everyone gets profits according to what he sells or buys or supplies and has a moral as well as a financial value over any other plan."

Transmittal message to Congress, Report of the Country Life Commission 1909.

Herbert Hoover, 1936, Distribution of Property.

"The party should stand for a constantly wider diffusion of property. That is the greatest social and economic security that can come to free men. It makes free men. We want a nation of proprietors, not a state of collectivists. That is attained by creating a national wealth and income, not by destroying it. The income and estate taxes create an orderly movement to diffuse swollen fortunes more effectively than all the quacks . . ."

From "An American Platform," Philadelphia, Pa., May 14, 1936.

COOPERATIVES

We supported the cooperative movement among farmers. The movement was still young and stubbornly opposed to the commercial distributors. I believed it to be one of the most helpful undertakings, for according to my social theories any organization run by citizens for their own welfare is preferable to the same action by the government.

Memoirs, 11, p. 110.

Malcolm X, 1966, Absentee Ownership

". . . In Harlem, for instance, all of the stores are owned by white people, all of the buildings are owned by white people. The black people are just there—paying rent, buying the groceries, but they don't own the stores, clothing stores, food stores, any kind of stores; don't even own the homes that they live in. These are all owned by outsiders, and for these rundown apartment dwellings, the black man in Harlem pays more money than the man down in the rich Park Avenue section. It costs us more money to live in the slums than it costs them to live down on Park Avenue. Black people in Harlem know this, and that the white merchants charge us more money for food in Harlem—and it's the cheap food, the worst food; we have to pay more money for it than the man has to pay for it downtown. So black people know that they're being exploited and that their blood is being sucked and they see no way out.

When the thing is finally sparked, the white man is not there—he's gone. The merchant is not there, the landlord is not there, the one they consider to be the enemy isn't there. So, they knock at his property. This is what makes them knock down the store windows and set fire to things, and things of that sort."

Malcolm X Speaks, Edited by George Breitmen, Secker & Warburg, London, 1966.

Walter P. Reuther, 1967, President, United Auto Workers.

THE DEMOCRATIZATION OF OWNERSHIP

"Profit sharing in the form of stock distributions to workers would help to democratize the ownership of America's vast corporate wealth which is today appallingly undemocratic and unhealthy.

"If workers had definite assurance of equitable shares in the profits of the corporations that employ them, they would see less need to seek an equitable balance between their gains and soaring profits through augmented increases in basic wage rates. This would be a desirable result from the standpoint of stabilization policy because profit sharing does not increase costs. Since profits are a residual, after all costs have been met, and since their size is not determinable until after customers have paid the prices charged for the firm's products, profit sharing as such cannot be said to have any inflationary impact upon costs and prices."

Testimony before the Joint Economic Committee of Congress on the President's Economic Report, February 20, 1967.

Richard Nixon, 1968, Human Rights and Property Rights.

"But in order to have human rights, people need property rights—and never has this been more true than in the case of the Negro today. In order to enjoy the human rights that ought to be his, he has to acquire the property rights on which to build. What do I mean by property? Many things—but essentially, the economic power that comes from ownership, and the security and independence that come from economic power. Rights are never secure unless protected, and the best protections for a person's basic rights are those he can erect himself."

Bridges to Human Dignity, CBS radio address, April 25, 1968.

EXPANDED OWNERSHIP

We must adopt reforms which will expand the range of opportunities for all Americans. We can fulfill the American dream only when each person has a fair chance to fulfill his own dreams. This means equal voting rights, equal employment opportunity and new opportunities for expanded ownership, because in order to be secure in their human rights, people need access to property rights. State of the Union message, 1970.

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THE GENEVA PROTOCOL OF 1925

Mr. FULBRIGHT. Mr. President, during March of this year the Committee on Foreign Relations heard testimony on the Geneva protocol of 1925 which the President had submitted for the Senate's advice and consent in August of last year. It was evident from the hearings that most, if not all, the members of the committee strongly support the objectives of the Geneva protocol. Thus, the principal point at issue during these hearings was not whether the protocol should be approved, but whether the administration's restrictive interpretation of the protocol would undermine its effectiveness.

It was the contention of administration witnesses that the protocol does not prohibit the use of tear gas and chemical herbicides. On the other hand, most of the private witnesses who appeared pointed out that this interpretation is contrary to the views of the vast majority of the present parties to the protocol. Furthermore, those who took that view advanced compelling arguments to support the proposition that it is clearly in the self-interest of the United States to strengthen existing barriers against the use of any chemical and biological weapons.

It should be noted in this connection that, although the committee received testimony from every individual or group expressing an interest in the protocol, not a single one of these witnesses shared the administration's view that it would serve U.S. interests to retain the option to use tear gas and chemical herbicides in future wars. There was widespread agreement that such a policy on the part of the United States would encourage other nations to develop their capabilities to use such weapons and might lead to a general erosion of the protocol's present effectiveness.

At the conclusion of the hearings many members of the Foreign Relations Committee felt that the questions which had been raised regarding the desirability of the administration's interpretation of the protocol were of sufficient importance to merit their further serious consideration within the executive branch. In addition, the committee learned in the course of the hearings that extensive studies are currently underway within the executive branch and the scientific community designed to provide additional information regarding the utility and the effects of tear gas and herbicides based on their past and present use in Vietnam. It is the view of many members of the committee that the results of these studies should be known before any binding decisions are made by the U.S. Government regarding the future use of these weapons.

Accordingly, as a preliminary to further committee consideration of the protocol, the committee asked me to write to the President and to inform him of the considerations which I have just noted. Underlying the decision to send this letter is a desire on the part of many committee members to see the Senate endorse the protocol with an interpretation which would enhance its effectiveness and thereby contribute to the future security of the United States.

On April 15, I wrote to the President along the lines suggested by the committee. My letter was acknowledged but to date I have not received a substantive reply. In order to apprise the Senate of the status of the committee's consideration of the protocol, I ask unanimous consent that my letter to the President be printed in the RECORD at the conclusion of my remarks.

On previous occasions I have commended other constructive steps which the President has already taken in revising U.S. policy with regard to chemical and biological weapons. Many of us believe that it is now both desirable and possible for the President and the Senate, to act together to strengthen the restraints against future chemical and biological warfare by ratifying the Geneva protocol on the basis of the same comprehensive interpretation already adopted by most nations of the world.

I am hopeful that the administration may yet indicate a willingness to reexamine its interpretation of the Geneva protocol. During its hearings the Foreign Relations Committee was told, in effect, that the President would not accept any modification by the Senate of that interpretation. In my view it would be much better if the Senate were able to approach the question of advice and consent to this protocol on a more constructive basis than the administration's present take-it-or-leave-it formula. To proceed with further consideration of the protocol on that basis would seem to expose it to a needlessly uncertain fate.

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

APRIL 15, 1971.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Committee on Foreign Relations has recently completed hearings on the Geneva Protocol of 1925 which you submitted to the Senate on August 19, 1970. At its last business meeting the Committee discussed the testimony which had been heard and reviewed the possible courses of action open to it. The Members decided that before the Committee gave further consideration to the Protocol I should privately communicate to you certain views which many of us now hold concerning United States adherence to the Protocol.

At the outset let me express the Committee's strong approval of the initiatives which you have already taken in revising U.S. policy with regard to chemical and biological weapons. Your decisions to renounce altogether biological and toxin warfare, as well as the first use of lethal and incapacitating chemical weapons, were a major contribution toward a more secure future for mankind. All of us appreciate the difficulties which confronted you in taking these steps and in deciding to resubmit the Geneva Protocol to the Senate.

There is no question of the Committee's strong support for the objectives of the Geneva Protocol. Indeed it is because we attach such great importance to the Protocol that many of us are reluctant to proceed further toward its ratification on the basis of the understandings and interpretations which have been attached to it by the Secretary of State.

I believe it accurate to say that when our hearings began few of the Members had firm views on the question of tear gas and herbicides. Having heard a number of expert witnesses on all aspects of the Protocol many Members now consider that it would be in the interest of the United States to ratify the Protocol without restrictive understandings, or, if that is not possible at this time, to postpone further action on the Protocol until it is.

The Secretary of State's position on tear gas and herbicides appears to rest primarily on the grounds that the Protocol was not intended to prohibit their use. Having heard the legal testimony on both sides of this issue, many Committee Members conclude that an adequate legal argument can be made either for or against that interpretation. Given the Protocol's acknowledged ambiguity, we tend to agree with the view expressed in testimony by Mr. George Bunn, former General Counsel of the Arms Control and Disarmament Agency, who said that "any future interpretation of the Protocol should depend less on the negotiating history than on a realistic appraisal of the pros and cons —military, diplomatic and arms control—of the use of these agents in the future."

In this connection, we note that the use of herbicides in Vietnam is now being discontinued. It would appear that their actual utility in Vietnam has been marginal and that the crop destruction program may well have been counterproductive. Furthermore, the more we learn about the impact of the herbicide warfare on the ecology of Vietnam, the more disturbing are its implications for the future. As Dr. Arthur W. Galston, an eminent biologist from Yale, reminded the Committee, "If man makes conditions unsuitable for vegetation on this earth, he thereby makes conditions unsuitable for his own existence."

Testimony on the question of tear gas also raised considerable doubt in the minds of many Members as to the desirability of its future use in war by the United States. Dr. Matthew Meselson of Harvard, who testified before the Commitee and who has made a careful study of the military use of tear gas, presented the following conclusions:

1. The military value of riot gas is very low.

2. Our overriding security interest in the area of chemical and biological weapons is to prevent the proliferation and use of biological and lethal chemical weapons.

3. Our use of riot gas in war runs directly counter to this fundamental interest.

Dr. Meselson's view coincides closely with that expressed by another highly qualified witness, Dr. Donald G. Brennan of the Hudson Institute, a military strategist who last testified before the Committee in support of the Safeguard Anti-Ballistic Missile System. After a skeptical critique of many of the familiar arguments against tear gas and herbicides, Dr. Brennan concluded that the military cost of giving up tear gas and herbicides appeared relatively low and that the United States position could therefore properly "be dominated by 'decent respect for the opinions of mankind' and accept the interpretation that the Protocol embraces harrassing agents and herbicides."

The latter point leads to another consideration which troubles many Members of the Committee. This is the fact that the overwhelming majority of the nations of the world already agree, as evidenced by an 80–3 vote in the U.N. General Assembly, that tear gas and herbicides should be prohibited under the Geneva Protocol. If, at this late date the United States adheres to the Protocol but in so doing places its weight behind a restrictive interpretation, this cannot help but weaken the effect of the Protocol. The Committee finds it difficult to believe there would be any positive moral force to our becoming a party to the Protocol only on condition that we reserve the right to keep on doing as we wish despite the fact that most other nations believe it undesirable. Furthermore, I sense a reluctance on the part of Committee members to give advice and consent to an international agreement in the face of a virtual certainty that our interpretation will be challenged or rejected. It will not suffice, as the Secretary of State suggested, to ratify now, and work out the problems later.

We believe that these arguments are, of themselves, sufficiently compelling to warrant the Committee's request that you give further consideration to the tear gas and herbicide question. In addition, as you know, there are now several studies in progress on the use of tear gas and herbicides in Vietnam, including one requested by you as a basis for examining the implications and consequences for U.S. policy of their future use in war. It seems to us that all of these studies, but in particular the latter, should be available before any final action is taken with regard to ratification of the Protocol.

Although we would agree that the Protocol should long ago have been ratified by the United States, it is perhaps unfortunate that it comes before the Senate at a time when the United States is at war and actively employing chemical weapons which most nations consider to be prohibited by the Protocol. Possibly by the time the results of these additional studies are available the war in Indochina will be ended, or at least the level of conflict there will have been reduced to a point where our further use of either tear gas or herbicides will be unnecessary. This alone would make it easier for all concerned to make a dispassionate assessment of the issues involved.

As a practical matter I have considerable doubt that the Protocol could now receive the advice and consent of the Senate on the terms laid down by the Secretary of State, i.e., that you might not ratify the Protocol if the proposed understandings are modified by action of the Senate. At present the prospects for the Protocol are clouded by strongly held views on both sides and I personally would not wish to see it risked a second time under such circumstances. The Committee asks therefore that the question of the interpretation of the Protocol be reexamined considering whether the need to hold open the option to use tear gas and herbicides is indeed so great that it outweighs the long-term advantages to the United States of strengthening existing barriers against chemical warfare by means of ratification of the Protocol without restrictive interpretations. If the Administration were to take the longer and broader view of our own interests, I cannot imagine any serious opposition to that decision, either here at home or abroad On the contrary, I personally believe that were you to take this initiative your action would be regarded as truly courageous and possessed of real moral force.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

MINIMUM WAGE OF "$1.60 AN HOUR IS OUT OF DATE," EDITORIALIZES THE BERGEN RECORD

Mr. WILLIAMS. Mr. President, recently an editorial in the Bergen Record concisely explored my proposal to increase the minimum wage from $1.60 to $2.25 in two steps. In addition to recognizing that "$1.60 an hour is out of date," the editorial warns all of us not to succumb to groundless, dire predictions. To quote the editorial:

There are critics who will say increasing the minimum wage will be self-defeating, driving from the market place a host of smaller and marginal businesses. These are the persons who objected to $1.00 an hour as a minimum wage and their dire predictions have not come true.

Mr. President, I ask unanimous consent that the entire text of the editorial be printed in the RECORD.

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

MINIMUM $1.60 AN HOUR IS OUT OF DATE

Sen. Harrison Williams of New Jersey finds himself almost on the same side of an issue as President Nixon. Sen. Williams is introducing legislation to amend the Fair Labor Standards Act, and one of his purposes is to raise the minimum wage to $2.25 an hour.

Speaking before the Republican Governor's Conference in Williamsburg. Va., last month President Nixon made a pitch for his welfare reform program by pointing out that a person on welfare can often have a higher income than his neighbor who holds a low-paying job. Mr. Nixon said this is corrosive, creating bitterness among the underemployed and a resignation that leads many eventually to the welfare rolls.

Mr. Williams has another motive, although his thrust is the same as the President's. Sen. Williams would like to restore dignity to the working poor by increasing the minimum wage to a level that will at least try to provide families with the means of obtaining the basic necessities of life. You don't have to be daily watcher of the cost of living index to recognize that the present present federal minimum wage of $1.60 hardly does this.

Sen. Williams adds several other improvements to the FLSA legislation. One would extend coverage to an additional 13 million workers, including federal, state, and local government workers, domestics, and employes of small retail and service establishments. Another calls for equal pay for men and women in executive, administrative, and professional occupations. Strangely enough, though equal pay for men and women was a provision in the 1966 FLSA bills, the top posts in business and industry were excluded from its provisions.

There are critics who will say increasing the minimum wage will be self-defeating, driving from the marketplace a host of smaller and marginal businesses. These are the persons who objected to $1 an hour as a minimum wage, and their dire predictions have not come true. It would not be too wrong to say that any business that can exist only by underpaying the people it employs does not deserve to exist.

FREDDIE STEINMARK

Mr. DOMINICK. Mr. President, on Sunday, June 6, a fine young man died of cancer at the age of 22. He was Freddie Steinmark, son of Mr. and Mrs. Fred Steinmark of Wheat Ridge, Colo. Freddie is known to sports enthusiasts throughout this country for his performance on the 1969–70 University of Texas Longhorns football team, a performance climaxed by his play at defensive back in the Texas/Arkansas national championship game that season.

However, perhaps he is better known for the 17-month battle he waged against cancer, a battle which was an inspiration to all who followed it. Freddie never gave up. After the amputation of his leg, he mastered golf and water skiing and other challenges. Perhaps the words of coach Darrell Royal best describe the way his associates felt about Freddie:

I suspicioned he had 150 pounds of heart. My suspicion was correct.

Mr. President, an article from the Dallas Times-Herald, appearing in this morning's Washington Post recounts most effectively the last 17 months of Freddie Steinmark's life. Because the life of this young Coloradan can serve as an example for us all, I ask unanimous consent that the article, "What an Athlete Was Supposed to Do," be printed in the RECORD at this point.

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

FREDDIE STEINMARK'S LAST 17 MONTHS: "WHAT AN ATHLETE WAS SUPPOSED TO DO"

(By Blackie Sherrod)

DALLAS, June 7.—Six months after they took the left leg of Freddie Steinmark, he returned to the Houston tumor clinic for another of his nerve-wracking checkups.

The little Texas safety had to do this every three months, as do all victims of osteogenic sarcoma. He underwent blood tests and X-rays to determine if the dread malignancy might appear in other parts of his strong, young body.

For several nights preceding his trips to M. D. Anderson Hospital, Freddie would stare at the ceiling. He knew the odds. He prayed for a miracle.

"They told me not to worry, but that's easy for them to say," Freddie said. "They're the ones taking the X-rays, not the one getting them."

When Freddie would get a clean report, he would return joyously to the Texas campus and throw himself into another project with fierce energy. He took up golf, balancing himself on one leg while he swung.

He learned to water ski. He went religiously to the Longhorn weight room to build up the the rest of his body, as if muscle could hold off any return invasion of cancer cells. He worked his grades back to a B average. He made speeches and appearances.

He wanted feverish activity to keep his mind occupied, so it wouldn't wander back to the calendar and the date of his next trip to Houston.

Last July a couple of blurs showed up on X-rays of Freddie's lungs. It could be one of several things, the doctors told Freddie, we'll watch it close. A bit later, they told Freddie he would have to start a series of chemotherapy treatments. He didn't change expression. But he guarded the news as if it were the atomic secret. He wanted no one to know.

It was almost as if Freddie thought the treatments were a sign of personal weakness. The news might bring pity from his teammates and friends and above all, he didn't want that.

The chemo-therapy consisted of six days of shots that, hopefully, would kill or arrest any fast-growing cancer cells. They make the patient frightfully nauseous. But he masked the trips and treatments from all save a precious few. Scott Henderson, the linebacker and Freddie's apartment mate, knew, but he respected the confidence.

One possible side effect of chemo-therapy shots is the loss of hair. Freddie had a long thick black mane and he was proud of it. His teammates teasingly accused him of being a hippie. "Okay, you guys," he said, "I'm gonna help coach the freshmen defensive backs and just to show you how seriously I'm taking this job, I'll get rid of the hippie image. I'll get rid of all this hair. As a matter of fact, I'll just shave it all off to show you I'm not kidding."

So the Texas squad had a little ceremony in the locker room and they all laughed and cheered as Bobby Wuensch shaved off the Steinmark hair. His teammates didn't realize he dreamed up this little act to hide the fact he was taking treatments that made his hair fall out.

He kept his head shaved.

Rick Troberman took note of the bald head and the missing leg and applied the nickname "Pirate."

Freddie went along with the gag.

He had his ear pierced and wore a gold ring in it for awhile.

He shared his worry and concern with no one.

But sometimes when you were in a conversation with Freddie, he would be staring at you vacantly with those enormous black eyes and there would be a silence, and he would say, "Excuse me, I guess I wasn't listening. What did you say?"

To the last, Freddie refused to accept the idea that the cancer had caught up with him and finally dragged him down.

When he was hospitalized this last time in M. D. Anderson, he believed—at least outwardly—that he was there to have some fluid removed from his body. When his priest from Austin, Father Fred Bomar, walked quietly into Room 514W and sat down, Freddie looked at him narrowly.

"Have you got some business in Houston, Father?" he said.

The priest said no, he just came down for a visit.

"Do you know something I don't know?" asked Freddie.

The priest said no.

His friends thought it was rather a miracle, Freddie having played regularly on a national championship team with the tumor already gnawing at his leg, and had survived the amputation and returned to active life, to move back into society, to tell people how he felt, to squeeze another 17 months out of precious life.

Freddie didn't think it was a miracle; it was what an athlete was supposed to do and now that same fierce competition kept him hanging on for days, maybe weeks, after the average person would have let go.

Doctors walked out of his room with tears in their eyes.

A week ago, I visited the room.

The shades were drawn. A television set suspended from the ceiling with the volume off, flickered lifelessly with a soap opera.

There was a skinny couch with bedpillows along one wall, where Freddie's mother, Gloria, and his girl friend, Linda Wheeler, spent each day and his father spent each night.

A vigil candle on a table burned 24 hours a day.

Freddie was a gaunt shadow and his voice was about gone and I had to bend close to hear him whisper, "I'm getting better."

Freddie has written a book about his experiences. It will be published this fall. The editor noticed after Freddie was hospitalized that he had not made a dedication of the book and he asked to whom Freddie wanted to dedicate his story.

Freddie said to the Lord, who had been so good to him.

THE JOSEPH HIRSHHORN MUSEUM AND SCULPTURE GARDEN

Mr. SCOTT. Mr. President, in recent months there has been renewed controversy about the construction of the Joseph Hirshhorn Museum and Sculpture Garden, which will take its place among the other Smithsonian museums of art, history, and science along the Mall. Several of my colleagues have placed in the RECORD columns attacking this project. These columns have missed the great purpose of this museum, which is to make available to the 13 million Americans who visit the Mall each year a great and growing collection of contemporary art. Recently, Mr. Donald Sanders of the Associated Press wrote a fine article describing the collection and analyzing the artificial controversy which has been created by its illwishers. This objective and balanced article puts this matter in proper perspective, and I think will be interesting to my colleagues.

Mr. President, I am happy to note that the National Capital Planning Commission and the Commission of Fine Arts have approved a design which will relocate the Sculpture Garden in a tree panel along the Mall. Under this new design the Sculpture Garden will no longer transverse the grass center strip of the Mall. Thus, the new design will meet objections which have been raised to the location of the Sculpture Garden. I believe it is time now for this great project to go forward to completion in late 1972, so that at an early date Americans visiting Washington will be able to visit this great museum of art and sculpture. I ask unanimous consent that the text

of Mr. Sanders' article which appeared in the Baltimore Sun of May 2, 1971, be printed in the RECORD.

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

THE HULLABALOO ABOUT THE HIRSHHORN MUSEUM

(By Donald Sanders)

Nearly five years after multimillionaire Joseph H. Hirshhorn offered his modern art collection valued at $25 million to $50 million or more to the American people, some members of Congress are trying to delay delivery.

There has even been talk of rejecting the gift.

But construction is proceeding toward a September 1972 target date for completion of the Joseph H. Hirshhorn Museum and Sculpture Garden on the Washington Mall.

Specifically, construction is proceeding on the museum. The adjoining sculpture garden is being held in abeyance while the government makes a final decision about its placement and size.

As originally designed, the garden would have been a walled courtyard in a trench-like depression, two football fields long, cutting across the grand sweep of the Mall midway between the Capitol and the Washington Monument.

Critics cried that it would deface the Mall, so familiar to millions of tourists, and that is the issue that has generated the most heat.

INSTANT MAJOR MUSEUM

Voices have been raised in the House and Senate for a thorough new investigation of the Hirshhorn project, but it appears improbable that Congress will block the gift of the world's largest private collection of modern art to the United States.

When the museum opens, said the magazine *Art in America*, "it will be what might be termed an instant major museum."

The collection of the Latvian-born, 71-year-old mining magnate and speculator contains 7,000 pieces—5,000 paintings and 2,000 sculptures.

It was on May 17, 1966, that President Johnson announced that Mr. Hirshhorn had offered his collection to the United States subject to certain conditions.

This was hailed as a great coup. There had been overtures of varying attractiveness from the British government, from Israel, Rome, Florence, Los Angeles, Baltimore and the State University of New York.

The White House had been wooing Mr. Hirshhorn for months. Lady Bird Johnson had visited his estate at Greenwich, Conn., to put in a good word, but S. Dillon Ripley, secretary of the Smithsonian Institution, probably was the first official to approach Mr. Hirshhorn.

GAPS IN SMITHSONIAN

When he became the Smithsonian's chief executive in 1964, Mr. Ripley said in an interview, he found a couple of serious gaps in the world's biggest museum complex: its library facilities and its art.

"The art business started out with noble intentions, but then it wiggled and waggled either through neglect or lack of money," he said.

More than 25 years earlier Congress had passed legislation establishing the National Collect of Fine Arts and stipulating that it should be housed in a museum on the Mall. The idea, Mr. Ripley said, was that this would be a place of "ferment and full of contemporary trends" while the National Gallery of Art house the old masterpieces.

"The only way to remedy 30 years of neglect since 1937 was to find collectors, or preferably one collector, willing to donate art to fill the gap," he said, "and there was only one"—Mr. Hirshhorn.

The 1966 act empowering the Smithsonian to accept the collection and authorizing the museum passed both branches of Congress without a dissenting vote. Critics now say there was inadequate examination.

The bill authorized $15 million for design and construction of the Hirshhorn museum as a free public facility. This met Mr. Hirshhorn's major conditions—that the project should bear his name and that the government should build and maintain it.

THE ARGUMENTS PRO AND CON

Few questions were raised about the Congressional action until last year, when a House Administration subcommittee held hearings.

These and subsequent inquiries by individual members of Congress have turned up these arguments pro and con:

The Name:

Con—No one except Washington and Lincoln should be memorialized on the Mall.

Pro—There are precedents honoring others.

The Donor:

Con—Mr. Hirshhorn has had several brushes with Canadian law.

Pro—These incidents took place a quarter of a century ago and are no reason to reject such a gift.

The Art:

Con—The collection, representing the taste of one man, is capricious and has major gaps.

Pro—No one seriously questions that the modern sculpture section, international in scope, is the most important in the world. Experts agree that the collection of Twentieth Century American painting, while it has gaps, is of extremely high quality.

$15 MILLION PROJECT

The Cost:

Con—The project will cost more than the $15 million Congress authorized.

Pro—Mr. Hirshhorn has pledged $1 million to meet inflated building costs. The whole project will cost less than a $20-million wing to be added to the National Gallery of Art.

The Contractor:

Con—The Piracci Construction Co., of Baltimore, was allowed to increase its low bid by $754,375 and was awarded the contract even though its president, Dominic A. Piracci, Sr., has been convicted of fraud and payoffs to a union official.

Pro—The increase was allowed because of a clerical error in the original; even so, the Piracci bid was the lowest submitted. Mr. Piracci has stepped out as president.

"GIGANTIC GUN TURRET"

The Building:

Con—The design of the museum, a four-story cylindrical structure 60 feet high and 231 feet in diameter, is out of keeping on the Mall. "A gigantic gun turret," one critic called it.

Pro—The result will be far less offensive than such structures as the Rayburn House Office Building, and the red brick and stone spires of the old Smithsonian buildings.

The Garden:

Con—The sculpture trench, even though sunken, will deface the Mall, since some of the massive pieces will protrude above the three-foot wall surrounding it.

Pro—A change in design, with the garden running lengthwise on the Mall rather than across it, a bit smaller and lined with trees, will meet this objection.

The Smithsonian and architect Gordon Bunshaft redesigned the garden after Rep. Frank Thompson, Jr. (D., N.J.), who presided at the July hearings, introduced a bill to forbid construction as planned.

Of the new design, Mr. Thompson said, "I'm not committed to it, but I'm better satisfied. The important thing now is to get the collection here."

Mr. Thompson says he will not press his bill, but other members of Congress remain opposed.

Sen. James Allen (D., Ala.) maintains that all work on the project should be halted pending hearings by his Senate investigations subcommittee, and Rep. Fred Schwengle (Rep., Iowa) is pushing for new hearings in the House.

CRITIC FROM CLEVELAND

When Mr. Thompson's subcommittee delved into the subject, only one critic of the collection's quality was heard.

Dr. Sherman Lee, director of the Cleveland Museum of Art, had written to Lady Bird Johnson in May 1966: "Anyone who knows the contents of the collection knows of its personal and quixotic nature . . . Tempting as the publicized statistics may be, there is no substitute for a searching examination of the individual pieces . . . Quantity is not synonymous with quality."

When he testified last July, however, Dr. Lee objected primarily to the sunken garden across the Mall. As for the Hirshhorn gift, he said: "It has a marvelous sculpture collection. It has some very good paintings, but I don't think the painting collection is nearly as fine as the sculpture collection."

Abram Lerner, Mr. Hirshhorn's curator since 1955 and already designated director of the new museum, testified that Dr. Lee never saw the collection. Much of it is displayed on four acres of Hirshhorn's estate, but the bulk of the paintings are in a warehouse on West 21st street in New York.

Critic Lee spoke of tempting statistics, and curator Lerner recited some of them.

The sculpture includes 15 works by Thomas Eakins, 21 by Matisse, 17 by Rodin, 22 by Degas, 10 by Calder, 13 by Picasso, 43 by Daumier, 22 by Giacometti, 53 by Henry Moore and 22 by David Smith.

The painting collection starts generally with Winslow Homer and Eakins. There are 11 by Charles Demuth, 13 by William Merritt Chase, 9 by John Sloan, 5 by Edward Hopper, 12 by Childe Hassam, 194 by Louis Eilshemium, 27 by Arshille Gorky, 43 by Willem de Kooning, 60 by Milton Avery, 12 by Walt Kuhn, 14 by Kenneth Noland and 9 by John Marin.

OF NO IMPORTANCE

The Smithsonian has estimated the value of the collection at $25 million to $50 million. Mr. Hirshhorn puts it somewhat higher, as would be to his advantage for tax purposes.

"The collection cost me, I'd say, about $19 million," he told an interviewer several years ago. "I've spent a million or more yearly since 1950. I'd guess the stuff is worth about $65 million today, but that's of no importance."

One critic of giving the Hirshhorn name a spot on the Mall cites the original L'Enfant Plan for the capital city that suggested statues and the like "to perpetiuate . . . the memory of such individuals whose counsels or military achievements were conspicious in giving liberty and independence to this country."

James Smithson hardly fits that standard. A British scientist, he never visited the United States. On his death in 1829, he willed $550,000 to this government to establish the Smithsonian. One part of the complex is the Freer Gallery of Art, named for its donor, Charles Lang Freer, a Detroit collector of oriental art.

Above and beyond this issue are Mr. Hirshhorn's brushes with Canadian law. The Ontario Securities Commission found that he manipulated the price of some gold mine stock in 1904, but held this was not a violation of law because there was no conspiracy.

In 1945, Mr. Hirshhorn pleaded guilty to attempting to take $15,000 in Canadian cash out of the country without a license. He was fined $3,500. Later that year he pleaded guilty to selling securities without a license and was fined $5,000.

MILLIONAIRE BEFORE 30

Mr. Ripley told the Thompson subcommittee: "We have been informed that the President does not accept collections for the United States without suitable inquiry. We were also informed that . . . an inquiry was made as to the character and so on of the donor."

He told an interviewer the investigation showed no culpability on Mr. Hirshhorn's part.

It was in Canada that Mr. Hirshhorn amassed much of his fortune, estimated at $100 million or more.

Joseph Herman Hirshhorn was born in Mitau, Latvia, on August 11, 1899, the 12th of 13 children. His merchant father died when he was an infant and his mother, Amelia, emigrated to Brooklyn.

He left school at 12, sold newspapers, worked in a jewelry store and as messenger on the New York Curb Market, later to become the American Stock Exchange. He charted stocks, saved $225, set himself up as a broker and made $168,000 in his first year. He had his first $1 million long before he was 30.

In the early Thirties he transferred operations to Canada where he added to his fortune through gold and uranium mining.

Mr. Hirshhorn's great obsession has been his art, of which he often buys five or six works at a time. But he insists he will hold none of them back, that they will all go to Washington.

"Hell, we'll have a place down there and I'll be able to go see them like anyone else," he said.

EARLY RETIREMENT OF AIR TRAFFIC CONTROLLERS

Mr. McGEE. Mr. President, on May 19 I introduced in the Senate legislation aimed at resolving one of the Federal Government's pressing employee problems. The bill (S. 1904) has as one of its primary purposes the provision for early retirement of air traffic controllers. As Senators may remember, this body approved early retirement legislation last year, although that bill died at the close of the 91st Congress for lack of action in the House of Representatives.

The legislation I have proposed utilizes the same formula for establishing retirement credit on the part of air traffic control personnel as we approved last year. This is the same formula recommended by the Air Traffic Controller Career Committee appointed in 1969 by Secretary of Transportation Volpe and headed by Dr. John J. Corson.

As Senators are aware, the air traffic controllers career field has been a point of major controversy in recent years. Indeed, the Corson Committee reported that it found employee-management relations within the Federal Aviation Administration to be in "a state of extensive disarray" and reported further that, "members of this committee have previously observed a situation in which there is as much mutual resentment and antagonism between management and its employees."

Those strong words were used to describe a condition which a good deal of evidence now suggests is improving.

My bill is an effort to facilitate the improvement of these conditions and to deal with some underlying problems which result from the very stressful nature of the controller's work. A number of studies, both here and abroad, have been made on these men, and, I might add, women, for there are some competent women involved in this important field. The evidence is overwhelming that the stresses of the job account for a high incidence of medical problems, including ulcers, heart disease and hypertension, as well as other personal problems.

Mr. President, the Department of Transportation has submitted its own proposals, for legislation for the controllers. Generally, theirs is a good proposal, and aims at the same areas of concern targeted in the bill which I introduced here last month and which was put forward, with a few minor changes, in the House of Representatives last week. There are, however, some significant differences. For one, the administration bill did not follow the recommendations of the Corson Committee on early retirement, as my bill does in proposing that a controller with 10 or more years of service in that career be credited with 1.4 years of service for each year spent in controlling and separating air traffic.

The bill which I have proposed also recognizes the medical problems earlier alluded to by providing for extended sick leave where applicable, as did the measure the Senate passed in 1970.

Finally, S. 1904 provides for a system of review and appeal from the decisions of the Secretary with regard to controllers who are subject to retraining, involuntary retirement or reassignment for either their own good or the good of the service.

The complete lack of appeal provisions seemed to me to represent a major weakness in the DOT proposal, particularly in view of the clearly defined history of friction and antagonism within the FAA.

There is, however, no difference between these proposals and S. 1904 with regard to the establishment of a system providing for the training of controllers who can be expected to "burn out" and lose proficiency at a relatively early age. Both incorporate provisions for second-career training, as well as provisions to help insure the maintenance of a young and able controller corps. A maximum entrance age for controller would be authorized under this legislation, and while the specific age is not included the likelihood is that age 30 would be established as the normal ceiling for beginning an ATC career and 36 as the top ceiling for those with prior applicable experience. The bill also provides for mandatory retirement at an earlier age, 56 in most instances and 60 for those retained because of exceptional skills and experience.

Mr. President, the Committee on Post Office and Civil Service will before long convene hearings on this topic of air traffic controllers career legislation in order that this highly essential and complex area of concern can be stabilized in the best interest of the employees, the Government, and, of course, the public, which day after day puts its trust and safety in the hands of the men who man the air traffic control towers, centers, and approach control facilities across the country.

THE DECLINE OF CITY SERVICES

Mr. HUMPHREY. Mr. President, we are a privately rich and publicly poor Nation today. We continue to add cars to our households while our cities are running out of money to repair the streets, maintain the traffic systems, or clean up the pollution created by them.

We continue to add televisions, air conditioners, and other electric appliances to our households only to be told with increasing regularity to stop using them in order to conserve electricity.

We continue to overflow our garbage cans with trash and other solid wastes in such increasing amounts that our cities find it more costly to pick up and more difficult to dispose of.

We have permitted our center cities to become service centers for businessmen, but not job or living centers for workers. By our neglect of these cities, we have permitted them to become social prisons for the poor, the old, the black, the migrant, and the immigrant.

Nearly one-half the Nation's black population today is concentrated in 50 cities, with one-third concentrated now in just 15 cities. Six of these cities now have a black majority and eight others have a population that is 40 percent or more black. It also should be noted that a recent U.S. census report indicated that 24 percent of all black families and 41 percent of unrelated black individuals now living in our central cities are now below the poverty line. The city of New York has experienced a phenomenal increase of 579,000 in its black population within the last 10 years, raising the total black population to 1.7 million, with its proportion of the city's total population moving from 14 to 21 percent during that period.

We also see the tax base of suburbia expanded while that of the center city is depreciated by abandoned buildings, slum housing, and loss of industry. The deterioration of city services follows. And, as such services begin to break down, further flight from the city is encouraged.

This chain must be broken. Cities must be provided with the financial resources required to restore and maintain the service levels essential to a decent quality of life.

The issue of U.S. News & World Report for May 24, 1971, contained an excellent article on this subject which I commend to the attention and review of my colleagues. Mr. President, I ask unanimous consent that this article, entitled "Are City Services Breaking Down," be printed at this point in the RECORD.

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

ARE CITY SERVICES BREAKING DOWN?

At a time when cities are crying the financial blues and threatening further cutbacks in services, many residents claim they already are being shortchanged on their tax dollars.

Talk with city dwellers around the country and you find it is the lapses in common, everyday public services that seem to irritate them most.

Garbage collection, or the lack of it, is high on any list of complaints.

Tempers boil easily in discussions of city-run utilities, such as water departments.

But many citizens have despaired of success in battles with public officials and now either acquiesce or sulk silently in frustration.

I. D. Robbins, trustee and past president of the City Club of New York, a citizens' "watchdog" organization, makes this observation:

"I think the average citizen is probably anesthetized by now. He's gotten used to things being rather poorly done."

GRIPES IN CHICAGO

Statistics kept by the mayor's office in Chicago show that in March this year the city received nearly three times as many complaints regarding building-code violations—not enough heat in apartments, electricity shut off, no water—as it did about police services.

The city of Milwaukee says it receives more gripes about inefficient snow removal than on any other matter.

"People tend to forget that we've got over 1,300 miles of streets," says one Milwaukee official, "and we simply cannot plow them all simultaneously. All the citizens know is that their property taxes keep going up, so they expect better and better service. The fact is, most of the tax money goes for welfare and schools, anyway—not for removing snow."

Mrs. Thelma Miller, a PTA official, complains New York City public schools are not set up to meet the extracurricular needs of her 12-year-old daughter, who is bused to a Queens school.

Mrs. Miller says the Queens school district gets $100 for each bused pupil to pay for special activities scheduled for late afternoon. Her daughter, however, must catch a 3 p.m. bus in order to return home, and misses the after-school sessions.

A former New York City teacher, Mrs. Doris Gordon, calls the schools in her new home town of Silver Spring, Md., "heaven, compared to where I taught." But Mrs. Gordon still has reservations. She feels schools take too much of her tax dollars, "try to fit the children into a mass-production mold," and give parents the brush-off.

"I wrote to the State asking what they proposed to teach in new sex education programs," Mrs. Gordon recalls. "They said they were teaching 'character.' I asked them to define 'character.' They never wrote back."

An almost universal gripe has something to do with garbage—the way it is collected (messily), what the service costs (more and more), or the frequency of pickups (less and less).

Ralph Hulsey, superintendent of Atlanta's sanitary division, admits: "The biggest problem we have is scattering garbage."

In Sandy Springs, Ga., an Atlanta suburb, Mrs. Perry W. Mullen complains:

"They doubled our taxes and now we get garbage pickups only once a week. It used to be three times a week."

Jon H. Hill, a sales supervisor in Ashland, Va., north of Richmond, receives no public garbage collections and is glad of it. He pays $36 a year for a private service and, he says, "the man will take anything we put out."

But in Hillcrest Heights, Md., says Silvester DeThomasis, a printing-company executive, the area has switched from private collection to a county service and now "we never know whether they're coming or not—we've gone for as much as a week without a pickup, and they never make it in snow."

Businessman John Garner in Atlanta calls the city sanitation service inefficient for lack of competition.

CO-OPERATIVE PLAN

Mr. Garner sought to change things by proposing private garbage collection for apartments through an apartment-owner co-operative. His plan: Collect the garbage, recycle wastes at a profit and then share the profit among co-operative members. "There can be no strikes," read his printed proposal, which promised "great price savings."

Atlanta officials were less enthusiastic, however. The city attorney ruled that even if the city didn't collect the garbage, apartments would still have to pay the city sanitation tax. This killed the private proposal.

Capitalizing on the public's feeling that it can't fight alone, many newspapers have set up special columns or departments to act as ombudsmen.

Thomas Houston, director of one such column, "Action Line," for "The Detroit Free Press," says, "People are getting stoic about the state of services." As far as complaints about local governments are concerned, Mr. Houston observes: "We run into bureaucratic stupidity more than anything else."

BUM JOKE

In the San Fernando Valley near Los Angeles, one resident describes spending months trying to get the city to fix a broken sidewalk in front of his home. Inspections were made, reports filed and decisions for action carefully weighed.

When public approval finally was given, the cement was poured. But it was late in the afternoon of Halloween.

By morning, the new sidewalk was covered with initials, mottoes and remarks which the taxpayer felt were hardly things he wanted outside his door forever. So he had to begin his campaign all over.

When Glenn Haschenburger bought a new home in the Shadow Hills area of Los Angeles, he soon discovered that nobody could find the house.

The problem: His street is a short off-shoot from a main street going up a hill. At the bottom of the hill was a sign saying "No Thru Street."

Mr. Haschenburger figured the solution was simple: Move his street sign a short distance so that it could be spotted from the bottom of the hill. He made this suggestion to the Van Nuys office of the Los Angeles department of streets and was treated "most cordially."

But nothing happened.

Weeks later Mr. Haschenburger discovered Los Angeles has a thick set of rules which say street signs must stay where they are put.

Still later, Mr. Haschenburger prevailed upon his city councilman. More time passed, but a service crew finally arrived and moved the sign.

Within two weeks an errant motorist knocked the sign down. Mr. Haschenburger says he hasn't worked up energy enough to renew the battle.

TREE TROUBLE

In Detroit, Mr. and Mrs. Andrew Shedlock complained last October about a tree in front of their home that leaned into the street. After several tries at getting the tree cut down, they dropped the matter until spring.

Mrs. Shedlock resumed her efforts in March. At one point she told a city employe that in desperation she had hacked some low branches from the tree. She was warned: "You have no right to touch that tree—it's city property."

Many calls later, Mrs. Shedlock gave up on the city's forestry department and called the mayor's office. The tree was removed.

James Kates of Cleveland says he is so worried about danger from a burned-out abandoned house next door to his home that he and his wife take turns standing guard at night.

The hulk is so close to the Kates's home that the eaves touch. The city of Cleveland says it doesn't have the money to tear down the structure. Mr. Kates offered to pay. But first he must obtain clearance from the owner, a widowed Social Security recipient who has moved twice since the January fire. Mr. Kates says city attorneys are trying to help untangle the red tape, but "they are not trying hard enough."

Mr. Kates says worry and a shortage of sleep have caused him to lose 24 pounds since January. Prior to the fire, Mr. Kates canceled his insurance when his rates doubled. Now, he says, he is unable to get insurance at any price as long as the abandoned house stands.

Daily users of San Francisco's Municipal Railway have all kinds of complaints about the comfort and dependability of the equipment they depend on to get to work.

"I consider the trip downtown and back on the city bus or street car as the hardest part of my working day," says a San Francisco secretary who lives in the Sunset residential section.

"In the morning, my husband drives me several blocks so that I can take a bus, because the street car near me is not dependable. At night, when I do take the street car home, I often am told to get off about halfway there, because they decide to reroute the street car. Sometimes another car comes along soon. Other times I have to wait a long time. One night I had to walk a dozen blocks. The day I can afford a car to use to get to work, I sure won't be riding the city buses."

Also in San Francisco, the public utilities commission has decided to cut off service in the evening on the California Street cable-car run, despite public outcries.

Mrs. Hans Klussmann, a leader in previous fights to preserve the cable-car service, told the PUC:

"The cable cars are San Francisco. They are the No. 1 attraction of the city and, since tourism is already slipping, you may be killing off the golden goose."

In the mainly Mexican-American and Negro areas of Houston and the predominatly Negro sections of Birmingham, Ala., and Atlanta, you hear concern about police protection.

A black women who lives in one of the public housing projects in Atlanta says this:

"There's lots of vandalism. As for police protection, there's really very little of it. Once there was some shooting in an apartment. Children were screaming. We called police and it was pretty near three hours before they got to the scene."

Sometimes there is grousing over firefighting.

In the Birmingham, Ala., suburb of Mountain Brook, a resident complained to the city council that it took firemen 15 to 20 minutes to answer a call only five blocks from the fire station. A neighbor said four fire alarms were turned in and finally a boy on a motor scooter was dispatched to the fire station. When firemen finally arrived, the fire hydrant in front of the blazing house didn't work.

ALL AT ONCE

A Kansas City man gripes about simultaneous repair work on bridges linking Missouri and Kansas and asks:

"Is there no method to the madness of the people who plan such things?"

In Arlington, Va., a mother with four small children waits hours at juvenile court to testify that she saw a teen-ager steal and crash a car. The judge dismisses the case without having the witness called.

Willie Davis, an Atlanta laborer, is confronted with a $1,800 water bill at his rented house because of a leaking underground pipe. The owner disclaims responsibility and the city says it's up to Mr. Davis to pay, although the bill was reduced—to $1,300

A visitor to the Kansas City zoo complains that the public rest rooms are no cleaner than the animal cages.

There are some kind words, and some obvious efforts by the cities to respond. Examples: "City Hall Central" in Detroit,

set up to direct citizens to the proper place for help; a departmental troubleshooter hired by the sanitation department in Charlotte, N.C.

Los Angeles adds new routes and new vehicles to its bus system, and its department of water and power sponsors a nightly television show outlining services and inviting criticisms.

Houston expands trash pickups, switches from private to less expensive public emergency ambulance service.

Yet if rising costs force cities to cut back further—and this is the threat throughout the nation—even more complaints are certain to be heard.

PROGRAM TO TRAIN SPECIALISTS IN SERVING DELINQUENT YOUTH

Mr. SCOTT. Mr. President, an unusual and innovative program has been brought to my attention, a program which is designed to bring about better understanding and to curb juvenile delinquency.

The University of Pittsburgh has undertaken this program to train specialists in serving delinquent youth through on-the-job training and special study programs. It is funded by two Pittsburgh foundations and directed by Sam Ferraniola, an assistant professor at the university. The on-the-job training takes place at the youth development center at New Castle, Pa., where the trainees live several days of the week and work to rehabilitate students at the center.

In addition to this student-teaching-student approach, guest lecturers and authorities in the field of juvenile corrections are occasionally asked to speak on specialized problem areas.

I commend this article to my distinguished colleagues and 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:

INNOVATIVE PROGRAM TO EDUCATE SOCIAL WORK SPECIALISTS IN SERVING ADOLESCENT DELINQUENTS

The educational program described in this article is funded by two Pittsburgh foundations and directed by Sam Ferrainola, appointed to the School's faculty as assistant professor in July 1970. The Assistant Director is Delvor Carlisle, appointed to the faculty as resident assistant professor. Miss Sheryl Schwartz serves as the program's secretary.

Nine first-year students were enrolled in this program after being screened by its Director following their acceptance for admission in the fall of 1970. Seven of these students are males and approximate racial parity exists. Full tuition costs are met for all students and a stipend similar to an NIMH stipend is awarded each student. All of the students take core curriculum courses together with a range of courses and seminars associated with their specialization in juvenile delinquency and corrections. At the time of their admission to the School, six of these students were desirous of becoming group workers and the remaining three were interested in becoming case workers. However, enrollees take courses dealing with the intervention strategies employed by caseworkers along with courses dealing with the intervention strategies employed by group workers. The students view themselves as specialists in serving delinquent youth rather than as caseworkers or group workers.

Unlike the regular first-year students, the nine students enrolled in this program began their first year field practicum immediately after the conclusion of the orientation program for entering students in the fall of 1970. The Youth Development Center at New Castle, Pennsylvania, is the setting of their first-year field practicum, and the students were required to live at the institution for two days each week during the fall term and for three days during the winter term. Initially, it was thought that the five married students might resist this arrangement, but that fear proved unfounded. It was further postulated that during the fall term the nine students involved might not be able to successfully compete, academically speaking, with fellow first-year students not yet engaged in a field practicum. This did not prove to be the case. Three of the students achieved an A grade in all of their classroom courses, and none of the students were in any academic trouble at the close of the fall term.

The rationale of the requirement that students live in the institutional setting of their first-year field practicum for a period of two to three days each week rests on the principle that if one wants to learn about a particular group of individuals his learning can be enhanced by living with that group.

WEDNESDAY SCHEDULE

Students arrived at the New Castle Center in time for lunch. From 1 to 3 p.m. they were involved in group seminars emphasizing systems, delinquent peer group structure, theories of punishment, treatment programs in an institutional setting and problems in effecting a dynamic treatment program in an institution. At 3 p.m. they reported in teams to their respective cottages and became involved in leading and co-leading guided group interaction with youth at the Center, with the Project Director and Assistant Director observing their performance. Additionally, video tape recorders were used to provide an opportunity for students to observe their group skills during a two-hour conference scheduled for the next morning.

From 5 to 6 p.m. the students had supper with their cottage groups. After supper they were involved in formal and informal recreation and activities with the youth in their cottages. One such involvement included the entire four units in a tournament structured so that all 16 boys in each cottage had to participate in order to maximize the points for his cottage. The tournament included such activities as basketball, volleyball, ping pong, checkers, chess and swimming. The social work students were also involved with the youth in such activities as scuba diving, weiner roasts, field trips, movies, bingo and pool tournaments. It is felt that the activity and recreational interaction of the social work students with youth is an important treatment tool and thus must be included in their curriculum.

Wednesday ended at 10 p.m., when students returned to their rooms on campus.

THURSDAY SCHEDULE

The students reported at 10 a.m. for a two-hour theory course, "The Field of Juvenile Corrections," taught at New Castle by the Project Director and Assistant. Guest lecturers and authorities in the field of juvenile corrections were occasionally used to expose the students to specialized areas in corrections. An afternoon student seminar was held to critique the video tape recording of one of the student teams in action with their group. During the winter term, the students critiqued a colleague in a casework interview. A second guided group interaction session with the youth was scheduled from 3 to 5 p.m., followed by supper, casework interviews and informal involvement with youth and staff in respective cottages.

SPRING TERM BLOCK PLACEMENT

The Block Placement program will involve the students in field trips, seminars and a special theory course. The goal is to become familiar with state programs in this field and to develop a more comprehensive understanding of systems theory. The planned itinerary includes a visit to the Youth Development Center at Waynesburg, Pennsylvania. Students will stay overnight at the institution and continue their learning experience through the second day.

Dr. Saul Pilnick of Essexfield fame and a national authority in the area of treatment programs for delinquent boys will be on the Pitt campus on April 29 and 30 and will teach his first phase of a special theory course in corrections and systems. There are ten scheduled lectures over a five-day period which will include Guided Group interaction—a system within a system. Normative Systems as a Basis for Institutional Change, The Nature of the Correctional Organization, the Normative Systems Concept of Organization and the Sociology of Organizations. The week of May 3 will find the students traveling to Harrisburg. The Juvenile Court Judges Commission has accepted the role of host for this week and is planning seminars with the National Council of Crime and Delinquency, The Pennsylvania Crime Commission, and a State Representative and State Senator who serve on committees for delinquency. A visit to the State Correctional Center at Camp Hill also is being planned. Other tentatively planned trips during Block Placement include a visit to the Robert F. Kennedy Federal Institution for boys at Morgantown, West Virginia, to study their system of token economy. A trip to the Youth Forestry Camp at Racoon State Park and several trips to probation offices in the western part of the state have also been scheduled. Dr. Pilnick will meet with the students on May 19, 20 and 21 to complete the previously mentioned course.

SECOND YEAR FIELD PRACTICUM

The students will be located in a community-based office in the North Side district of Pittsburgh. They will be acting in a learning situation as probation officers for the Allegheny County Juvenile Court. The youth that are assigned to them will be completely under their jurisdiction as probationers. The students will be assigned 12 to 16 adjudicated delinquent youth who are living at home and on probation. These youth will be in walking distance of a meeting place. The student teams will have to find meeting places and also recreation facilities within their district. The students will meet with their assigned youth two nights a week for group sessions and one evening a week for recreation and activities. They will apply what they have learned during the first year in order to develop a comprehensive community treatment program. They will attempt to make this new group the primary group of influence on each of the group members. While doing this, they will help the group to formulate a non-delinquent value system based on pro-social and care norms. As this evolves, the students will begin to apply their individual and family casework skills. They will also be involved in the development of community resources for their assigned youth.

EXPANSION OF PROGRAM

A recent evaluation of this program indicates a need to expand it. A private foundation has shown a sincere interest in this need and is considering funds to expand the program by the fall of 1971. It is tentatively planned to accept eight first-year students at that time, which will result in ability to graduate eight or nine students every year rather than the same number every other year.

THOMAS JEFFERSON AND HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, the Declaration of Independence has long

stood as this nation's prime statement on human rights. In it our forefathers stated:

> We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness . . .

The human rights conventions merely extend to all men and women these guarantees which Americans hold so dear.

Thomas Jefferson, chief drafter of the Declaration, recognized that human rights are for all men and not just Americans. In 1809 he wrote:

> The station which we occupy among the nations of the earth is honorable, but awful. Trusted with the destinies of this solitary republic of the world, the only monument of human rights, and the sole depository of the sacred fire of freedom and self-government, from hence it is to be lighted up in other regions of the earth, if other regions of the earth shall ever become susceptible of its benign influence.

The human rights conventions—the Convention on the Political Rights of Women, the Convention Concerning the Abolition of Forced Labor and the Genocide Convention—provide this country with an opportunity to reaffirm Jefferson's ideals.

"All eyes are opened, or opening, to the rights of man," wrote Jefferson in 1826. Many eyes are still closed. How long must mankind wait for the Senate to open its eyes and recognize our role in furthering the rights of all men and women throughout the world?

I call upon the Senate to recognize our role and ratify the human rights convention.

THE BLACK VIEW OF WHITE AMERICA

Mr. HUMPHREY. Mr. President, on March 29, 1971, a strong challenge was issued to the National Association of Broadcasters by Clifford L. Alexander, Jr., former chairman of the U.S. Equal Employment Opportunity Commission. In an address in Chicago, Ill., before this organization of leaders in the communications media, Mr. Alexander proposed that networks should include productions run by blacks and addressed to one central question: How does black America view white America?

The truth of the matter is that black America remains a relatively unknown continent to white Americans, who remain content with their own interpretation of racial issues—an analysis, moreover, that is all too infrequent and superficial.

Mr. Alexander summed up this truth in one sharp sentence:

> You whites generally observe us while you're on the run, either from your suburban communter trains or whizzing through the center of the city to your suburban home in an exhaust-emitting automobile.

There is no question in my mind that this Nation can profit greatly by looking at itself through the eyes of the minority groups whose right to equal opportunities it has so loudly professed.

Mr. Alexander spelled out the facts that show so clearly that we have only begun the journey toward the full achievement of this goal. He noted, for example, that there are no blacks in the 2,522 executive positions of the 50 leading corporations in the United States.

Turning to the broadcasting industry, he cited the same absence of nonwhites in the ownership and top management of television and radio stations. Specifically, of some 400 television stations, none are owned by blacks, who also had only 2.7 percent of the jobs in television in 1968. Blacks own nine of the almost 2,000 radio stations in America. And the Federal Communications Commission—the regulatory body which ought to set the pace for the industry—has not only failed to press for minority job opportunities, but has also failed to put its own house in order. In the higher job grades of this Commission, GS–14 to GS–18, there are 251 whites and only 3 blacks—and only at the lowest rungs of this ladder.

Mr. Alexander also criticized the present national administration for a general failure to address racial issues, much less move forward in overcoming the stubborn obstacles of discrimination in America. At least, he was saying, let us be honest in our foreign policy as well as our domestic policy:

> Pronouncements about freedom and the right of peoples to choose their leadership by the ballot should be as applicable in South Africa as (they are) in South Vietnam.

A recent report by the U.S. Commission on Civil Rights, entitled "The Federal Civil Rights Enforcement Effort—Seven Months Later," documents a general absence of clearly defined goals and of staff with sufficient authority in our Federal agencies to fulfill the promise of our civil rights laws. Having had the opportunity to play a direct role in the enactment of these laws, I have been deeply concerned by what too often appears to be a passive role by the present administration in their enforcement. Noting a basic absence of policymaking at the highest level in Government, the Commission's report cites the uncertain performance of the Justice Department in the enforcement of the Voting Rights Act, and stresses a continuing unequal opportunity in Federal and especially private employment, as well as a general failure to assure full compliance with title VI of the Civil Rights Act, requiring nondiscrimination in federally assisted programs.

This analysis was buttressed by the "Report to the Nation," issued on May 24 by the congressional black caucus as a commentary on President Nixon's lengthy response to the 60 recommendations for governmental action which were presented by the caucus to the President on March 25.

The caucus concluded that the administration document:

> Constitutes less a response than a reply, couched predominately in the form of bureaucratic reports intent on justifying the status quo. The challenge we tried to catalyze—fresh thinking, the matching of implementation with need, the degree of courage and commitment national leadership has brought to other efforts in the past—appears for the most part to have been ignored.

A response, rather than a reply—that is what is so desperately needed at the national level today if the promises of equal justice and opportunity for all Americans are to be transformed into realities.

Clifford Alexander was clearly calling for a similar response from the broadcasting industry, when he said:

> We will watch to see if those of you who profess equality, those of you who operate under public regulation, those of you who say that you're interested in showing a true and accurate picture of society, will give us the money (much of it provided to your advertisers by black purchasing power), the proper time and facilities, to produce for you our picture of white America.

And he pinpointed the basic obstacle of ignorance to decent and dignified human relations in America, in his concluding comment on the possible acceptance of his proposal:

> It may not do any good, but it certainly would help to satisfy your curiosity.

Mr. President, I ask unanimous consent that the complete text of the address by Clifford L. Alexander, Jr., to the National Association of Broadcasters, meeting in Chicago on March 29, 1971, be included at this point in the RECORD.

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

ADDRESS BY CLIFFORD L. ALEXANDER, JR.

I imagine that, despite Agnew's efforts to gag or direct you, the media in America remains curious. You have many deficiencies, certain strengths and an awesome amount of power. Some of you claim credit for whatever successes the civil rights movement had in the 1960's—others are honest enough to own up to the shameful way you have discriminated against minority employees. But through it all you remain curious. What does the black community really think? Who should we project as black leadership? How can we become more "involved"?, you ask yourselves.

Your curiosity is commendable. But what are you doing to satisfy it? In the past you have indicated variously, concern for, contempt for, and, most of all, curiosity about, the black—his views—his observations—and his leaders. White owners, white managers, white intellectuals, white race relations experts, and white reporters have interpreted blacks for blacks, whites for blacks, and blacks for whites. But many of you remain curious about your black brothers and sisters—and with good reason. But you don't know how white America appears to blacks. Let me suggest how you might satisfy your curiosity.

I propose that networks and stations, both T.V. and radio, undertake a new project. My suggestion is simply that you give over your facilities for black Americans to give you their views of white Americans. No, I do not mean interviewing your idea of our leaders once a year on *Meet the Press*. I mean that networks should have black productions—dominated by black men and women at every level—from start to finished product—with sufficient funds to answer a most important question: *How does black America view white America?*

Blacks creating, producing writing and reporting their findings on the white America they see.

This does not mean that you stop giving those few opportunities you give for blacks to communicate to their black brothers. This is an entirely different concept and should be evaluated as such.

I do not mean to suggest that one T.V.

network in a one-hour special can cover the water front. I feel that both radio and television, coming as they do from differing starting points and differing creative formats should allow several black program production teams to do their thing—on you.

Let me now speculate on what would be the themes or some of these programs:

1. A series could deal with how the black worker views corporate America. How blacks consider white corporate executives and owners as number one hyprocrites who proclaim their belief in equal opportunity but are incredulous or offended if blacks aspire to own the company, be on its board of directors, or be able to rise as whites have to top executive positions. This specific series might look at the 50 leading corporations in America today and find 2,522 executives listed in the poor's index of executives. The researchers for this program would find that not a single black holds one of those 2,522 positions in the Nation's 50 largest corporations. Equal opportunity employer—the slogan you see on the ads—could be described as false and misleading advertising.

One program would show how a black job applicant feels about the condescension of the white questioner. Why should an applicant for a computer programmer's job be asked his views on Stokely Carmichael? Job prerequisites and interviews should be job related and not callous, insensitive statements of the interviewer's racial views.

2. Part of a series might deal with "a black looks at the media and those who regulate it".

The great governmental watchdog of so many rights is the Federal communications commission (a dear and constant companion of so many in the room today). The FCC declares that you owners better set some hiring goals and get minorities on the job and fast. Most of you have callously ignored this call for you to obey the law. A black produced and written show might bring you "the FCC today—from a black perspective". Never in the FCC's history has there been a black commissioner, but the FCC exclusionary racial policies don't stop there.

The best jobs in Government are those at the top of what is known as the GS scale. GS–18's have the most responsibility and make the most money. Here are the present-day, 1971 facts at FCC:

Grade:	*White*	*Black*
GS–18	4	0
GS–17	15	0
GS–16	30	0
GS–15	94	1
GS–14	108	2

No wonder you out there do so little about employing and upgrading minorities.

It would be interesting to see how a black creative team would view the FCC. It would also be interesting to see how that team might view you broadcasters. They would see that not a single one of the close to 400 commercial T.V. stations is owned by a black. They would find and give you their view of an industry where only nine of the close to 2,000 radio stations are owned by blacks.

Are you curious to see what this black production crew would say about the fact that only 2.7% (1968 survey) of all jobs in T.V. are held by blacks? Are you getting a little uneasy about how such a program or programs would deal with the white creation of black leadership? Are you interested in how a number of black race relations experts view the white production of black v. white with what I call race relations hobbyists as their experts? The white hobbyist is big on race one week, vietnam the next week, and pollution is his bag the third week.

How might your news shows be analyzed by the black directed program? Might those who produce the show count how many evenings one must wait before one sees a black on a network T.V. news show?

Yes, even in a world that is ⅔ black, brown and yellow.

Would the show deal in some detail with the plight of the few black correspondents and local newsmen and women that are on today?

Oh, how few there are!

Do they get the good assignments in the the same proportion as their white colleagues? Is everyone in management who makes the assignments white?

If you allow the freedom you so clearly cherish in your profession to flourish in these suggested productions you might have a better idea of how others see you.

3. Or how black America sees the white man's Government. Starting with an honest look at the White House. Its principal occupant who has failed to address the Nation on the racial issues during his 26 disastrous months as Chief Executive. Is he incapable or unwilling to speak? He seems willing enough to talk of everything from the size of a football to the speed of a pitch—why not about his Nation's number one problem? The effect of veiled and not so veiled warnings to much of the black community by the Nixon "lawmen."

The effect on middle class black America—the escalation of their fears of your present and potential white repressiveness.

What does black youth think of Government? No belief? Little faith—and perhaps no hope for future improvement? What is the real extent of black alienation? Not the white man's guess—

4. What is a black's view of American justice? Actual and imagined. Again, not your guess but black finding out from black and passing it on through your industry to black and white.

What is on the mind of a black in a Federal court in the South knowing there has never been a black Federal judge appointed in the old confederacy? How self assured does a black lawyer feel when every employee in the court room is white, despite the fact that the State's population is 40% black. No black clerks; no black guards; no black stenotypists and no black prosecutors.

What do you mean innocent until proven guilty?

5. Black Americans look at America and her "friends" abroad. What do you think a black show might have to say about the white State Department and South Africa?

Stern words—fragile deeds. A black man can recognize a white man's boot on his neck in South Africa just as easily as he can in Washington. Pronouncements about freedom and preserving the right of peoples to choose their leadership by the ballot should be as applicable in South Africa as it is in South Vietnam. But, friends, an honest show by blacks would tell you what I have personally seen in Johannesburg. Slavery 1971 style—blacks cannot rent or own property in the city; blacks cannot vote; blacks can only act as slave labor. Blacks are not permitted to govern. Our embassy in Pretoria has segregated facilities in the building it occupies. Let Black America convey to you through "our" media how we view all of this—and the American corporate and governmental role in its perpetration.

6. You whites generally observe us while you're on the run, either from your suburban commuter trains or whizzing through the center of the city, to your suburban home in an exhaust-emitting automobile. As we see you, your concerns are transient. You'll talk black if it seems to be the thing to do. You'll go to pollution if that seems to be the thing to do. You'll talk Middle East if southeast Asia is out of vogue, but blacks stay that way day after day, and blacks who look at you day after day know some of what's on your mind, a fair amount about your habits, living patterns, and religion, more, I dare say, than you know of us.

Black America today will watch again. We will watch to see if those of you who profess equality, those of you who operate under public regulation, those of you who say that you're interested in showing a true and accurate picture of society, will give us the money (much of it provided to your advertisers by black purchasing power), the proper time and facilities, to produce for you our picture of white America. Don't put us on; it would be interesting to have an answer from you soon. The production of such shows will not solve all of our hangups and certainly not all of yours. It may not do any good, but it certainly would help to satisfy your curiosity.

TRIBUTE TO IRVING ABRAMSON

Mr. WILLIAMS. Mr. President, as chairman of the Senate Labor and Public Welfare Committee, I would like to take a few moments today to pay deserved honor to a man who has dedicated himself to the working men and women of this country.

On July 1, Irving Abramson, general counsel of the International Union of Electrical, Radio and Machine Workers, will, as he puts it, "combine more leisure with his work." He does not call it retirement—and knowing Irving as I do, I do not intend to call it that, either.

Irving Abramson is a unique man. Born into poverty he rose to become one of America's finest labor lawyers and one of its most distinguished trade union leaders. For more than 40 years, he has worked tirelessly to advance the cause of economic security and social dignity for American working men and women. His legal career followed an active career in the growing National and State labor organization, including: regional director of the New Jersey-Maryland-Delaware Political Action Committee, president of the New Jersey State CIO Council, and the eastern area director of CIO.

He headed IUE's legal team in winning unfair labor practice cases in which the right to conduct coordinated collective bargaining through multiunion negotiating committees was upheld, and management's take-it-or-leave-it bargaining tactic known as Boulwareism was declared unlawful.

While serving the Textile Workers Union in the 1960's, Mr. Abramson successfully argued the famous Darlington Mills case before the Supreme Court. The decision brought an award of over $8 million to some 500 workers who lost their jobs when Deering-Milliken Co. closed its Darlington, S.C., plant to escape unionism.

IUE President Paul Jennings has said of Irving Abramson:

An organizer, a fighter for democratic unionism and builder of a movement with broad community concern, he has achieved a unique record that extends far beyond his chosen field of specialization and far beyond the IUE. His contributions to the labor movement and to the well being of working people are immeasurable.

We in New Jersey are particularly proud of Mr. Abramson's efforts and achievements. As a member of the New Jersey State Housing Authority and our State Rehabilitation Commission he served our State effectively. In time of war, Irving Abramson served our Nation honorably, as reflected in his receipt of the celebrated Award for Freedom given to him by King George. He served

on the executive committee of the National War Fund, The Enemy Alien Board, and as national chairman of the CIO War Relief Committee.

This is just a part of the distinguished career of Irving Abramson. He has taken up the people's cause in political wars, battles against bureaucracy, and rough fights in very difficult collective bargaining situations.

It is a distinct pleasure for me to be able to pay tribute to this extraordinary person.

DEVELOPMENT OF A NATIONAL URBAN GROWTH POLICY

Mr. HUMPHREY. Mr. President, I would like to share with you and my other Senate colleagues an article which appeared in the May 1971 edition of the American Institute of Planners Journal entitled "Development of National Urban Growth Policy." It is an excellent review of 1970 Federal and State legislative actions which relate to the emergence of a national urban growth policy. The article was prepared by Mr. Norman Beckman, Deputy Director of the Congressional Research Service of the Library of Congress.

This survey of the 1970 legislative developments clearly indicates that significant action is beginning to occur with respect to the Federal Government and a number of States finding ways to guide and direct the inevitable growth and development that will continue to occur in this Nation.

Although only a beginning, many important legislative contributions were made in 1970 toward the development of an operational framework for balanced national growth. I would hope, Mr. President that many more contributions can be made toward the achievement of this vital national goal during this session of Congress. As chairman of the newly established Senate Subcommittee on Rural Development, I can tell you that the subcommittee will be developing several major proposals and programs for submission to the Congress concerning this matter. I ask unanimous consent that the text of the article be printed in the RECORD.

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

DEVELOPMENT OF NATIONAL URBAN GROWTH POLICY

(By Norman Beckman)

This review of federal and state legislative actions during 1970 sets a tone of cautious optimism with respect to the emergence of a national urban growth policy. The cumulative effect of recent law-making in planning, housing, and urban development is to set a new framework for the scope and substance of planning activities—social, economic, and environmental.

Complementing its 1968 action of setting a ten-year national housing goal of twenty-six million units, Congress in enacting the Housing and Urban Development Act of 1970 provided for the development of a national urban growth policy. The act sets forth a number of fundamental policies to serve as guides for specific decisions at the federal level and for policies affecting "interstate, State and local growth and stabilization."[1]

This review of selected 1970 federal and state, legislation of concern to the planning profession uses the declaration of a national urban growth policy as an organizing framework. In the new act, Congress declares that urban growth policy should:

1. favor patterns of urbanization and economic development and stabilization which offer a range of alternative locations and encourage the wise and balanced use of physical and human resources in metropolitan and urban regions as well as in smaller urban places which have a potential for accelerated growth;

2. foster the continued economic strength of all parts of the United States, including central cities, suburbs, smaller communities, local neighborhoods, and rural areas;

3. help reverse trends of migration and physical growth which reinforce disparities among states, regions, and cities;

4. treat comprehensively the problems of poverty and employment (including the erosion of tax bases and the need for better community services and job opportunities) which are associated with disorderly urbanization and rural decline;

5. develop means to encourage good housing for all Americans without regard to race or creed;

6. refine the role of the federal government in revitalizing existing communities and encouraging planned, large-scale urban and new community development;

7. strengthen the capacity of general governmental institutions to contribute to balanced urban growth and stabilization; and

8. facilitate increased coordination in the administration of federal programs to encourage desirable patterns of urban growth and stabilization, the prudent use of natural resources, and the protection of the physical environment.

In appraising the formidable array of significant urban development and planning legislation enacted in 1970, these components of an urban growth policy can be used to analyze what is happening in Congress and the state legislatures to respond to urban growth needs.

Under the heading of *encouraging wise and balanced use of physical and human resources in metropolitan and urban regions,* legislative developments are covered in the field of transportation, including the new federal aid urban system, new state and regional transportation machinery, a scaled-down national passenger railroad system, and the federal mass transit and airways development programs; areawide health facilities planning; a new solid waste planning and implementation program; and amendments to the planning portions of the Safe Streets Act.

The section on legislation *to foster economic strength of all parts of the United States and to reverse trends of migration which reinforce disparities among regions* describes the new responsibilities of the President for biennial reporting to the Congress on national urban growth policy and new "701" planning assistance for state and regional urban growth planning, a new national rural development policy, protection of rural watersheds, compensatory federal unemployment benefits for depressed areas, extension of the Tennessee Valley Authority's electric power development, growth center highways, and creation of a national Commission on Population Growth.

Under the general heading of *treating comprehensively the problems of urban poverty,* state legislative developments in open housing and in tenants' rights, an overdue reform of federal relocation assistance, and riot and crime insurance are discussed.

The section of this review on *developing means to encourage good housing for all Americans* describes new state laws for low- and moderate-income housing assistance and administration, support and industrialized housing and building code reform, and finally, federal and state encouragement for use of mobile homes.

Revitalizing existing communities and encouraging new community development deals with new federal and state urban renewal powers; the federal government's Community Development Corporation, replete with a full range of development incentives; and state support for new communities.

Progress in *strengthening the capacity of general governmental institutions* to help carry out urban growth policies is documented by legislative action on federal program coordination and fiscal planning, state government modernization, revenue reform, statewide zoning and land use activities, and significant new federal support for public sector manpower planning and training.

The first component of a national urban growth policy calls for sounder, more orderly, and more balanced patterns of development within metropolitan regions . . .

A final section on efforts toward *prudent use of natural resources* and *protection of the physical environment* includes federal and state actions to improve organization for environmental protection, amendments to local zoning and planning authority to ensure consideration of environmental quality, and a series of federal actions affecting air quality control region planning, water quality incentives and pollution disincentives, oil spillage contingency plans, and aids for comprehensive long-range fish and wildlife planning.

Several subject areas are covered for the first time in the *Journal* legislative review. Reflecting the changing temper of the time (as modified by a public policy lag inherent in the legislative process) are such newly emphasized subjects as coordinated transportation policy and organization, resource recovery and solid waste planning, population growth, compensatory rural development assistance, crime insurance, industrialized housing, statewide zoning, a federal new community development corporation, coordination of domestic policy formulation, support of strengthened public personnel administration and training, oil spillage, and noise control.

Effective Use of Resources in Urban Regions: The first component of a national urban growth policy calls for sounder, more orderly, and more balanced patterns of development within metropolitan regions as well as within smaller urban places with the potential for accelerated growth. There is little to point to in 1970 in the way of federal or state legislation supporting creation of comprehensive regional or areawide mechanisms, though regional councils of governments and areawide planning bodies continued to increase in number. About twenty-five councils of governments were established in 1970, bringing the national total to more than 220. Even faster has been the growth of rural multi-county planning bodies: some 150 have been set up in the last few years, stimulated by federal and state "comprehensive" planning requirements and financial support. However, few of the COG's or rural planning agencies have operating responsibilities or functional authority. On the other hand, there was considerable legislative response to specific matters of regional or metropolitan significance.

HIGHWAYS AND MASS TRANSPORTATION

The Federal Aid Highway Act of 1970[2] extends construction authority for the Interstate Highway System through 1976, and increases the total authorization for the Interstate program by almost $10 billion.

A number of significant provisions transfer the emphasis of federal highway policy from an interstate system to an urban one. A new federal-aid urban system has been established, for urban areas of 50,000 population or more. The urban system is designed to facilitate the flow of traffic in urban areas and serve the goals and objectives of the

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Footnotes at end of article.

community. It will further implement the continuing comprehensive transportation planning process already required by having routes on the federal-aid urban system selected by local public officials subject to the approval of the state and the Secretary of Transportation. The public hearing process has been strengthened. Now, the two-hearing procedure, established by regulation after enactment of the Federal-Aid Highway Act of 1968, is, in effect, the law. An additional hearing is required on urban plans to afford citizens the opportunity to present their views on which transportation systems would best serve their needs. Responsibility for conducting the hearings rests with state and local officials designated by the governor or the duly constituted state authority.

There is little to point to in 1970 in the way of federal or state legislation supporting creation of comprehensive regional or areawide mechanisms.

The act funds the highway beautification program for three years and creates an eleven-member commission to report to Congress on control and funding of highway beautification projects; provides for construction of preferential bus lanes, highway traffic control devices, bus passenger loading areas, and fringe and corridor parking facilities out of the trust fund; directs the Transportation Secretary to submit guidelines to Congress by July 1, 1972, to minimize adverse social, economic, and environmental effects of proposed federal-aid highway projects. The guidelines would become mandatory regulations in two years.

The Urban Mass Transportation Assistance Act of 1970 [3] provides for a substantially increased federal commitment of $10 billion over a twelve-year period for urban mass transportation programs. The act gradually increases authorizations up to a limit of $3.1 billion after fiscal year 1975, and authorizes a new program of eighteen-year loans to states and local public bodies for acquisition of real property to be used as rights-of-way, station sites, and related purposes expected to be needed and used for urban mass transportation purposes within a ten-year period. The comprehensive planning agency of the affected community must be provided with a copy of the loan application. Before taking final action on the application, the Secretary of Transportation must consider, within thirty days, and comments made by the planning agency. Similarly, in any state in which statewide comprehensive transportation planning is being carried on, copies of applications for loans and grants must be submitted to the governor. Before taking final action on applications, the Secretary must consider, within thirty days, any comments made by the governor. This long-term program of federal financial assistance, combined with new advance contract authority, should provide greater assurance of continuing federal assistance while anticipating future urban mass transportation needs and providing time for necessary planning, decision-making, and financing arrangements.

STATE ACTION ON URBAN TRANSPORTATION

The states in 1970 continued to give significant assistance to such key regional facility areas as transportation, water and air pollution, waste disposal, water supply, and open space recreation. Paralleling the major assistance authorized by the 1970 Federal Highway and Mass Transportation Acts, many states took especially noteworthy action to strengthen organizational and financial machinery to play a positive role in urban transportation.

Departments of transportation are rapidly becoming the administrative mechanisms to provide comprehensive transportation policies and services at the state level, with such departments now established in thirteen states. During 1970, Maryland,[4] Pennsylvania,[5] and Rhode Island,[6] enacted legislation to create departments of transportation. Delaware [7] combined the State Highway Department and a newly created DOT into a consolidated Department of Highways and Transportation. Each of the state transportation departments is headed by a single executive responsible to the governor, replacing the state highway department pattern of control by staggered term commissions.

Many states took especially noteworthy action to strengthen organizational and financial machinery to play a positive role in urban transportation.

Maryland became the first state to establish a comprehensive transportation trust fund. This fund will be supported by revenues from highway user taxes and charges, motor vehicle fees, a portion of the corporate income tax, and aviation fuel taxes and will be utilized to finance highways, ports, airports, and mass transit.[8] The Pennsylvania legislature provided for a State Transportation Assistance Authority empowered to sell up to $30 million in bonds to finance mass transit programs.[9]

In 1970, in Kentucky, Tennessee, Virginia, New York, California, Arizona, and Colorado, authority was granted any county or municipality, or any combination of contiguous counties or municipalities, to create urban mass transportation agencies. The Kentucky Transit Authority Act covers both single governmental unit transit authorities and regional transit authorities whose purpose is the development and management of mass transit systems. Multi-county levee districts may also now be established.[10] In addition, Ohio authorized transit authorities to include land, water, and air transportation.

PASSENGER RAILROADS

The Rail Passenger Service Act of 1970 [11] creates a National Railroad Passenger Corporation to provide intercity rail service. It is to be a semi-public, profitmaking corporation. The act authorizes the corporation to contract for the operation of inter-city passenger trains: $340 million is authorized for federal grants and loan guarantees to finance the program. The basic purpose is to prevent the complete abandonment of intercity rail passenger service and to preserve a minimum of such service along specific corridors. The corporation will probably revitalize rail passenger service in the expectation that rendering this service, at least in certain corridors, can be made a profitable commercial undertaking. The Secretary of Transportation has since issued, as directed by the act, a preliminary report recommending a basic national rail passenger system, including points to be served and identifying the basic service characteristics of such a service.

AIRWAYS PLANNING AND DEVELOPMENT

The Airport and Airways Development Act of 1970 [12] authorizes a new long-range program of expansion and improvement for aviation facilities. Revenues from user charges will be paid into trust fund similar to the existing Highway Trust Fund. It requires the Secretary of Transportation to recommend to the Congress a national transportation policy within one year, taking into consideration the coordinated development of all modes of transportation as well as the coordination of recommendations for airport and airway development and a national transportation system. In the interests of environmental protection, the Secretary is prohibited from approving any airport project application unless the governor of the state in which the project would be located certifies in writing reasonable assurance that the project would comply with air and water quality standards.

Grants are available to planning agencies for airport system planning and public agencies for airport master planning. The funds for the planning grant program cannot exceed $15 million annually, and no grant may exceed two-thirds of the cost incurred in the accomplishment of the project. Any state or political subdivision of a state (and not just state aeronautical agencies) which is authorized by law to engage in airport system planning, may be eligible to receive planning grants for airport system planning. The Secretary of Transportation and the Secretary of Housing and Urban Development are directed to develop jointly procedures to coordinate and to prevent duplication of their respective planning assistance activities.

HEALTH AND FACILITIES PLANNING

Congress, in amending and extending the Hill-Burton Medical Facilities Act,[13] provided for local planning review before the Surgeon General approves an application for any project grant. An opportunity must be provided for consideration of the project by the areawide health planning agency or organization that has developed the comprehensive regional or other local area health plan (authorized by the Comprehensive Health Planning and Public Health Service Act Amendments of 1966). If there is no such organization or agency, the state health planning agency must have an opportunity to consider the project application. The Public Health Service Act has been amended so that areawide health planning agencies must include appropriate representation of the interests of hospitals and other health care facilities, physicians serving the area, and the general public. At the state level, authorization for contiguous municipalities to create consolidated local health districts has been approved by the New Jersey Legislature. The act further authorizes two or more municipalities to form operational regional health commissions.[14]

The Emergency Community Facilities Act of 1970 [15] reenacted the Department of Housing and Urban Development's water and sewer grant program. In doing so, it extended again for one year (until October 1, 1971) the time within which a community may qualify for a basic water and sewer facilities grant even if its program for an areawide system, though under preparation, has not been completed.

SOLID WASTE PLANNING

The Resource Recovery Act of 1970 [16] significantly expands support for development of new technologies for solid waste disposal and for state and municipal disposal programs. These objectives are to be achieved through (1) studies, investigation, and demonstration projects conducted by the Secretary of HEW, and (2) contruction grants to states and municipalities as well as areawide agencies to contribute to the financing of pilot facilities utilizing new and improved technologies. The construction of such facilities must be part of a state or interstate plan which sets forth a comprehensive plan for solid waste disposal in the area.

The act authorizes two-thirds planning grants (with incentives for an areawide approach) to state, interstate, municipal, and intermunicipal agencies as well as to metropolitan, regional, or district councils of government, and 50 percent grants for overseeing the implementation, enforcement, and modification of such plans. Planning grants are to be available for (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and (2) developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to disposal sites. To qualify for planning grants, an applicant must designate a single planning agency and indicate what provisions will be made for consideration of such "public health" factors as

Footnotes at end of article.

population growth, urban and metropolitan development, land use planning, water and air pollution control, and the feasibility of regional disposal programs.

Is it possible and is it desirable to achieve a more balanced urban growth which provides realistic choices for people, avoids deterioration of the urban environment, and makes use of the resources of smaller cities and growth centers?

The act also provides that the Secretary shall submit to Congress no later than two years after the date of enactment a comprehensive report and plant for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes and the establishment of a commission to develop a national materials policy.

SAFE STREETS PLANNING

The Omnibus Crime Control and Safe Streets Act Amendments,[17] in extending and expanding the Law Enforcement Assistance Administration's grant programs, made several modifications in planning arrangements. Now state law enforcement planning agencies and any regional planning units within the state must, within their respective jurisdictions, be representative of law enforcement agencies, units of local government, and public agencies maintaining programs to reduce and control crime. Existing requirements that each state planning agency make at least 40 percent of federal planning funds available to local units of government are modified by authorizing LEAA to waive this "pass-through" requirement if a 40 percent transfer of planning funds to local units would not be appropriate in view of the respective law enforcement responsibilities of the state and its local units, or if it would not contribute to effective, comprehensive statewide law enforcement planning. Finally, the act authorizes grants for the establishment of Criminal Justice Coordinating Councils for local governments. It limits such authority for local planning councils to local units or combinations having a population of 250,000 or more. Establishment of councils for smaller population areas was believed to be a needless proliferation of the planning function.

Urban-Rural Balance and Economic Growth: There is increasing public debate over projected patterns of urban development. Current trends are marked by disorderly urban sprawl in our larger metropolitan regions and a gradual depopulation in the non-metropolitan parts of the country. Is it possible and is it desirable to achieve a more balanced urban growth which provides realistic choices for people, avoids deterioration of the urban environment, and makes use of the resources of smaller cities and growth centers? Is it desirable to try to decelerate current migration patterns to achieve greater urban-rural balance? There is potential here for long-term national debate.

A NATIONAL URBAN GROWTH POLICY

Hesitancy on the proper course of action characterized the 1970 national legislative scene. The most important determinant of where people live is economic opportunity—jobs. The Public Works and Economic Development Act is the most specific federal grant and loan program aimed at redressing unemployment in depressed and less developed areas. The act was due to expire in 1970 and Congress, in accordance with executive branch recommendations, agreed to a simple extension of the existing program pending further study and future revision.[18]

But, during 1970, the federal government began a conscious formulation of policies for guiding future growth and development. The President and the Departments of Housing and Urban Development and Agriculture were all given general mandates by Congress to develop national policies on this subject.

The 1970 Housing and Urban Development Act provides for development of a national urban growth policy—the components of this are listed earlier in this Review. The act provides for submission by the President to the Congress of a biennial Report on Urban Growth. The biennial report should assist in the development of national urban growth policy, and would include information and statistics relevant to urban growth; a summary of significant problems associated with urban growth; assessments of federal, interstate, state, local, and private policies, plans, and programs affecting, or designed to deal with, urban growth; an analysis of current foreseeable needs resulting from urban growth and the steps being taken to meet such needs; and, most important, recommendations for programs to carry out a national urban growth policy.

Section 701 was amended in the 1970 Housing and Urban Development Act to authorize the Secretary to make comprehensive planning grants, at three-fourths of the cost of the planning, to government agencies or organizations of public officials capable of formulating plans and procedures for determining where growth should take place within the state, region, or area.

RURAL DEVELOPMENT POLICY

Concerned with the fact that some 147,000 rural people moved into urban centers in 1969 alone, the 91st Congress, in passing the Agricultural Act of 1970,[19] outlined the first steps of a plan to achieve rural development. Title 9 of the act committed Congress to the establishment of rural-urban balance in the provision of government services and called for a series of reports as a first step in formulating programs of rural development. Executive agencies of the federal government are directed to set up procedures to locate new facilities in areas of lower population density. The Departments of Housing and Urban Development and Agriculture are to prepare a report to the Congress on the efforts of the two departments in planning for the development of rural multicounty economic areas not included in economically depressed areas. The President is to submit a report on the availability to rural areas of all government services designed to provide adequate transportation, communication, water and sewer systems, health and medical care, protection, and education facilities. The report is also to outline efforts of the executive branch to improve these services.

WATERSHED DEVELOPMENT AND PROTECTION

Two actions to protect the delicate fabric of the urban-rural fringe and stimulate rural economic development were adopted. While a $55,000 annual limit was imposed for farm subsidies on any one farm, the Water Bank Act[20] was adopted, authorizing the Secretary of Agriculture to enter into ten-year agreements—with provision for renewal for additional periods of ten years each—with landowners and operators in important migratory nesting and breeding areas for the conservation of water on specified farm, ranch, or other wetlands identified in a conservation plan developed in cooperation with the soil and water conservation districts in which the lands are located. The purpose is to slow down the loss of valuable waterfowl habitat to inappropriate development. These lands are rapidly disappearing because of the accelerated pace at which marshes and swamps are being ditched, dredged, drained, filled, paved, and polluted in order to meet the demands for more agricultural lands, more industrial sites, more urban housing developments, more roads, and more airports. The act provides the owners and operators of lands which are necessary for the conservation of migratory waterfowl, an economic alternative to such uses.

Many rural watershed areas are suitable for multiple-purpose development—for flood prevention, municipal water supply, and recreation, but local communities often lack the economic resources to develop the recreational phases. Amendments to the Bankhead-Jones Farm Tenant Act[21] authorize the Secretary of Agriculture to furnish financial help to public bodies in planning and constructing these recreation and fish and wildlife development features. To be eligible for cost-sharing, a project must be part of an approved statewide plan. There must be no other avenue of federal assistance available, and there may be only one such project for each 75,000 acres in a development area. Program measures will include assistance in installing improved processing and marketing facilities, new and expanded industries, vocational training, tourist developments, and other actions designed to strengthen the rural economy.

UNEMPLOYMENT COMPENSATION

In a move to make unemployment benefit policies more responsive to regional pockets of unemployment, the Federal-State Extended Unemployment Compensation Program[22] extends the length of time unemployment benefits are paid in any state when the state's jobless rate of those covered by insurance equals or exceeds 4.0 percent for three consecutive months. It provides that such extension would terminate when the unemployment rate falls below that level.

TVA POWER

A little noticed piece of legislation,[23] to increase from $1.75 billion to $5 billion the amount of revenue bonds which TVA may have outstanding to finance additions to its power system, was enacted during 1970. Its significance for public policy in preserving urban-rural balance is considerable. The House Committee in reporting the bill notes that the TVA regional resource development program is known and acclaimed as one of the most successful governmental public improvement projects undertaken in helping an economically depressed region to take advantage of its opportunities to industrialize and to make the best use of its resources to improve its economy.

Electric power is one of the great resource tools provided by TVA within the region in which it conducts its operations. But the importance of the TVA power system is by no means limited to electric consumers in its area. The TVA system is part of a huge power network. In a time of power emergency, operation of the TVA power system has an impact on power supply conditions from the Great Lakes to the Gulf of Mexico and from New England to Texas.

ECONOMIC DEVELOPMENT HIGHWAYS

The 1970 Federal Aid Highway Act authorized a new $50 million program to demonstrate the effect of highway improvements on "economic growth centers." The governor of each state would recommend to the Secretary of Transportation the location of growth centers under 100,000 population and assign a priority to each. Funds would be available for reconstruction (70 percent federal share) and engineering and economic surveys (100 percent federal) of roads on the federal-aid primary system.

POPULATION GROWTH

In his Message to the Congress on July 18, 1969, the President proposed that a Commission on Population Growth and the American Future be established to inquire into and make recommendations in three specific areas:

First, the probable course of population growth, internal migration and related demographic development between now and the year 2000.

Second, the resources in the public sector of the economy that will be required to deal with the anticipated growth in population.

Third, ways in which population growth may affect the activities of federal, state and local government.

Footnotes at end of article.

Congress broadened the commission's research mandate to include two additional considerations:

Fourth, the impact of population growth on environmental pollution and on the depletion of natural resources.

Fifth, the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level suited for its environmental, natural resources, and other needs.

As directed by the approved act,[24] the commission is required to make an interim report in one year and a final report two years after its organization. The Congress also enacted the Family Services and Population Research Act [25] to broaden and expand the scope of existing federal contracts, grants, and training activities in the fields of birth control and population research.

Problems of Urban Poverty: Perhaps the most fundamental domestic problem is the poverty and social isolation of the poor and minority groups in our central cities and low-income suburban enclaves. New urban policies explored in 1970 involved examining the political, economic, and administrative dimensions of encouraging the dispersal of the central city poor into suburbs where better jobs, schools, and housing are more likely to be available. Among other actions, this could mean a strategy of putting governmental resources such as subsidized low and moderate income housing where the solutions are, rather than where the problems are. A range of federal and state legislative approaches were enacted in 1970 to reduce the imbalance among and within communities in metropolitan areas, to improve the conditions of life in ghetto areas, to provide greater areawide mobility for low-income and slum populations, and in other ways overcome a de facto demographic and geographic state of seige.

ACCESS TO HOUSING

Open housing legislation serves as positive government intervention to provide greater housing mobility for metropolitan residents. By the end of 1970, a majority of the states had enacted open housing legislation. These actions coincide with an increase in the number of minority families having the means to move from ghettos and slums. From 1960 to 1968, the percentage of Negro families with incomes of $15,000 and over tripled—to 6 percent of the entire Negro population.

In 1970, New York State extended its anti-discrimination law by authorizing the New York City Commission on Human Rights to declare neighborhoods off-limits to real estate solicitation when there is evidence of panic selling based on racial fears.[26] Rhode Island amended its Fair Housing Practices Act to make indirect discrimination an unlawful housing practice; a Georgia law was passed to prevent blockbusting in the sale of homes; and Kansas implemented its first open housing statute.

The most fundamental domestic problem is the poverty and social isolation of the poor and minority groups in our central cities . . .

In an especially promising pieces of legislation, California [27] permitted any city or county to enter into an agreement with any other city or county to form an area housing authority having all the powers of a local housing authority.

TENANTS' RIGHTS

Legislation affecting the rights of occupants of unfit housing has a direct impact on poor and minority groups. Developments in this area have been especially dynamic recently. Typical state legislation covers such subjects as rent liability in premises violating housing codes, appointment of receivers to collect rent, and tenant petitions for code enforcement.

A 1970 New Jersey act provides that any landlord who threatens or makes reprisals against any tenant for membership or activities in any tenants organization is a disorderly person and shall be punished by fine or imprisonment.[28] In Hawaii, tenants are now permitted to withhold rent for minor repairs to their dwelling units upon notification to the landlord. Tenants who complain about health hazards are protected from retaliatory rent increases or eviction. California regulated payments or deposits of money given primarily to secure performance of rental agreements, and the tenant now has priority of claim to these funds.[29] In a separate action,[30] California defined "untenantable" and limited the tenant remedy of repairing dilapidations and deducting cost from rent to once a year.

RELOCATION ASSISTANCE

Federal legislation establishing uniform relocation policy and payments was approved in the last days of 1970. At least seventeen states also took legislative action in 1969 and 1970 to deal with the problem of relocating persons and businesses displaced by government construction programs. Of these states, twelve enacted legislation requiring state highway agencies to provide financial assistance and advice to displaced persons.

Land acquisition and relocation policies of different federal programs have been glaringly inconsistent and unfair. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 [31] establishes a uniform policy for federal agencies and state and local recipients of federal grant programs that involve condemnation in dealing with property owners and others displaced by federal or federally aided land acquisitions. In each of some fifty federal grant programs, it provides for relocation payments, advisory assistance, assurance of available relocation housing, and economic adjustments and other assistance to owners, tenants, and others displaced. The act also establishes uniform policies to guide all federal and federally assisted agencies in negotiations with owners for the acquisition of real property for public use.

CRIME INSURANCE

The 1968-enacted flood insurance program now covers 400 communities in thirty-four states. Similarly, riot reinsurance and FAIR plans (fair access to insurance requirements) are now organized in twenty-six states, the District of Columbia, and Puerto Rico. Under the supervision of the state insurance authority, these plans furnish cooperative services by property insurance companies doing business in that state. These plans provide property owners in urban areas access to fire, extended coverage, and vandalism and malicious mischief insurance coverage.

The 1970 Housing Act extends this insurance coverage to provide crime insurance in each state where a finding is made that such insurance is unavailable or available only at a prohibitive cost. The HUD Secretary is required to conduct a continuing review of the market availability of crime insurance at affordable rates in each state. Upon determining that such insurance is not available, the Secretary is authorized to provide crime insurance in that state after August 1, 1971. This affords states and the industry a reasonable period of time during the early part of this year to provide for adequate crime insurance programs in order to avoid the federal government undertaking such a program. Coverages offered by the Secretary would include those against robbery, burglary, larceny, and similar crimes. He is also authorized to offer insurance against consequential losses, such as business interruption coverage.

Encouraging Good Housing for All Americans: As the nation approached a major housing shortage, the states moved as never before to improve state and local capability to deal with the inadequate supply of housing. Innovative programs begun during the last few years range from creating state housing agencies, providing aids to non-profit sponsors, and allocating seed money to acknowledging the role of mobile homes. Collectively these efforts represent a comprehensive set of tools for a positive state role in providing shelter. There were only a few significant new programs to report at the federal level as Congress did not act on Administration proposals for a sweeping simplification and consolidation of the fifty or more existing housing programs. But under the Emergency Home Financing Act of 1970, it introduced programs of interest rate subsidies for middle income families and provided for the establishment of two secondary mortgage markets for conventional mortgage loans.

STATE ADMINISTRATION AND FINANCE

A number of states directly entered the formidable fields of housing administration and finance. Georgia struck the proper tone by affirming the national housing goals and calling for a "State Housing Goal." [32]

In an effort to alleviate the critical shortage of housing for low- and moderate-income families, Ohio in 1970 authorized a major new program for assisting housing development by limited-profit and non-profit organizations. The act created a housing development board to provide interest-free advances for housing construction and rehabilitation and to guarantee loans made for housing development by any lender.[33] Also in 1970, New Jersey created a Mortgage Finance Agency to make loans to mortgage lenders for the financing of new residential construction; the Maine legislature authorized the state housing authority to issue revenue bonds and purchase and sell first mortgages in order to provide housing for persons of low income; and Massachusetts enacted legislation providing additional low-cost housing rehabilitation and home ownership subsidy programs through the state housing finance authority.

New York helped expand mortgage sources by creating the "State of New York Mortgage Agency" [34] which may purchase existing older mortgages from banks and may direct the proceeds from liquidated mortgages to be invested in new mortgages on residential property. The Colorado Housing Act of 1970 [35] demonstrated the potential for providing state technical assistance by creating a Division of Housing within the Department of Local Affairs. The new division will provide services to local authorities to promote more adequate housing. The act also established a seven-member state housing board—members to be appointed by the governor—which is authorized to set housing construction and maintenance standards where none exist.

The Housing and Urban Development Act of 1970 authorizes financing of congregate housing with central dining facilities under public housing and FHA programs, with eligibility limited to the elderly, displaced, and handicapped. Dormitory type public housing for low-income single persons is now eligible for financial assistance. The act also contains provisions consolidating HUD programs of technical advice and assistance on housing. It authorized financial assistance to low- and moderate-income tenant organizations, in addition to non-profit sponsors of multifamily housing. It also authorized $5 million for the technical assistance and counseling programs.

INDUSTRIALIZED HOUSING

The 1970 Housing Act consolidates several existing HUD research programs and authorizes the Secretary to undertake and fund programs of research, studies, testing, and demonstration relating to department missions and programs.

In an area previously untouched by state involvement, several legislatures in 1970 sought to reduce housing costs and increase

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the supply of low- and moderate-income housing by encouraging the production of factory-built housing. New York led the way with the establishment of a state version of the Department of Housing and Urban Development's "Operation Breakthrough." In California, the Prefabricated Housing Act [36] establishes a state Commission on Housing and Community Development to formulate uniform health and safety standards for factory-built housing and to set up inspection procedures at factory sites that will permit units meeting the standards to be certified there for installation in any California locality. Localities retain their jurisdiction, however, over land use, setbacks, architecture, and esthetics.

In Georgia,[37] the state's Area Planning and Development Commissions can now provide technical and advisory assistance to help local governments supersede local building codes for specified mass-produced housing projects. Provision is also made for state inspection of factory-built homes. South Carolina adopted HUD standards for factory-built housing, prototypes, materials, and components.

In the closely related area of building codes, Rhode Island moved toward uniformity by requiring municipalities to adopt housing codes which meet state standards, and Alabama legislation granted the state the authority to set minimum housing codes. Virginia now allows cities, towns, and counties to adopt, by reference, any building, plumbing, electrical, or gas codes.

MOBILE HOMES

At a time when housing prices are soaring and a national housing shortage threatens, mobile homes have proven inexpensive and available. Their potential impact on the suburban landscape and on holding populations outside of major metropolitan areas is just now becoming evident with liberalized federal mortgage insurance and loan coverage for purchasing mobile homes and sites.

The 1970 Housing Act sought to make the 1969 FHA mobile home loan program more attractive by providing that when a mobile unit is composed of two or more modules, the maximum insurable mobile home loan under the FHA loan program may be $15,000 (instead of $10,000) and the maximum term may be fifteen years (instead of twelve years). Recognizing the urgent need for housing in rural areas, the 1970 Housing Act also amends existing farm housing coverage to authorize the Secretary of Agriculture to include mobile homes as housing. The Secretary is required to prescribe minimum property standards for mobile homes and sites and compliance with local community requirements. Finally, for the first time, the Veterans' Administration is authorized to guarantee loans (up to $10,000) for the purchase of mobile homes, if the home is on a site acceptable to the administrator. The loan amount may be increased (up to $5,000) for purchase of an undeveloped lot, or (up to $7,500) for purchase of a developed lot on which to place a mobile home.

Development of new towns and major additions to existing communities are crucial and complementary components of any future urban growth program.

The states are just beginning to legislate in this new field. Vermont has moved aggressively by giving the state authority to grant permits for trailer parks in any town, regardless of local zoning ordinances. Incentives are provided for park operators to build power lines and fuel storage facilities underground. Incentives are also offered for furnishing a central recreation area and other facilities in trailer parks.[38] In related actions, Delaware [39] provided for state zoning of trailer park locations, and California [40] allowed for regulation of mobile home structures necessary for public health and safety.

Renewing Old Communities and Creating New Communities: Inner city areas are in need of rational land use planning and development if their tax base is to be enhanced and if their inventories of housing are to be maintained and augmented. Similarly, development of new towns and major additions to existing communities are crucial and complementary components of any future national or state urban growth program.

URBAN RENEWAL AND STATE LAND USE

The 1970 Housing and Urban Development Act liberalized eligibility for urban renewal. Grants are now available for acquisition by local public agencies of vacant or inappropriately used land or space that could be developed for housing or other uses—including schools, hospitals, parks, or public facilities—associated with housing for low- and moderate-income families, development of new communities, or other undertakings related to inner city needs including expanded employment opportunities.

State redevelopment actions in 1970 included financial assistance, use of air rights, and industrial development controls. Massachusetts increased the amount of urban renewal assistance grants to be paid to cities and towns by the state for federally aided renewal projects. New York, Louisiana, and Virginia extended air space rights in cities for sale or lease above or below municipal property acquired for street and highway purposes.

In industrial development, the most comprehensive action was taken by Rhode Island [41] which created a Statewide Land Development Corporation to acquire, develop, lease, and sell selected areas for industrial expansion through an "industrial land bank." Among its stated legislative objectives are preservation of land for future industrial and commercial development, establishment of sound development standards, and implementation of state and municipal urban growth policies.

NEW COMMUNITIES

An increasing national legislative commitment to new town development was begun through loan guarantees in 1968 and was brought to fruition in 1970. In what was far and away the most significant urban development legislation of the year, the 1970 Housing Act created a Community Development Corporation within the Department of Housing and Urban Development. The Board of Directors of the corporation consists of five members with the Secretary of HUD as chairman. Through the corporation, a full panoply of guarantees, loans, and grants will be provided to eligible new community development programs.

The corporation is authorized to guarantee bonds and other obligations issued by private developers and state land development agencies to finance land assembly, acquisition, and development. In addition, loans may assist new community developers to make interest payments on indebtedness incurred by land acquisition and development. Loans up to $20 million may be made to a single developer; the aggregate may not exceed $240 million.

The Community Development Corporation is also authorized to make grants to state land development agencies or state or local public bodies to assist in providing essential public services prior to permanent arrangement for the provision of such services. The act also authorizes supplementary grants for public facilities, which are not to exceed 20 percent of the total cost of the project. Special planning assistance is provided to new community developers, to cover up to two-thirds of the cost of planning new community deevlopment programs. Such planning must assure that the new community development program will be fully reponsive to social or environmental problems related to the public purposes of new community development and will adequately provide for or encourage the use of new or advanced technology.

In a separate program, HUD has been authorized to provide to state and local public bodies grants to cover not more than 75 percent of the cost of acquiring interests in undeveloped or predominantly undeveloped land which, if withheld from commercial, industrial, and residential development, would significantly guide desirable patterns of urban growth.

Complementing these actions, state legislation in this promising approach to urban development was passed for the first time in 1970. Arizona authorized creation of new towns improvement districts which can issue special district bonds and established a State Community Development Council. Arizona also authorized private developers of new cities to finance utilities and streets with general obligation bonds.[42] California provided for planning and land assembly for new communities by redevelopment agencies. The law requires that the approval of the Local Agency Formation Commission must be obtained before redevelopment agencies may plan and develop new communities.[43] Kentucky passed a New Communities Act authorizing new community districts, operating as nonprofit membership corporations, to exercise general governmental powers within a specific area in order to promote private initiative and voluntary participation in planned urbanization. To encourage innovation and experimentation, each new community is exempted from all housing restrictions and building codes.

Strengthening the Capacity of General Governmental Institutions: Increasingly recognized as fundamental to all other reforms is that component of the new national urban growth policy calling for strengthening the capacities of general government institutions. A primary objective of federal and state governments must be to develop, support, or restore the managerial and fiscal vitality of urban government. Without such capability, local initiative, creativity, discretion, choice, and decision-making exist only in the older text books, and responsible elected officials have little or no discretion to alter things more than trivially.

FEDERAL MANAGEMENT PROGRESS

At the federal level, legislative measures were taken in 1970 to strengthen control in the President's office and in the Congress. The President, in Reorganization Plan No. 2 of 1970, established a Domestic Council to coordinate domestic policy formulation, and an Office of Management and Budget to be his principal arm for the exercise of managerial functions. In the President's words:

The Domestic Council will be primarily concerned with what we do; the Office of Management and Budget will be primarily concerned with how we do it.[44]

The creation of these two new staff organizations is intended to centralize the decision-making power of the federal government within the Executive Office of the President. In essence, the new OMB absorbed the Bureau of the Budget—thus transferring the authority for making up the budget and for evaluating the success and effectiveness of various programs and leadership in executive management to a staff within the White House. The Cabinet Committee on the Environment was absorbed into the Domestic Council.

The Legislative Reorganization Act of 1970,[45] among other things, was designed to strengthen congressional fiscal controls and speed action on appropriations. It calls for standardization and computerization of federal budgetary and fiscal data; moves toward longer term fiscal and program planning by directing the President to supply Congress

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with a five-year forecast of the fiscal impact of each existing and proposed federal program so that Congress will have a more accurate appraisal of programs that will involve major increases in expenditures in future years; and directs congressional committees to include five-year cost projections in committee reports on all substantive legislation. To expedite appropriations actions, the act requires the House Appropriations Committee to hold hearings within thirty days after the President sends the budget to Congress. The act also strengthens the advance planning, research, and information resources of the Congress by expanding the functions of the Legislative Reference Service of the Library of Congress, which is renamed the Congressional Research Service to emphasize the policy analysis thrust of its new staff responsibilities.

STATE GOVERNMENT MODERNIZATION

More states began to put their own houses in order in 1970 by streamlining executive organization and making officials more accountable to the people.[46] Delaware, Vermont, and Massachusetts reorganized their executive branches into a few broad cabinet departments, cutting through the maze of agencies, commissions, and boards. The voters in Montana and North Carolina approved reductions of the number of administrative departments. Kansas, Maryland, and North Carolina authorized their governors to reorganize their executive branches, subject to legislative veto, bringing to ten the number of governors with that important management tool.

The decision-making authority of the governor was further strengthened in Massachusetts by giving all policy-making officials the same terms as the governor, in Colorado by empowering the governor to appoint the heads of most cabinet departments and revising the executive budget office, and in Kansas and Nebraska, by providing for the governor and lieutenant governor to run as a team. Annual legislative sessions were initiated in Connecticut, Indiana, Maine, Maryland, Missouri, Nebraska, New Hampshire, and Virginia; three-fourths of the state legislatures will now meet every year.

REVENUE REFORM

While revenue sharing moved to the center stage for national political debate, a number of state revenue measures of special interest to urban residents were actually enacted in 1970. Ohio provided for distribution of state sales taxes to local governments by county budget commissions. The statute incorporated a "need" distribution formula which is generally based on expenditures of subdivisions minus revenues.[47] In another revenue measure of significance to local governments, New Hampshire acted in the commuter tax field by imposing a 4 percent tax on non-residents who work in New Hampshire.

Illinois' new income tax legislation contains a revenue-sharing plan that rebates, with no strings attached, one-twelfth of the state's income tax revenues to municipalities, counties, townships, and special districts. After the first year, the funds will be given to cities and counties only.[48] New York took similar revenue-sharing action by providing 21 percent of state income tax collections for per capita aid to local governments.

STATE PLANNING

Zoning and land use control are inherent state powers which traditionally have been completely delegated in the name of home rule. In 1969, Oregon and Maine joined Hawaii in establishing state zoning controls. In 1970, Maine extended its statewide zoning power by giving the Environmental Improvement Commission veto power over commercial and industrial development anywhere in the state.[49] Colorado created a State Land Use Commission to recommend a statewide land use map and classification system, and the Virginia General Assembly called for a study to lay the foundation for a state growth and development policy. Alabama, Georgia, North Carolina, and Ohio, among others, strengthened their state planning capabilities. Kentucky adopted legislation authorizing the State Program Development Office to designate sub-state regions and coordinate regional comprehensive development plans. Similar action has been taken by approximately forty states through executive order or legislation.

PUBLIC SECTOR MANPOWER

Although a new 4.5 billion dollar public service job program was vetoed, Congress passed and the President signed into law the Intergovernmental Personnel Act of 1970. The public service job program would have permitted state and local governments to hire persons unable to find jobs in private industry to work in schools, hospitals, police and fire departments, or in recreation, conservation, and transportation programs.

The Intergovernmental Personnel Act[50] is potentially the most significant legislation enacted during the year to upgrade and strengthen the capabilities of state and local governments. It is intended to provide the first comprehensive federal aid program for improving and strengthening state and local personnel administration by focusing on three basic problems in the public manpower area; the interchange of federal, state, and local employees; training programs in a range of administrative, technical, and professional categories; and personnel management.

Most relevant to planning agencies, executive officials, and state and local urban affairs organizations are the provisions authorizing the Civil Service Commission to make grants to state and local governments for planning and improving their systems of personnel administration; for developing and carrying out training plans; and for government service fellowships for employees selected for special graduate-level university training. Federal constraints are removed on the temporary exchanging of personnel between the federal government and states and local governments. Thus, specific national recognition has finally been given to the need to strengthen core management at the state and local levels by upgrading personnel and personnel administration.

Protecting the Physical Environment: There was greater consensus and action in 1970 on the need to exercise prudent use of our natural resources than on any other component of the new national urban growth policy. The Federal establishment through reorganization, regulation, and financial assistance showed that concern for the quality of the urban environment has been raised to the national policy level. This concern was also reflected at the state and local level.

ENVIRONMENTAL ORGANIZATION

Reorganization Plan No. 3 of 1970[51] established a new independent Environmental Protection Agency to coordinate and administer programs dealing with air, water, and land pollution. In an effort to give the executive branch more unified control of environmental problems and procedures, the new agency brings together pollution control programs formerly existing in the Departments of Agriculture; Interior; and Health, Education, and Welfare; the Atomic Energy Commission; and the Council on Environmental Quality.

The federal establishment . . . showed that concern for the quality of the urban environment has been raised to the national policy level.

The growing concern of the states for environmental quality is demonstrated by the number of antipollution measures enacted in 1970. In the majority of states this concern took the form of governmental reorganizations aimed at coordination and consolidation of state ecological activities. At least nine states created agencies or departments to deal exclusively with environmental concerns. Riding the crest of public environmental concerns, New York outdid the federal establishment—at least organizationally—with an omnibus environmental quality act.[52] The new law reorganizes, unifies, and strengthens the state's environmental protection and recreation programs. It creates a Department of Environmental Conservation, a Council of Environmental Advisors, a State Environmental Board, and an Office of Parks and Recreation in the Executive Department. Vermont passed comprehensive environmental control legislation, which provides for the establishment of environmental control boards in each of the state's environmental regions. These control boards will review all intended improvements to be made on property that is ten acres or larger to ensure that the improvements comply with state environmental legislation. In counties and municipalities that do not have subdivision regulations and zonings laws, the boards must review all property improvements that involve one acre or more.[53] Maryland enacted similar legislation. California now requires that a city's general plan include a conservation element for the protection of natural resources.[54]

AIR POLLUTION PLANNING

The Clean Air Act Amendments of 1970,[55] authorizing a 1.1 billion dollar, three-year extension of the Clear Air Act for research and aid to the states, provides a new authority for the establishment of nationwide air pollution standards. States are required over the next four to six years to establish and enforce clean air programs to meet national standards. Two-thirds matching grants are available to air pollution control agencies for planning, developing, establishing, or improving (and up to one-half of the cost of maintaining) programs for the prevention and control of air pollution. Up to 100 percent grants are available to interstate agencies for developing implementation plans for any interstate air quality control region. The interstate agency must include representation from the states and from appropriate political subdivisions within the air quality control region.

Under previous laws, the Secretary of the Interior was directed to establish air quality control regions, but only a few such regions were established. Consequently, actual air pollution enforcement activities have been excessively delayed. Additionally, the proposed regions were not contiguous and, therefore, do not cover the entire United States. On these grounds, Congress rejected a regional approach based on the geographic characteristics of air pollution. Instead, each state is declared by law to be an air quality control region, so the entire United States is divided into contiguous air quality regions. The act also imposes an absolute deadline of January 1, 1976, for auto industry production of a virtually pollution-free engine.

WATER RESOURCES

Spurred by the continuous series of disastrous oil spills, the Water Quality Act of 1970[56] provides for research relating to the discharge of so-called hazardous substances into streams and for enforcement procedures which extend to federal agencies and federal licenses, such as urban renewal projects and power plants licensed by the Atomic Energy Commission and the Federal Power Commission. The act requires the President to establish criteria for the development and implementation of local and regional oil contingency plans. It also authorizes the Secretary of the Interior to carry out an areawide program within all or part of a watershed to demonstrate methods for the elimination or

Footnotes at end of article.

control of acid and other water pollution resulting from active or abandoned mines. It provides that the work would be done under agreements with the interested states or interstate agencies acting jointly or severally depending on where the project is located. The Secretary of the Interior is also authorized to carry out a program to demonstrate new methods and techniques and develop preliminary plans to eliminate pollution within all or any part of the watersheds of the Great Lakes.

One of the most innovative environmental legislative actions in 1970 was Vermont's passage of a "pay as you pollute" measure. The legislature provided for the issuance of provisional pollution permits which require the polluter to pay a fee for the use of state waters and to maintain certain pollution discharge standards in order to receive a permanent permit. The legislative intent is to provide an economic incentive for the adoption by industry of anti-pollution controls.[57]

Amendments to the Federal Aid in Wildlife Restoration Act and the Fish Restoration Act[58] were intended as major advancements in fish and wildlife conservation and hunting safety. They are designed to encourage comprehensive planning by state fish and game departments and increase revenues available to states for fish and wildlife restoration projects and hunting safety.

The change with respect to planning would give the states the option and incentive of using comprehensive long-range fish and wildlife plans rather than plans on a project-by-project basis as the basis for funding state programs. To quote the House Committee:

In view of the projected demand on open spaces for future urban programs, transportation corridors, forest products, and outdoor recreational uses not related to fish and wildlife, it is imperative that the State fish and game departments enter into the planning process at every level of government. The agencies responsible for these resources must plan adequately and in advance to protect their interests. Your committee believes that this legislation would provide the added inducement to mount a concerted planning effort in most of the States.[59]

In short, there is no place to hide from comprehensive planning. Even state fish and game agencies will find it safer to join in the planning process than to try to lick it or ignore it.

CONCLUSION

Adoption of federal and state urban growth policies does little by itself to make streets cleaner, provide more shelter, enhance the quality of urban life, or even coordinate the actions of federal, state, and local governments toward these objectives. But it is a step toward the achievement of such goals.

This survey of legislative developments in 1970 indicates that significant action has taken place—action that collectively constitutes the beginning of a reasonably consistent and coherent urban growth policy. The evidence accumulates that the federal government and a significant number of states are coming to grips with the responsibility to find effective ways of guiding and directing the inevitable growth and development that will occur during the next years.

Before the first month of 1971 was over, there were indications that major new proposals were to be made to the Congress for a "national land use policy" that would give the states broad powers to control the use of and to conserve land within their borders. Successful planners would be rewarded financially; laggards would be penalized. Comprehensive planning assistance ("701") would be expanded and focused on support of general governments: state, county, and municipal. Housing production is up; the poverty universe is shrinking. There is movement toward an income strategy for low-income families. Grant consolidation is around the corner. The cumulative effects of the trends identified in this Journal's legislative reviews of the past three years appear to be summarized in a movement toward an operational framework of national development policy, even though coordination of programs within the framework is still loose and indirect.

(NOTE.—Susan Harding of the Congressional Research Service assisted in the collection and organization of the statutes. The views presented here are solely those of the author and do not necessarily reflect the position of the Library of Congress.)

FOOTNOTES

[1] P.L. 91–609
[2] P.L. 91–605
[3] P.L. 91–453
[4] Maryland, Ch. 526, 1970
[5] Pennsylvania, Act 120 of 1970
[6] Rhode Island, Ch. 111, 1970
[7] Delaware, Ch. 514, Vol. 57, 1970
[8] Maryland Ch. 526, 1970
[9] Pennsylvania Act No. 262, 1970
[10] Kentucky, H. 414, 1970
[11] P.L. 91–518
[12] P.L. 91–258
[13] P.L. 91–296
[14] New Jersey, Ch. 60 (Senate No 291), 1970
[15] P.L. 91–431
[16] P.L. 91–512
[17] P.L. 91–644
[18] P.L. 91–304
[19] P.L. 91–524
[20] P.L. 91–559
[21] P.L. 91–343
[22] P.L. 91–373
[23] P.L. 91–446
[24] P.L. 91–213
[25] P.L. 91–572
[26] New York, Ch. 493, 1970
[27] California, Ch. 917, A. 1248, 1970
[28] New Jersey, Ch. 210 (Assembly No. 1204), 1970
[29] California, Ch. 1317, A. 1189, 1970
[30] California, Ch. 1280, A. 2033, 1970
[31] P.L. 91–646
[32] Georgia, S. Res. 248, H. Res. 560, 1970
[33] Ohio, Vol. 133—Section 386, 1970
[34] New York, Ch. 612, 1970.
[35] Colorado, Ch. 65 (House Bill No. 1055), 1970.
[36] California, Ch. 714, A 1571, 1970.
[37] Georgia, Ch. 885, H. 1147, 1970.
[38] Vermont, Public Act No. 291 (H. 433), 1970.
[39] Delaware, H. Con. Res. 43, 1970.
[40] California, Ch. 969, S. 777, 1970.
[41] Rhode Island, Ch. 276 of the Public Laws of 1970.
[42] Arizona, Ch. 43–5.8, 1970.
[43] Kentucky, H. 320, 1970.
[44] "To Improve Administration of the Government—Message from the President of the United States." House Document No. 91–275, *Congressional Record*, vol. 116, pt. 6, p. 7183.
[45] P.L. 91–510.
[46] Council of State Governments, *State Executive Reorganization 1967–69*, October, 1969, 39 pp.
[47] Ohio, Vol. 33—Section 539, 1970.
[48] Illinois, Public Act 76—2588 (Senate Bill 1476), 1970.
[49] Maine, Chapter 571 (H.P. 1458—L.D. 1834), 1970.
[50] P.L. 91–648.
[51] "Reorganization Plan No. 3 of 1970—Message from the President of the United States." House Document No. 91–366, *Congressional Record*, vol. 116, pt. 17, pp. 23529–23532.
[52] New York, Ch. 140, 1970.
[53] Vermont, Public Act No. 250 (H. 417), 1970.
[54] California, Ch. 717, A. 1566.
[55] P.L. 91–604.
[56] P.L. 91–224.
[57] Vermont, Public Act No. 252 (S. 165), 1970.
[58] P.L. 91–503.
[59] U.S. Congress, House, Committee on Merchant Marine and Fisheries, 91st Congress, 2nd Session. *Report No. 91–1272*. July 1, 1970, p. 8.

ENVIRONMENTAL EDUCATION

Mr. WILLIAMS. Mr. President, back in August 1970 President Nixon went on record to plead the case of "environmental literacy."

President Nixon said:

The basic causes of our environmental troubles are complex and deeply imbedded.

He went on to say:

We must seek nothing less than a basic reform in the way society looks at problems and makes decisions. Our educational system has a key role in bringing about this reform. It is also vital that our entire society develop a new understanding and a new awareness of man's relation to his environment—what might be called "enivornmental literacy." This will require the development and teaching of environmental concepts at every point in the educational process.

To this end, the President indicated that he wanted not new education bills, but educational reform.

His was a commendable statement and an innovative approach to educational reform and to the environmental issue, an approach which many of us in the Congress hailed as a basic step toward establishing new priorities for our country and a philosophy which indicated a strong commitment to educational reform. Unfortunately, that commitment now appears to have been only to words, not to action.

The Congress believed those words, however, and conceived the Environmental Education Act of 1970. On August 3, 1970, the House passed the bill by a vote of 228 to 28; the Senate passed a similar bill by a vote of 68 to 0 on September 21. Considerable opposition was waged against the act by the administration during its consideration by the Congress. Despite pressure to veto the act, President Nixon signed it into law October 30, 1970, and the Congress subsequently appropriated $2 million for fiscal 1971.

Mr. President, this act authorized Federal funds for the development of curriculums and dissemination of information about the curriculums relating to the preservation of environmental quality and ecological balance, for the support of elementary and secondary educational programs relating to the environment, for community education programs, and for preservice and in-service training of educational personnel. It additionally provided funds for technical assistance and for small grants to nonprofit organizations for workshops, seminars, and symposiums in environmental problems, and for groups working in the environmental field.

However, this act was intended to do and be more than a provider of funds. The act created an office of environmental education which was to be a coordinator of all activities of the Office of Education related to environmental education. In this way, the act was to redirect and coordinate existing educational resources with an aim of providing effective communication between agencies, and effective translation of new approaches in education to students, school systems and the community at large. The act also provided for the input and feedback of prominent educators, scientists, and concerned citizens and students by

setting up an advisory council to consult with the Commissioner.

Both these provisions were intended to make steps in the direction of educational reform, to increase the cross-communication of new techniques and new ideas and to effectively transport these ideas across agencies and across governmental levels. Furthermore, we had intended the Environmental Education Act to be a beginning of our commitment to new priorities—a symbolic step, at least, toward the goal of improving the quality of life that we enjoy in this country.

Both the form and the content of the Environmental Education Act were aimed at this change in priorities. The educational programs were to be interdisciplinary and comprehensive, available to all age levels; the act was to coordinate all related activities within the Office of Education; but most important, this act made education not so many courses to be taken, but part of living, working and playing. It created an educational process that embraced the interrelationships between living things, and made it very clear we understood that wasting and misusing the environment was not free—that the costs would have to be paid at a later time, but would still have to be paid.

What is interesting about this program is the history it has made. The administration has been on record in favor of the concept of this act and its approach to educational and bureaucratic reform since August of 1970. Most recently, an impressive statement by Commissioner Marland in American Education underlined all of the points made above: That the act could begin the reform of the educational system and its bureaucracy, and start in motion a new way of looking at education and at the process of living.

But the difference between the public statements and the actions of the administration has been remarkable, to say the least. At a time when the administration could make such a dramatic advance in reform and begin the planning for new priorities, it seems instead that they have chosen to drop the program in the midst of the vast bureaucracy of the Office of Education and let it fight its own way to the top. It is hard to understand how the administration plans to keep the faith of the people of this country, given their actions in relation to this act.

Let us look at the record.

President Nixon's August 1970 statement supported this form of program strongly, but:

During congressional action, the administration and the Office of Education lobbied strongly against it. Additionally, great pressure was waged to have the President veto the bill.

The "Office" was to coordinate all activities of the Office of Education which related to environmental education, but:

Although the act was signed in late October and money appropriated in December, the Office has not been set up to date, and only recently has it been reported that they have found a director.

The Director to be hired to administer the program has been brought in at a GS–15, when the act authorizes up to a GS–17, and this Director is to be brought from the USIA.

Additionally, the Congress authorized $5 million for fiscal 1971, and $15 million for fiscal 1972. The administration's budget request for fiscal 1971 was $2 million, and for fiscal 1972 was $2.014 million. Secretary Richardson has argued that additional new moneys are not needed because unbudgeted funds from within the Office of Education will be redirected to environmental education. At this point, only a small proportion of these moneys have been committed.

Finally, on April 16, 1971, regulations for implementation of the Environmental Education Act appeared in the Federal Register. Applications will be received until May 26. According to the Office of Priority Management, about $1,750,000 will be spent on 40 to 50 grants for community education programs.

However, over 300 unsolicited proposals were received, totaling over $50 million before the regulations were published The Office has received about 3,500 requests for guidelines to date, and program officials anticipate more than 1,200 proposals by the close of the application period.

The administration is promising to shake loose more funds to take care of the 1,100-odd unfunded requests, but at this point only a small proportion of these funds have materialized.

Mr. President, I fully appreciate the administration's attempt at economy. I do not believe in reckless spending, nor would I advocate more money for this act if I did not believe it was needed. But the administration repeatedly has called the educational process supported by this act, "The Education That Cannot Wait." I simply ask that the administration remains relatively loyal to its public statements.

I am today writing to Secretary Richardson to ask him to clarify these points for me, and to urge him to take action which will more faithfully uphold the congressional intent of this act. It would be very easy to let the Environmental Education Act be lost within the Office of Education. What is needed is the force of the Secretary and the Commissioner to encourage the reluctant hierarchies within the Office of Education to cooperate with this new offspring. I ask Mr. Richardson and Mr. Marland to fulfill their commitments and provide the requisite leadership in this new direction for the 1970's.

WEAKENING OF U.S. POLICY ON TRADE WITH RED CHINA

Mr. THURMOND. Mr. President, some people are optimistic that a weakening of U.S. policy on trade with the Communists in Red China will lead to a so-called "normalization" of relations between the major powers. Others feel that Red China offers an untapped market which will earn big profits for American traders.

Both of these goals are illusions.

Some Americans entertained illusions about the Chinese Communists in the years preceding the fall of China in 1949. They were lulled to sleep by glowing propaganda reports in the American press, little realizing that much of this propaganda was manufactured by a covert ring of Maoists sympathizers and Communist agents. The facts about this conspiracy have been fully documented in the massive study of the so-called Amerasia Papers, published just last year by the Senate Internal Security Subcommittee.

Now once again we find a massive propaganda effort on behalf of the Chinese Communists, coordinated with continuing efforts originating in the U.S. State Department to weaken our stand on behalf of the Chinese people. Amazingly enough, this propaganda campaign features prominently many of the same names who participated in the fall of China 24 years ago. Is it any wonder that such individuals are now received by Mao Tse-tung and Chou En-Lai, and that they write glowing accounts of the "progress" of the Communist dictatorship?

As soon as the euphoria wears off, the American people will find once more that we are dealing with the same brutal gang of cutthroats and murderers in Peking. The only difference will be that the leadership position of the United States will be drastically undermined, and the free peoples of the world will be dispirited and demoralized.

When the illusions have been destroyed, the American people will remember the leaders who permitted our solid policies to be weakened. They will ask why a firm stand was not taken against the dismantling of our interests. The verdict of history may be harsh.

The issue of trade is a false issue, designed to cover up the far more portentous political decisions involved. Lesser nations can trade with Red China without upsetting the world balance of power. But in the last analysis, it is the political posture of the United States that counts. The United States cannot trade without decisively boosting the prestige and influence of a Communist dictatorship.

Advocates of trade seem to believe that small relationships with the Chinese Communist regime will eventually grow into more permanent and stable relationships. But the real question is whether it is in the U.S. interest to maintain a sustained relationship with a totalitarian regime which seeks to destroy our influence and leadership. There is nothing healthy or normal about such a relationship. We have before us the example of our relationship with the Soviet Union. Our recognition of the Soviet Union has brought us a partnership filled with grief and trouble.

Because we began to think of the Soviet Union as an ally and friend, we joined with her in an unholy alliance in World War II. We acquiesced in the imposition of Communist Governments on half of Europe, and in the outright division of several nations. Our blindness to communism led to the covert support of the Chinese Communists by sympathetic elements in the State Department. Today we are being told by some that the way to handle the Soviet Union is to cultivate a relationship with the Communist Chinese.

But there is little to be gained.

Great Britain normalized relations, and the British Ambassador was unceremoniously kicked out of Peking.

France normalized relations, and the Maoists helped engineer the riots which led to the downfall of President Charles de Gaulle.

Canada normalized relations, and Peking sent as its Ambassador a man who is an open supporter of the Quebec Liberation Front.

If the United States normalizes relations, it will be a slap in the face to millions of Chinese people under subjugation.

Our diplomatic relations with the Soviet Union have not prevented the Soviets from building up the largest strategic nuclear striking force known to man. Our diplomacy has not succeeded in getting the Soviet Union to draw back from one single country in the Communist bloc of socialist nations. Nor has the Soviet Union dropped its aggressive plans to dominate the world.

We see therefore that the road which leads to diplomatic relations is a perilous road strewn with misunderstandings and with false hopes. Communism, no matter in what form, does not look upon the free nation states as legitimate institutions. They regard the Communist Party as the true representatives of the masses. As far as they are concerned, when they recognize a Western nation or vice versa, they are merely playing the game according to Western rules, not their rules.

Thus we have seen no let-up in Peking's stream of abuse against the U.S. Government. Chou En-Lai has recently said that his alleged friendship is for the American people, not for the government which guarantees our freedom. Recognition in the Communist lexicon is a mere technicality without any real meaning in the long-run Communist plan.

Nor is there much hope for short-term financial profit from the weakening of trade restrictions.

It seems natural that in the aftermath of the so-called ping-pong diplomacy, American businessmen should evince an avid interest in prospects of trade with the Chinese mainland. Where there is profit to be made, a potential market of 3.8 million square miles and 750 million buyers is certainly one of considerable attraction. Their interest has been further enhanced by President Nixon's recent overtures to Peking, the most important being the lifting of the 20-year-old embargo on U.S. trade with Communist China.

In this context, it may be asked, putting aside all political implications, what chances can American businessmen have in making quick and sizable profit from trading with Mao's land? It may be easier to answer this question because trade is less volatile and unpredictable than politics. Nonetheless, international trade is based on cold facts and figures and in this case, there can be no exception.

Up to now, available facts and figures do not seem to paint an encouraging picture of Sino-U.S. trade. The crucial question is, as the New York Times pointed out April 18, what will the Chinese use for money?

> Although potentially a tremendous market of 700 to 800 million people, China's needs far outweigh its means.

Said Brendan Jones in his article in the Times.

According to him—

> A gross national product of some $80 billion and per capital income of $125 (both estimates) put the vast Asian land near the bottom of any list of economic indexes for underdeveloped countries.

The question, therefore, is: How can China finance any great increase of imports until it can begin to earn enough foreign exchange by increasing its own export?

Let us now look at what mainland China's import needs are and what it can export in trading with the United States. China's greatest needs, of course, are foodgrains, despite its claim of 9 consecutive years of bumper harvests. Other goods imported in recent years were: fertilizer, rubber, cotton, iron, and steel products, and machine tools, in that order.

Mainland China's exports to the non-Communist world in 1969 consisted largely of textiles, shoes, meats, fish, rice, soybeans, fruit and vegetables, silk and wools, according to an article by Richard Lawrence in the Journal of Commerce of April 15.

The established pattern of Communist China's foreign trade shows that it imports mainly chemicals, metals and machinery, and exports largely agricultural products in return. It becomes apparent that although American traders have a large variety of goods to sell to the Chinese, what they can buy from mainland China is limited to Chinese apparels and shoes. That is, if they could resell these items to American consumers, and Chinese canned food, soybeans, and vegetables, if indeed such foods are palatable for American consumers.

Let us turn to the more basic question of what will the Chinese use for money to buy American goods. According to Japanese estimates, Peking's foreign trade in 1970 amounted to $4.4 billion, or 1 percent of the world total. Per capita wise, that was $5.60 for each of the mainland population.

The prospects of U.S.-China trade have been examined in greater detail in China Trade Prospects and U.S. Policy, which is a symposium edited by Alexander Eckstein and published by the National Committee on United States-China Relations—Praeger Publishers, 1971. In part III of the book entitled, "Prospects for Trade Between China and the United States," and prepared by Robert F. Dernberger, it is pointed out that—

> The estimates of the supply-and-demand conditions for China's total foreign trade a decade in the future . . . would appear to indicate that potential Sino-American trade is probably very small, even under the most optimistic of assumptions.

Even during the peak years of China's foreign trade, a most optimistic assumption would be that the United States would achieve the same share of China's foreign trade in 1980 that it held in the 1920's, he said:

> This would entail a total Sino-American trade of $635 million each way, for a total of $1.27 billion in 1980.

According to Mr. Dernberger, this would be less than 0.5 percent of total U.S. foreign trade.

It should be pointed out here that this is Mr. Dernberger's "most optimistic assumption." Anticipating the lift of the U.S. trade embargo which has all but come true recently, he analyzed all possibilities and came up with other estimates. They range from a "pessimistic" estimate of $25 million each way, to a "neutral" one of $200 million each way, to an "optimistic" one of $525 million both ways. All these are potential figures for 1980.

What they failed to mention is the ironical fate of American businessmen who, in trading with Communist China, must first of all sever all ties with the Republic of China on Taiwan. With only one fiftieth of the population and one-three hundredth of the area of Communist China, Taiwan offers a much better market than the mainland. Compared with the estimated two-way trade volume of $3.873 billion for the mainland in 1969, which was based on trade returns of countries doing business with Peking, the Republic of China has in the same year chalked up a foreign trade of $2.316 billion, nearly two-thirds of the mainland record. In 1970, the two-way volume was $3.070 billion. Per capita wise, every man, woman, and child on Taiwan in 1969 generated $165.9 worth of foreign trade, as against only $5.6 by every person of Communist China. For the first quarter in 1971, Taiwan's exports showed an amazing 50-percent increase.

It may be sobering to note that even in 1970, American businessmen have already scored a trade volume with Taiwan which is twice the volume of U.S. trade with the mainland 10 years from now as projected by Mr. Dernberger. As a matter of fact, the United States imported $567 million worth of goods from Taiwan and exported $454 million worth of goods to Taiwan, thus attaining a two-way trade volume of $1.021 billion in 1970.

There is reason to believe that the future picture of our trade with Taiwan will be even rosier. In a speech on "Prospects for 1971 at a luncheon meeting of the Taipei American Chamber of Commerce on February 18, U.S. Ambassador Walter P. McConaughy predicted that Taiwan's foreign trade is likely to exceed that of mainland China in 2 or 3 years.

Reviewing the rapid economic growth in the Republic of China, Ambassador McConaughy said that in 1971, free China's exports should approach, or even surpass, the $2 billion level, resulting in a possible favorable balance of $100 million.

Besides the billion-dollar trade with free China, direct American investment has also reached an impressive total of $250 million, the Ambassador noted:

> We are amply justified in terming the vista ahead of us an inviting one.

He added:

> I believe that an objective evaluation of all the relevant factors will support a generalized statement that the outlook for security of investment, return on investment, and acceptability of operating environment and conditions is not surpassed anywhere in the Far East region.

In the light of facts and figures given above, it becomes crystal clear what choice there remains for our businessmen to make between the two Chinas. This

choice they will have to make inevitably because Peking has repeatedly stressed that trade and politics are inseparable. For those who cherish extravagant hopes of mainland trade, it may be educational to learn about the conditions imposed by Peking in its trade with Japan. It is stated firmly in the so-called "four principles" announced by Chou En-lai in April, 1970, that Communist China would not do business with any Japanese firm which either invested in or traded with the Republics of Korea and/or China, or which supported, however indirectly, the American war effort in Vietnam, or which might be considered a subsidiary of any U.S. firm.

Some of our businessmen may surmise that following its ping-pong overture, Peking would give more leeway to U.S. businessmen. But this is highly unlikely. "It's unrealistic to think China will respond now to the American overture," cautioned the April 24 issue of Business Week:

Whatever the degree of American optimism about the China trade, there are no good and clear signs that it is about to happen or, if it does, that it will amount to much.

The magazine concluded, quoting some old China hands in Hongkong as saying:

It's unrealistic of Americans to think all they have to do is tell China they are willing to trade and expect an immediate answer. The Chinese do not work that way.

In more realistic terms, the magazine also saw little cause for optimism as far as the mainland China's trade patterns are concerned. Peking seems determined to pay for its imports with export earnings, and the main factor in its decision to trade will be the amount of hard currency available. In order to trade with Peking, it may be necessary for U.S. businessmen to extend credits to the Chinese Communists, and Business Week thought this is highly unlikely.

Also—

The Chinese are more interested in selling consumer items than in buying them.

Which puts American buyers in an awkward position. The magazine quoted an American in Taipei as saying that—

If the mainland opened up tomorrow, you'd find that fabled market is illusory.

Both the Business Week and an article in the Wall Street Journal by Jonathan Kwitny on March 11 reported that the futile efforts have been made by several eager American businessmen to get invited to the Canton Trade Fair. "It may be a good thing the Americans aren't invited," Mr. Kwitny observed, because, according to Prof. Lucian Pye of the Massachusetts Institute of Technology who is incidentally a noted China expert:

Agents for British and Japanese companies are 'insulted, harangued, and kicked, but they just blink and take it.'

The treatment received by Japanese traders at the hands of the Chinese Communists may serve as an object lesson for Americans who are lured by the prospect of profit. The "Japan-China Memorandum Trade Office of Japan" is a semi-official organization which handles trade talks and signs a communique each year with its counterpart in Peking—the "China-Japan Memorandum Trade Office of China." In point of fact, their negotiation covers only a fraction—less than 10 percent—of the Peking-Tokyo trade. The volume for the current year amounts to $69 million, which is less than 0.2 percent of Japan's total import-export trade of $38.2 billion. The bulk of Japan's trade with the Chinese mainland is conducted by those concerns designated by the Chinese Communists as "friendly firms," for whom no annual agreement is needed.

It seems inconceivable that Japanese traders were willing to swallow the insults heaped on them by the Communist trade partner in order to conclude such a negligible volume of business. The "communique" signed this year is so heavily politically-oriented and so derogatory to the Japanese Government that the Japan Times characterized it in its editorial as "Annual Humiliation." And humiliation is the right word since the Japanese negotiators were obliged to sign a document stating that:

The two sides unanimously condemn the Japanese reactionaries for intensifying collusion with U.S. imperialism in reviving Japanese militarism and joining U.S. imperialism's aggression and expansion in Asia.

And that:

The Sato government has redoubled its efforts to tail after U.S. imperialism and has obstinately pursued a policy of hostility toward China.

It has also been reported by Japanese wire services that during their stay in Peking, the Japanese delegates, led by Kakeita Okazaki, had been forced each morning to attend classes to study the "thought of Mao Tse-tung." They had to wear Mao badges and to promise that they would generally behave as Maoists after their return to Japan.

Could any American traders, no matter how eager as they may be, stoop so low as to submit to all this humiliation in their pursuit of elusive and illusory profits? As Prof. Lucian Pye has commented:

You're not going to have that with American businessmen. They have much shorter fuses.

IAN MENZIES ON HEALTH CARE IN AMERICA

Mr. KENNEDY. Mr. President, the condition of health care in America stands in a curious position. Of all the nations in the world, America leads in the quality of medical technology that it has perfected. Unfortunately, this vast amount of medical knowledge and technique is available to only some of the American people, not to all of the people.

Earlier this year, the Boston Globe published a major six-part series by Mr. Ian Menzies. On the debate on national health care in the series, Mr. Menzies states in a perceptive and comprehensive way what are some of the major problems and effects of a national health program.

The first article in the health care series examines the current status of American health care. The rising cost of hospital care has created inequities in the delivery of health care to Americans. The United States is behind most European countries in the health services provided to its citizens.

The cost of various national health programs is compared in the second article. America spends more of its GNP for health than some European countries, but provides less comprehensive services to its people than these countries. A close look at the British health system details how one European country is attempting to meet the health needs of its citizens.

The third article explores the effects a national health program has on the life style of the average American family. The biggest change for the consumer would be the end of billing, paying the doctor directly by what is known as patient fee-for-services. The consumer would still have a private physician available to his family. The cost the Government, employer, and employee would pay is broken down and explained. State and local governments would be relieved of crippling health expenditures.

In the fourth article, Secretary of Health, Education, and Welfare Elliot L. Richardson and I are interviewed concerning two possible solutions to the national health crisis. It is becoming increasingly clear that the whole problem of our health system must be opened to national debate.

In the fifth article, Dr. John H. Knowles, director of the Massachusetts General Hospital and Dr. Robert H. Ebert, dean of the Harvard Medical School, discuss their views of the coming changes in American health care. More medical schools are needed not only to produce more physicians, but to help improve medical care in more communities. Experiments by physicians in group practice might prove valuable in aiding the efficiency of physicians and increasing the quality of consumer care. More efficient planning of hospitals to prevent needless duplication of hospital equipment and hospital location is needed to distribute health care in a more equitable manner.

In the last article Mr. Menzies discusses the role of the consumer in the health care program. There is a pressing need for better preventive medicine for the average American. Local community planning of health services would help distribute personnel and facilities with some degree of responsive priorities.

I believe that Mr. Menzies' articles will be of interest to all of us in the Senate concerned with the health crisis. I ask unanimous consent that they be printed in the RECORD.

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

THE COMING DEBATE: NATIONAL HEALTH SERVICE

(By Ian Menzies)

For 35 years now every effort, in and out of Congress, to make health care in this country a right, and an equal right; not just a saleable commodity, has failed.

It has been fought as "socialized medicine" and attacked as a corruptive philosophy by two of the nation's Presidents and some of the people, by the American Medical Association and some of the nation's industrial-

ists, by conservative Republicans and Southern Democrats.

But during those 35 years every other large industrial nation in the world has instituted a national health service or a program of national health insurance.

Only America now stands alone and aloof.

RANKS GROW

We have simply circled the problem like Indians around a wagon train, darting in here, then there, with programs such as Medicare and Medicaid which, though better than nothing, have been unnecessarily costly while at the same time failing in their purpose.

The cost and crisis of health care and the proliferation of inadequate and confusing programs has now reached such proportions that it is clear that we are on the eve of dramatic change.

The ranks of proponents have grown and grown, not just among the public, but in the universities, the Congress, even within the medical profession itself.

We are being forced to a showdown.

Health care will be one of the biggest domestic issues of the 1970's and most certainly will be one of the key issues of the 1972 Presidential election.

The Democratic Party plans to use health as one of the tumblers to unlock Richard Milhous Nixon from a second term, presuming no satisfactory action comes from his Administration before '72.

And the standard-bearers, emphasizing the presidential nature of the issue, will be Senators Edmund Muskie and Edward Kennedy, both of whom are committed to enactment of a national health security program.

Speaking in Portland last October, Muskie said the fact that "Americans should ever be forced to choose between good health and financial harm is absolutely intolerable."

SPARRING BEGINS

He gave this as a basic reason for co-sponsoring the Health Security Act, stating that though it may not be a perfect bill "it does focus our attention on what must be one of our highest national priorities—the availability of adequate and comprehensive health care for all Americans on fair and equitable terms."

But intriguingly of the two men, Kennedy will be the more involved on this issue. Already some are asking will this be a replay of the John F. Kennedy-Richard M. Nixon fight of 1960 when JFK used Medicare as his major domestic doorknob to the White House.

Already the sparring has begun. Senators Yarborough and Kennedy very neatly prodded the administration last September by maneuvering a hearing on Yarborough's National Health Security bill (identical to Kennedy's except for the financing aspect) before the Committee on Labor and Public Welfare which Yarborough chaired.

But there was no real attempt to do anything but embarrass the Nixon Administration and the main thrust now rests on the Kennedy-Griffiths bill, a combination of the bills filed last year by Senator Kennedy and Congresswoman Martha Griffiths, Democrat of Michigan. This new bill will have the support of the AFL–CIO.

The timing is opportune and the proponents know it. There is bipartisan support for the legislation. The Administration is working rather desperately to shape its own Family Health Insurance Plan as an alternative. But this has still to be spelled out. Meanwhile the consumer gets more and more concerned at the crippling cost of major illness, aggravated by general inflation and high unemployment.

Both Democrats and Republicans, who are cognizant of the health situation, and lay and medical experts, too, agree that something has to be done. There is considerable agreement as to the ultimate end; the disagreement is over the means.

"INFERIOR CARE"

For instance what laymen would expect a staunch Republican to admit that "Compared with other advanced industrialized nations the record of the United States in prolonging life expectancy and preventing infant mortality is not impressive."

It was Elliot Richardson, secretary of HEW, who said so, in a speech before the American College of Surgeons two months ago.

And he added, "By these two measures, both of which effectively gauge the quality and quantity of health care among population groups, it is abundantly clear that many Americans are receiving inferior care and that basic health care needs are not being met."

Richardson's statement illustrates perfectly the national concensus among experts that our present health care system is in a mess; a dangerous, critical mess which the public, who will have to evaluate and monitor this battle, should be aware of.

This is not a criticism of quality. At its best the American health care system is the finest in the world—for some. It is the delivery of the system—its inequality and economics—that's in a mess.

Some of the statistics which show the inferiority of our health care compared to other nations have been long buried from the public:

More American mothers per 100,000 live births die in childbirth than in six other countries (Sweden, Denmark, Holland, Norway, Belgium, Ireland).

There are more infant deaths per 1000 live births in the 12 other countries, including Japan, Great Britain, East Germany and France.

The life expectancy of a male child born in the US is not as high as a male child born in 17 other countires including, Bulgaria, Greece, Italy and Hungary.

And a greater percentage of American males will die between the ages of 40 and 50 than in 15 other world nations.

The differences are not fractional.

For instance if the US reduced its infant mortality rate to that of leaders Norway and Sweden, 40,000 fewer American babies would have died last year.

SHOCKING FACTS

The average male in Sweden, the country offering the highest life expectancy, lives nearly five years longer than the average American male.

Although these figures are not a conclusive indictment of our health care system and are challenged by some medical researchers, the fact that other nations have been improving their infant and maternal mortality rates faster than here has not been seriously challenged.

It comes as a shock to many Americans—brainwashed by years of epithets hurled at "socialized" medicare by the ultra-conservative AMA—to learn that this nation is no world leader in over-all health care.

Why not?

The reason is, again as stated by Elliot Richardson, HEW secretary, that "these statistics, demonstrate that while the American health enterprise is capable of remarkable achievements, the benefits of health care are very unevenly distributed among the people of this country."

Put very bluntly: More black than white babies die in this country.

But even with non-white infant mortality rates eliminated from US statistics the US would still trail well behind other Western nations because in fact poverty, not race, is the common denominator in high infant mortality rates.

Perhaps this statistic in itself is indicative of the widespread poverty in this nation though the issue is often down played by such conservative social scientists as Edward Banfield of Harvard (The Unheavenly City) who feels "our" poor do better than "their" poor.

Too often this nation, in its concern over race, forgets its large segment of white poor. Yet poverty is without color or race and the inadequacy of the delivery of health care to the poor reflects this fact.

Concern for the poor will probably not be enough in itself to bring about change any more than does concern for the poor improve housing or equalize education.

MIDDLE CLASS CAUGHT

But the vast middle class has now been caught in the deadly squeeze of high medical costs and inadequate coverage.

To them falls an even greater castrophe than that which strikes the conditioned poor. From relative affluence they, the believers in the Protestant ethic, can be wiped out by medical costs or be forced to deny themselves for years simply to pay off one catastrophic illness in a family.

They also can be slowly bled to death in the most difficult mid-years when they struggle to give their children a college education by having to pay simultaneously for expensive nursing home care for an aging parent.

Private health insurance has simply not met the needs of middle America. It has been unable to control costs, having been given no rights to do so, and because of this and other factors has been unable to provide enough comprehensive coverage for enough people at a price they can afford.

In 1968 a survey by the Department of Health, Education, and Welfare showed that of all Americans, 20.5 percent had no hospital insurance, 21.9 percent had no surgical insurance, 34.5 percent no hospital-medical expense insurance, 50 percent no X-ray laboratory test insurance, 57.5 percent no insurance for visits to the doctor, 61 percent no insurance for prescribed drugs and 97.5 percent no dental insurance.

But particularly for the middle-class that's only part of the story. Even when insurance is carried, huge bites have still to be paid out if there is a major illness.

Often when insurance is most needed, it is most inadequate.

It is the dissatisfaction of the American middle class with this nation's health systems that will bring about change and thereby improve the lot of the poor at the same time.

LONG RUN COSTS

What has caused the rise in health care costs?

Because most people, if they have insurance, have hospital insurance, their friendly doctors whisk them into a hospital to save them money. It doesn't of course; not in the long run, and its the long run we're suffering from today because medical care delivered in a hospital is the most expensive medical care to be brought—as it should be.

Approximately 16 percent of this nation's hospital beds are occupied by people who don't need hospital care. This hikes the cost for everyone, like autoists who file exaggerated damage claims and get them because its cheaper for insurance companies to pay than fight.

But rising costs are caused by other factors which could be controlled if some agency would take upon itself the responsibility.

For instance there is a frightening redundancy of high-cost hospital equipment. If hospital A gets a 45-million electron volt betatron machine to fight cancer then hospital B wants one of 50 million volts. This waste (there often aren't enough patients to keep one machine busy), is nowhere more evident than in large medical centers such as Boston.

$1.6 BILLION WASTE

Then there is the redundancy in special services within hospitals. Why do three hospitals within a mile of each other all have to do open heart surgery, all do kidney transplants, all do neurosurgery, all do costly cancer therapy?

Because of this redundancy there sometimes aren't enough patients to go around, especially in neurosurgery, which is far from ideal, as a surgeon's skill depends to a great extent on constant application of technique.

Conversely there is the question of unnecessary surgery which, if eliminated could reduce surgical operations by 25 percent (nearly 4 million operations a year) and lower hospital bed requirements accordingly, a saving of an estimated $1.6 billion a year.

Then there is the prohibitive cost of some drugs, even prescription, life-saving drugs.

There are the aggravations, too, which are inclined to reflect the poor quality of preventive care in this country—that it can be as difficult to find a physician in some parts of Boston as it is in backwater rural counties of the South.

There is the confusion. The difficulty faced by the mother of a chronically ill child who has to seek out varied medical care which often forces her to run from doctor to doctor, from hospital to hospital and sometimes from city to city.

GROUPS DISCOURAGED

There is the problem of the decline in general practice, yet little help is being given young physicians who wish to get into group practice so they can practice better medicine with less paperwork and more free time both to relax and study.

Group practice is still discouraged by restrictive legislation in 19 states. (The states are: Alabama, Georgia, Idaho, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Mexico, Pennsylvania, South Carolina, South Dakota, Tennessee, Virginia, and West Virginia.)

But how to bring about change?

Those who favor the National Health Security Act (the Kennedy-Griffiths bill) say it must be done by changing the system.

The Administration, which will offer the Federal Health Insurance Plan, says it can be done by attacking the weak spots, correcting deficiencies but without changing the basic system or offering universal care.

36 PERCENT TAB NOW

The national health advocates say only by changing the system can enough leverage be applied to halt spiraling costs, equalize and extend health care to everyone, attack the manpower shortage and correct the maldistribution of hospitals and personnel.

The Administration says that as it's already picking up 36 percent of the medical care bill, this in itself can be the lever to bring about reform.

Washington officials readily admit that this available leverage has not been used to date and agree that reform is required.

Secretary Richardson has indicated leverage will be included in the Administration's health proposals to the country which President Nixon plans to present in February.

The national health advocates say leverage will never be applied and, even if tried, won't work while control is allowed to remain basically with physicians, with dominant physician fee-for-service economics and private insurance companies.

U.S. MEDICAL COSTS SHOCK EUROPEANS

(By Ian Menzies)

LONDON.—All over Europe people ask: "Is it really true that in your country people can lose all their money, even their home, to pay for illness?"

They see and hear such stories on European television, but the concept is so alien to their thinking that their inclination is to consider it media exaggeration.

Accordingly, they look at the American health-care scene with that fascinated disbelief that hooked them in earlier years on gun-slinging Westerns and Scarface Al Capone. Hospital rooms costing more than $100 a day are just beyond their comprehension.

Financial fear of sickness is just unknown in Europe.

Europeans are well satisfied with their health systems, and their "it can't be true" attitude toward American medical care inequities is the simplest proof of this fact.

No government would ever think of getting rid of the National Health Service in Britain. If it did, the people would get rid of the government.

It is the same in other European countries, although there are are differences in financing and procedures. The connecting theme is compulsory health insurance and ownership or direction of the hospitals by the government.

The greatest variation from country to country is in the role of the family physician, his ratio of private to public practice, the way he is paid, whether he works from a private hospital or in a hospital complex and whether he has or has not hospital privileges.

Of all the European countries Great Britain, with the most highly structured health services, offers the best laboratory for evaluative US studies.

The Swedish health service lies somewhere between the looseness of the American operation and the tightness of the British system.

Many Americans forget that Britain's "free" National Health Service has now been in existence 22 years, a generation.

While opponents of such a system in this country still trot out the deprecatory "socialized medicine" label, there is an entire generation in Britain which doesn't even know what is meant or implied by the term.

To them this is the way health care is and the way it has always been. The only oddity in health care in the world to them is the American system, which has not yet accepted the challenge:

How can we best guarantee universal availability of high quality comprehensive health services to each individual as an essential natural right?

This has been the British goal ever since the government took over complete control and direction of all the principal medical-hospital services in the country in 1948.

Of course, the preparatory work which led to the National Health Service had been developing for several years in Britain, with contributions being made by both Conservative and Labor governments, as well as the British Medical Assn.

But when the moment of truth arrived the nation's physicians reversed their seemingly acceptance of a nationalized program, and the wrath descended on the man who piloted through the final legislation, Aneurin Bevan, the tough, strong-willed Minister of Health in Prime Minister Clement Atlee's post World War II Labor government.

At first there was talk of a doctor's strike, which faded after clarifying amendments to the bill had been made, but many physicians did emigrate in disgust. Costs rose as health services were expanded and more people took advantage of free health care, free drugs, free eyeglasses and dentures. And the British press, predominately conservative in ownership, attacked the system at every opportunity.

Everyone forgot for a while that the rush for free services was exactly what should have happened because people had done without and denied themselves elective health care because of cost, ignorance or lack of availability.

It took a government probe, beginning about five years after the health service began, to reveal that it wasn't abuses of the health service that was costing the country money, although there were some, but the fact that people were utilizing the fuller range of services now offered.

The British health service is, of course, not free.

The nation pays for it, approximately 72 percent from general taxation (personal and business income taxes), 12 percent from local taxation (state and property taxes), 11 percent from weekly employer-employee health contributions and 4 percent from partial payments by consumers for drugs, eyeglasses, dentures.

The weekly charge for an employed man is 46 cents, a woman 38 cents and a juvenile under 18 years 27 cents, with the employer paying 8 cents. Of course further contributions are made through the national income tax and local property taxes.

Thus the phrase "free medical care" used in the British-European sense means that the patient pays no money directly to the physician or hospital, costs already having been prepaid, directly and indirectly.

Because financing of health care in Britain comes mainly from general funds, the money for the National Health Service is competitive with other demands on the government which in the US would mean the war in Vietnam, defense, education, foreign aid, housing and other public programs.

Some see this as bad, forcing health to compete with other major programs for money; others see it as good, feeling that demands on funds for humanitarian ends might reduce pressures for spending on weapons systems and defense.

Health care in Britain is budgeted. Hospitals have to estimate their needs. Regional bodies have to estimate physician costs and costs of scores of other special services, including drugs.

These recommendations are weighed nationally, a decision made, and the money distributed through regional boards and councils.

One of the myths now being exploded in this country is that the costs of nationalized health services such as those in Britain and Sweden, are higher than our own as a measure of each country's GNP.

Britain currently is spending about 4.5 percent of her Gross National Product on all health services, Sweden 5 percent and the US more than any other nation in the world—6.7 percent of GNP.

They aren't, and more importantly the Europeans provide far more comprehensive services to far more people (total populations) than do we.

From the consumer side, how does the British system look?

In Britain every family has the right to choose its own physician (family doctor), also to change family doctors.

Every physician has the right to accept or reject a family or individual. In short there must be mutual acceptance.

The family physician provides entire care for the family both at his office and through home visits, which are the rule in Britain if a person feels unable to leave his sickbed.

The family physician writes prescriptions, and the family has them filled at almost any druggist, paying a flat 30 cents for each prescribed item, be it medicine or elastic hosiery. (Like the doctors, however, druggists have an option about participating in the plan, and a limited number chose not to.)

Exempted even from this payment are prescriptions for children under 15, people 65 or over, expectant mothers and those who hold an exemption certificate because they have a medical condition which requires continuous medication over a long period, such as epilepsy, diabetes, Addison's disease.

A physician is allowed to enroll as many as 3,500 patients in his practice, but the

average number carried by an individual GP is about 2,500.

Physicians are paid according to the number of patients enrolled but also receive special allowances for treating patients over 65, for length of service, for entering group practice and accepting less attractive areas in which to practice. Incentives are built in.

Physicians' salaries vary, but the basic income for a general practitioner in Britain is $10,000 and for a hospital consultant $15,000, to which would have to be added allowances and bonuses which could raise these averages to approximately $12,000 to $18,000.

To compare with US physicians' salaries, these figures would have to be doubled, based on the cost-of-living differences between Britain and the US, which would bring the incomes of the British doctors to about $24,000 to $36,000 a year.

Medical economics currently place the national average net income for Amreican GPs in solo practice (group practice figures would be lower) at $33,200 a year and specialists in general surgery at $42,760. So the US physician, on the average, does do better financially than his British counterpart.

No one in Britain can be referred to a hospital or specialist (emergencies excepted) unless through a general practitioner, which, unlike the US and some other European countries, means that the patient cannot choose his specialist.

This is why an estimated 4 percent of Britons still purchase private health insurance which gives them a resource to contract privately on a fee-for-service basis with a specialist.

In the same way this insurance can help pay for a private bed in a public general hospital (a few are so assigned) or in a nursing home (British nursing homes are in fact small private hospitals).

But the only real medical advantage for the patient with private insurance is that he'll get the surgeon he wants for elective surgrey. If it's major surgery, however, the surgeon will still bring the patient to a large general hospital where intensive care is available.

The small private hospitals, with limited care facilities, generally owned and operated by specialists, are used only for relatively minor operations, hernias and appendectomies or for taking a patient to recuperate. As one physician said, the main attraction is "snob appeal or a tremendous desire for privacy."

Private rooms are very limited in general hospitals, and specialists contracting privately are given no special privileges in admitting patients. A medical board within the hospital supervises private room admissions.

The health consumer pays nothing directly for these services, any more than he pays the family physician. Nor does he pay for outpatient services that may follow hospitalization.

Psychiatric and ophthalmic services are also available "free," as is dental treatment but with a charge in most instances for dentures. Preventive tests for cervical and lung cancer and diabetes are encouraged.

For older people without anyone to care for them there are homes where they are given total care and where husband and wife can live together. If there are no medical problems, they can come and go as they please, as they would were they living in a home of their own.

If they become medical geriatric problems and have no one to care for them, they are given full medical institutional care.

The emphasis in Britain with the elderly and chronically ill is to encourage them to live in their own homes or with their families as long as possible by providing supportive services—day care centers, home help and home nursing.

There is no question that Britain strives to provide the much laughed at cradle-to-grave care, but it is a delight to see it carried out with such humaneness in contrast to some of the inhuman nursing home care given the indigent in this country.

Of course, not all is perfect with the British Health Service.

Dr. John H. F. Brotherston, chief medical officer for Scotland, considered one of the brightest administrators in the National Health Service, put it very honestly:

"None of us feel complacent about the National Health Service but there are very few of us who would like in any way to wreck it.

"We'd like to see modifications here and there, but as far as we are concerned it's a sound proposition to be improved, to be worked with rather than broken down."

From the consumer viewpoint, there is little with which to find fault except the inability to choose specialists (generally a surgeon) without paying on a private basis. On analysis, the same problem arises in this country, where it is also impossible for everyone to tap a name surgeon.

Waits of six weeks to three months for elective surgery are also an annoyance, although this is not very different from the waiting period in top US medical centers.

Dr. Brotherston says this waiting period could be dramatically reduced through administrative improvements and fuller use of all hospitals.

Outpatient waiting periods in hospitals seem no longer than in this country, extending from 30 minutes to a maximum of about two hours, depending on circumstances and appointment procedures.

Waiting periods in physicians' offices drew no grave complaints from patients as shown by a national poll.

Patients within hospitals are encouraged to make suggestions which include complaints, and are issued cards to do so.

If anything, the major complaint from the mass of people is having to pay money toward the cost of eyeglasses and dentures, and there is definite opposition to proposals by the Health government to institute new charges.

From a physician-viewpoint and especially in an American frame of reference, the worst feature of the British Health Service is that the general practitioner, the family doctor, has no hospital privileges.

This has an historic background. The large voluntary hospital, which grew from those originally founded by religious orders, attracted the university trained physicians, while even up to 1900 the general practitioner in the community was not University educated.

This produced a class distinction within the medical profession, with the hospital physicians having the social standing, the prestige and the large fees and the general practitioner staying completely out of the hospital picture, but under a gentlemen's agreement referring his patients to the hospital specialists.

Family doctors in Britain still feel a little like second-class medical cousins to their more prestigious hospital conferees. This situation is blamed for both a fall-off in quality and in numbers of young doctors electing to go into general practice.

The Scottish division of the British Health Service is leading the way now in proposing new specifications for general practice, which, it is hoped, will bring the general practitioner directly into the hospital environment, as in the American model.

General practitioners complain also of "unnecessary" visits by patients. It has been suggested by some that a minor charge be made to discourage this, but health authorities say collecting the fee would cost more than the charge and it might turn away the very patient who could be helped.

One of the lessons to be learned in Britain is that it is still the more educated who use the service most, especially preventive services, such as smear tests for women. This means that a vast educational preventive medicine program is still required to encourage the poor to utilize services even when they are available free of charge.

Also slow to develop in Britain, even slower than in this country, has been group practice. Great efforts, including financial incentives, are being made to speed this method of delivering health care, which is considered less costly than solo practice while at the same time raising medical care standards for the patient.

And, despite the number of years the health service has existed, hospital distribution is often redundant, adding needless expense.

Many of the hospitals are old and operate parallel surgical services (pavilions) within the same campus hospital.

Also, hospitals continue to operate in areas for the sole reason that relatives of patients can be within commuting distance—an admirable social grace but a costly one.

New hospital construction and consolidation is badly needed as is designation of certain specialties to certain hospitals, but, as in the US the British are timorous about realigning well-established hospitals covetous of their history and specialties.

There also appears a consensus that on the whole the caliber of innovative administrative leadership within the health service has been lackluster and that there is a great need to build up a cadre of bright young administrators who will institute new approaches and experimental programs in the years ahead.

This failure has been recognized, even to the extent of bringing together the first group of specially selected young MDs and PhDs who, under Prof. Robert F. L. Logan at the London School of Hygiene, are being groomed for future top administrative positions in the health service.

Should the US attempt to duplicate the British-European plans of health care?

"No," Dr. Brotherston says. "You must find your own solution," a reaction shared by other medical administrators in Europe.

"But you've got to go the whole way, your own way," he adds. "You've got to arrive at a solution that not only serves the people but does it with control over the way resources are used and you can't do this by simply pumping in more money.

"What I find difficult to understand is how you can move forward without some kind of organization, some kind of structure.

"If you simply extend the benefits, you simply extend medicare to other groups of the population without creating anything which enables you to have priorities, or plans, or to redeploy or have any kind of leverage in the system to make better use of the many resources you already have."

Health Security Act Would End Doctors' Bills

(By Ian Menzies)

How much would the introduction of a national health insurance system change the life style of the average American family?

Would it cost them more? Could they go to the same doctor as before? Would eyeglasses really be free? How about prescription drugs? Doctor office charges? Dental care? Treatment of mental illness?

The answers are all available now—spelled out in the Kennedy-Griffiths Health Security Act, a bill named after its Senate and House Sponsors, Edward Kennedy (D-Mass.) and Martha Griffiths (D-Mich.).

The bill awaits Congress.

It has powerful support: the AFL-CIO, medical educators, academics, leaders of the

House and Senate, and the prestigious Committee of One Hundred for National Health Insurance, the original Walter Reuther group.

And the strategy of the Democratic Party is to make health one of the top domestic issues of the '70s.

The issue might well determine the presidency in 1972, one way or the other, but no matter the outcome from here on in its advocates, continually growing in number, will fight until national health insurance becomes the law of the land. For them it is a crusade.

Debate on the bill will begin within a matter of weeks. Every US citizen has both a financial and medical stake in understanding its proposals, for ultimately it will be the reaction of the public which will determine the direction health care will take in this country for years to come.

But the Nixon Administration won't remain mute on the subject.

It's currently preparing its own health care proposals, which will seek to improve and expand the nation's health care system, but without changing the organization or offering universal coverage.

The main thrust of the Administration package, to be outlined in a special presidential message in March, is the Federal health insurance program which would substitute for costly and inefficient Medicaid but embrace more people, especially the forgotten "working poor" whose health needs have been terribly neglected.

The new Federal health insurance program being worked on by AEW Secretary Elliot Richardson and staff would tie in with Moynihan's Family Assistance Plan, work-incentive basic benefit welfare program, but would be pursued separately even should the Family Assistance Plan fail to pass Congress.

Both programs, known familiarly in HEW corridors as "FIP son of FAP," are on the President's domestic top priority list.

Proposals under discussion by the Administration include extending medical indigent benefits to families of four and above earning up to $6,000, thereby embracing many more families than heretofore, just as the Family Assistance Plan would extend cash welfare benefits from the present 11 million Americans to 24 million. In both cases, the "working poor" are the needed beneficiary.

Also being considered is a catastrophic illness plan for all Americans which would reimburse families for the cost of such illnesses after they have paid the first $2000 in medical bills plus the first 60 days of hospitalization which could amount to an additional $4500 at present rates.

SAME DOCTORS, NO BILLS

HEW is also seeking ways to produce more physicians and health personnel, shorten medical education, encourage group practice and demand that private insurance offer policies covering group practice and outpatient treatment.

And other health reform legislation will be submitted—the Javits bill, the AMA's medicredit proposal and more—but the real fight will be over the Kennedy-Griffiths bill, since this proposal would change the entire structure of the delivery of health care across the nation.

What would the Kennedy-Griffiths bill do? And how would it do it?

First, it is not an imitation of the British system or any other European system, though it draws from their experience.

Unlike the British system, it does not propose to take over, own and run the nation's health services—hospitals, clinics, laboratories. It does not propose to make physicians professional civil servants.

It plans more to change the structure by changing the method of collecting and paying for health services, and by so doing, apply the accompanying leverage to bring about reform and introduce national planning for universal comprehensive health care.

The biggest difference to the consumer would be the end of billing, of paying the doctor directly, otherwise known as patient fee-for-service.

In short, a health consumer, the patient, would do exactly as he does today, go to the same doctor, the same health clinic or group practice, the same hospital and receive the same service—but he would not receive a bill.

He would be freed of the routine of form filling, negotiating and paying advances to hospitals; working out what his insurance covers and doesn't cover and paying the difference.

A young couple would be able to take their first-born home from the maternity ward without that embarrassing—no pay; no baby—stop at the hospital cashier's window.

There are a few plans which do this, most notably the Kaiser plan, but the Kaiser plan is not universal; nor is it in a position to become universal or correct the many other inequities in health delivery, including the shortage of manpower.

Under the Health Security Bill, there would be no waiting period until coverage went into effect, as is the case with private insurance—no benefits for the first 30, or 60 or 90 days.

Almost all types of physician, hospital and surgical treatment would be taken care of without the patient having to pay directly.

Even psychiatric care would be encouraged and paid for, but with a 45-day hospital limit per spell of illness.

Dental benefits would first be limited to children under 16 and would include prevention, care and treatment services but would exclude orthodontia (braces, etc.) and rehabilitation services. Each year the age limit for inclusion under dental care would go up.

Medicines given within a hospital or to outpatients of a hospital or to patients of a comprehensive group practice plan would be without charge. Drugs for chronic diseases and especially costly drug therapy also would be covered.

This alone would lower drug costs as mass purchases and distribution would be made under generic and not competitive brand names.

In most cases, therapeutic devices, including eyeglasses, would not be given out free, although such policies would be reviewed annually.

COSTS DOWN, SAVINGS UP

Veterans' hospitals and all veterans' benefits would remain, since this already is a Federalized system.

Also covered would be the services of optometrists, podiatrists, radiologists, mental day-case service, ambulance service and psychological services so long as they were associated with a hospital or comprehensive health service organization.

Every American man, woman and child would be covered for the health service costs of serious, prolonged or expensive illness or disability without a cut-off point in dollars, number of days or covered services, except skilled nursing home care (120-day maximum); psychiatric (45-day hospitalization maximum per illness) and dental benefits.

And the big question. Is this all free?

No, it's not free, except for those unable to pay (today's Medicaid recipients) or the elderly (today's recipients of Medicare).

Well, if it's not free, how do costs compare with present charges for the average family?

For the average wage earner who today holds some private health insurance or Blue Cross-Blue Shield and with little sickness in his family in any given year, the costs of national health insurance would be a little less than today.

For the same average wage earner who has considerabel sickness in his family there would be large savings; for the family struck with major illness there would be tremendous savings.

How would he pay for coverage?

In the same way he now pays for Social Secruity—by having a certain amount deducted from his paycheck each week.

The employee, as proposed in the bill, would have one percent of his weekly earnings deducted at source up to a maximum of $15,000 of annual earnings.

This means that a man earning $10,000 a year would have $100 deducted annually from his pay check for health care coverage, about $2 a week; a man earning $15,000 would pay $150 a year or $3 a week. This would be the maximum charged any individual directly.

Self-employed persons would pay at a rate of 2.5 percent of earnings up to $15,000 and employers 3.5 percent for each employee.

The cost to an employee from his pay check might be even less than one percent of earnings, since many employers presently pick up all or part of the tab for health insurance under employee group package plans.

And under the Kennedy-Griffiths bill, these arrangements would still apply. Agreements between unions and management would remain in effect under the bill.

All percentages and estimated revenues as contained in the bill have been worked out for fiscal 1974, the earliest point at which the plan would become effective even if the bill were passed this year and allows for increased costs based on the past five years.

It is estimated that charges to individuals (1 percent), employers (3.5 percent), self-employed (2.5 percent) would raise 50 percent of the money needed to operate personal health services in 1974.

The remaining 50 percent would come from general revenues.

In all, $57 billion would be set aside under the bill to pay for the nation's personal health services in fiscal year 1974. Currently the nation is spending $58 billion for such care, but this does include expenditures not covered under Kennedy-Griffiths such as adult dentistry.

STATES SHARE SAVINGS

The nation's total health bill—for everything—is currently running about $67 billion, but this includes hospital construction and other non-service health items which would be dealt with outside the Kennedy-Griffiths bill, designed to cover personal health services.

The $57 billion would be raised as follows:—50 percent from general revenues; 36 percent from employers; 12 percent from individuals (employees and non-employed) and two percent from the self-employed.

Obviously, weekly deductions or contributions would not be the only payments towards health care. Individuals would also be contributing through the Federal income tax.

The role of the voter would become more important under this system. He might insist Congress take health funds off the top of the cake and cut other expenditures, rather than raise new money.

The program would relieve state and local governments of over $2.5 billion in crippling annual health expenditures—so it could be considered a health revenue-sharing scheme.

As pointed out by Dr. Rashi Fein, nationally-known expert on medical economics, it also should be remembered that the estimated $57 billion for 1974 would not be new money but rather "transfer" money. In short, we're raising and spending this money now; we'd simply be changing the system of collection and disbursement.

Under the Kennedy-Griffiths bill, this $57 billion would go into one big pot—the Health Security Trust Fund pot—and would be

dispensed around the country based on prior calculations as to what has to be spent on the nation's health care.

It would be from this fund, distributed at a regional level, that physicians and hospitals would receive their payments. There would be no patient billing.

A physician could elect to receive his money in any of three ways: (a) as a salary; (b) for the number of patients he treated annually, called the "capitation" of per head method, and (c) fee-for-service with the government contracting and paying for the service or any mixture of all three.

A physician also could elect to stay completely out of the health service, in which case he would have to contract with patients privately. Some patients also might prefer not to use the "free" system and maintain private insurance to cover physician-hospital costs, or they might use part of the system, since they'd be paying anyway, for doctor's office visits while contracting privately for a surgeon.

There is no question that under the bill, doctors would be encouraged not only to join the system, but to enter comprehensive practice. Through this method, costs could be kept in check, preventive care promoted, quality improved and more patients accommodated per physician hour.

And with very few exceptions, comprehensive group practice is the way the physician of tomorrow wishes to work, and the only way to lift general practice out of its relative isolation and inferior position within the medical profession.

Bright young physicians, for all of these reasons, no longer wish to go into general practice. But they would go into comprehensive group practice, thereby once more giving the consumer an available personal physician within his community.

EFFICIENCY INCREASED

There would be times, of course, under group practice when a patient could not see his own physician (it could be his day off, doctors are entitled to them; his vacation, or he could be attending refresher courses), but this would undoubtedly be better than not getting hold of a physician at all for many hours, which happens now.

Further, this same patient would be seeing one of the doctors in the group practice who would have that patient's medical history immediately available.

And lastly, the high mobility rate of the average American family, more visible in the West than the East, would be served better moving from group practice to group practice, rather than finding solo physicians in each new location.

All doctors joining the National Health Insurance system would be paid the same amount of money they earned the year prior to institution of the service, plus cost-of-living increases.

For those in group practice or those who would enter group practice this guarantee would last for five years, another level to encourage group practice. Doctors would also be protected against spiraling malpractice suits.

Hospitals would be put on budgets based on their expenditures and income the previous year, plus allowance for rising costs.

Efforts would be made to reduce redundancy of services by adjacent hospitals which would lead to reductions in costs, while at the same time encouraging greater development of approved specialties and expansion through new funding.

The chief cost-saving trick of national health insurance, however, would be to reduce the use of hospital beds and this would be achieved through comprehensive group practice which could provide far more outpatient care.

In addition, group practice physicians would receive incentive bonuses for reducing unnecessary referrals to hospitals where unnecessary bed occupancy has been placed at a costly 16 percent nationally.

It also could be expected to discourage unnecessary hospital surgery already placed nationally at 25 percent of all surgery, or one out of every four operations.

The legitimate concern of physicians, hospital directors and medical staff is with the quality of the people who would dispense policies and monies, and rightly so.

As outlined in the Kennedy-Griffiths bill, health policies and regulations would be set nationally by a five-member, full-time Health Security Board, appointed by the President and serving under the Secretary of Health, Education and Welfare.

Members would serve five-year overlapping terms, and no more than three members could belong to one political party.

GRASS-ROOTS CONTROL

An executive director would be appointed by the Board from outside its membership to administrate the system.

There also would be an Advisory Council to the Board with consumer representatives constituting a majority of its membership.

The Health Security Board would control the expenditures from the Health Security Trust Fund—the financial pot—and they would administer the Resources Development Fund, which would receive a certain amount of money from income to institute new services and new experiments.

In addition to the national and 10 HEW regional offices which would make payments, there would be about 100 local health service area offices designed to reflect the grass-roots medical priorities desired by communities.

Every effort would be made to decentralize and give the layman an opportunity to say how he would like to see the delivery of health care, a courtesy denied him to date.

And there is considerable evidence to show now that the cry for "community control" is less emotional, that it is hard to decentralize effectively, until and unless there is first effective centralization.

This may be a lesson the US has still to learn from Europe: effective decentralization begins with effective centralization.

TOUGH QUESTIONS NEED ANSWERING

Two men will play prominent but differing roles in this nation's health care crisis in the months ahead.

Both are agreed that the present system has critical faults.

Both are agreed on some of the solutions.

But they differ considerably on how the problems should be met and the solutions applied.

Sen. Edward M. Kennedy is proposing in his health security bill a national comprehensive health care system, prepaid by individual contributions, by income tax and general revenues.

Secretary of Health, Education and Welfare Elliot L. Richardson is proposing a much more expanded government health program, wrapped around a formulating Federal Health Insurance Plan, but without the basic changes in structure recommended in the Kennedy bill.

In separate question and answer sessions with Globe staff writer Ian Menzies, both Sen. Kennedy and Secretary Richardson discuss the question of the nation's health care needs and how such needs should be met, one of the major domestic issues between now and the presidential elections in 1972.

Kennedy was interviewed first. The questions and his answers follow:

Q—Do you feel most people in this country now favor a form of national health insurance, meaning a system which would guarantee them comprehensive health care on the same payment system as Social Security—deduction at source?

A—I'm convinced that people all across the country—rich and poor alike—are dissatisfied with the present delivery and financing of health care, feeling it completely inadequate but I'm not convinced that most people understand what comprehensive care under a national health insurance program really means, why it is necessary to reorganize the delivery of health services and reorganize the financing, and how national health insurance would help resolve the critical health manpower shortage.

"DEBATE NECESSARY"

What is really needed is a national debate on the various components of a health insurance program and we intend to commence such a debate early in this session and hopefully make it one of the major issues of the 1972 campaign.

Q—Why is it that although both the opponents and proponents of national health insurance agree that there are great inequalities and inadequacies in the present health care system, they can't get together on a bill which would reform the system?

A—The fundamental difference between the Administration and those who favor national health insurance is that the Administration believes that you can patch up existing programs whereas the national health insurance advocates, of which I am one, believe you have to make fundamental changes in order to eliminate the inefficiencies, inequities and waste which are built into the present.

Q—Is there a difference in philosophy between Democrats and Republicans toward a national health insurance program or has this battle, first fought over Social Security, diminished over the years?

A—The entire country sees the need for dramatic changes at local, state and Federal levels to meet health care needs, but I feel the Administration continues to rely on private insurance mechanisms to handle the problem and private insurance is not equipped to meet this need.

Q—The Administration, in acknowledging deficiencies in the delivery of health care across the nation, stresses that services to the poor will be improved under plans now being formulated. Do you feel only the poor are being hurt by the present system?

A—There isn't a family in the lower middle-income, middle-income or even higher middle-income groups that can afford the costs of catastrophic long-term illness today. Both the indigent and middle American are suffering from the present system. Long-term illness now wipes out the savings of a family in weeks instead of years.

Q—Older Americans have been helped somewhat in their health care needs by Medicare (sponsored by John F. Kennedy) but still suffer the lack of a really comprehensive program which even your new health security bill doesn't offer. Is there need for a separate Older America Act?

A—The senior citizens have been the forgotten citizens of our country in terms of health, income maintenance, housing, employment opportunities, and we have to adjust any health security program to ensure that their health needs are going to be adequately and fully looked after, and if you had asked me the area of principle weakness in our Health Security Act, it would be the need to buttress and strengthen those areas which deal with the health of our senior citizens.

"MAXIMIZE INCENTIVES"

Q—Administration spokesmen in opposing proposals for national health insurance are stating that they don't want to change the nation's health system by "fiat." What is wrong in ordering change?

A—There are now restrictions in 20 states which prohibit the practice of group medi-

cine. We have to strike down these restrictions. I'm hopeful that the kinds of mechanisms we're introducing will maximize incentives and efficiencies to bring about change.

Q—Administrators in Britain's national health service feel that health costs in this country will never be checked until hospitals are put on budgets, physicians are deployed to meet needs, group practice is encouraged and ambulatory services emphasized. Do you agree with them?

A—Yes, I do.

Q—A lot of word games have been played by both sides in estimating the cost of running a national health service and it is hard to determine even the near truth. Would there be any value in setting up a presidential commission to study the entire area of financing a national health service?

A—I have real hesitancy in doing this, having been a sponsor of the Scranton Commission, the Eisenhower Commission on Violence and the Kerner Commission, three really distinguished commissions which came up with pertinent, significant and relevant social opinions. I think the facts are in on the need for a national health insurance program which was studied by the prestigious Committee of One Hundred (the Reuther committee) composed of outstanding health experts and health economists. I think what is needed now is to educate the American people on the facts of national health insurance.

Q—How will the public receive this education?

A—Through the media and through the Congress.

Q—Have you mapped out any congressional strategy?

A—I would expect the health subcommittee of the Labor Committee to hold extensive hearings on the Health Security Act early this year.

Q—What are the biggest hang-ups between the Administration and the Health Security Act proponents?

A—The influence of insurance companies and the drug industry in the medical profession is well understood. I'm still sufficiently hopeful that we'll be able to make some progress with both groups as to the value and pertinence of the health security approach.

Q—Do you expect any compromise can be worked out?

A—In order to increase health manpower you're going to have to reorganize and restructure the system. I'd be quite prepared to alter and change legislation but I wouldn't be prepared to change the fundamental thrust and approaches which I feel are basic.

Q—Can we have a national health insurance program under a Republican Administration or do we have to wait for a Democratic Administration?

A—I've been impressed by the willingness of many younger and more progressive Republicans to address themselves to this issue. Sen. Cooper, one of the deans of the Republican Party and of the Senate, and Sen. Saxby of Ohio sponsored this legislation with me.

"BLIND OPPOSITION"

Q—Do you feel that with some Republican support there is hope for this bill in the next two years or will it be debated over the next two years and brought to a vote in '73?

A—Hopefully we'll get Senate action in the next two years. Those who've been in the Senate longer and understand the power of some of the opposition have indicated to me that we'd be extremely fortunate and lucky to have it pass before 1972.

Q—What about the Administration's health counter package now being developed for a presidential message in mid to late February?

A—It's interesting that the opponents, rather than taking a position of blind opposition, at least are prepared to come up with alternatives and encourage hearings.

Q—Is it possible that health care may just become a political football in the Democratic drive for the White House in '72?

A—It may well become one of the political issues.

The questions and answers of the Richardson interview follow:

Q—Do you feel the nation can improve the delivery of its health care system without changing the basic structure of the system? And if so, how?

A—It can't be done without substantial changes in the structure. The question is really how far reaching these changes have to be. For instance, I don't think it can be done without the introduction on a broad scale of comprehensive prepayment as a means of forcing into a single focus all the costs associated with the whole range of services from prevention and health maintenance through acute care to convalescent care. And until and unless this means of financing is achieved there is inevitably going to be more waste and inefficiency in the deployment of resources than we can afford. So to that extent at least, I think structural change is necessary.

But I think the case is by no means clear at this stage that it is necessary to go beyond the measures required to assure efficiency in the deployment of resources by the kind of means I've mentioned and to assure their accessibility, by creating a total national system.

Q—The Family Health Insurance Plan would substitute for Medicaid and on a broader, more equitable and hopefully less costly basis. But how would it correct the maldistribution of physicians, lack of group practice, overuse of hospital beds, redundancy in the location of hospitals and the redundancy of adjacent hospitals specializing in the same high-level procedures such as open-heart surgery, neurosurgery, cancer therapy, all of which add to cost?

A—The short answer is that the Family Health Insurance Plan by itself would not overcome any of those problems. So the question then is to what extent can the Family Health Insurance Plan, as a financing device, be used to exert leverage for these purposes. How do you build into the eligibility for FHIP coverage or reimbursement some leverage, and what other things can you do concurrently besides FHIP that will move in these directions? It is essentially this set of questions that we are focusing on most sharply right now.

Q—It seems to have been impossible to change these conditions under our present system, yet the government already pays 36 percent of national health costs which should give them leverage but they have failed to use such leverage. Do you feel HEW will exert leverage within the present structure?

A—Number one, we intend to try and I believe we can. At any rate the result will prove determinative as to whether it is necessary to go beyond the set of measures that we will be proposing in February.

PAYROLL DEDUCTIONS

Q—Advocates for national health insurance, who are represented by the Kennedy-Griffiths health security bill, want to raise all the monies for a comprehensive national health system through the same means as Social Security—a salary employee-employer tax at source and for the self-employed through income tax. Why does the Administration oppose this method which has become the rule in most Western nations?

A—The Administration doesn't oppose the utilization of a payroll tax in principle for the financing of health care costs. We accept and support its use for Medicare and we have under consideration its use for catastrophic health costs. Our objection to utilizing it as the primary means for the financing of health care costs is that we don't think the case has been made for the displacement of existing financial arrangements, including those made through collective bargaining. And we believe that the kinds of identifiable disparities and deficiencies in the existing system that do require action, many of which you've listed above, can be done by more sharply focused means than through this massive device which, except to the extent that it does focus on these identifiable problems, has the effect primarily of substituting for existing mechanisms.

Q—In other words leverage could be used without recourse to the old adage "he who pays the piper calls the tune."

A—No, I wouldn't quite put it that way. I would say that with the Federal government paying as much as a third of the nation's health bill now, and if we had a Federal Health Insurance Plan (extended Medicaid), and particularly if we incorporated catastrophic illness benefits, this would be enough of a proportional payment of the piper to be able to call as much of the tune as needed. And beyond this, beyond leverage through financing, we would rely on other devices.

Q—Under the Kennedy-Griffiths bill, the department of HEW, which is held in high regard throughout the nation, would have overall supervision of the nation's health services through its regional offices. Wouldn't this lead to improved care, equalization and the necessary leverage to change obvious distortions in the system?

A—Yes, it would. The thing I'm not clear about is when you say "national health services" at the beginning of the question. If you had the total plan, the total plan could be used for these purposes. The question really is how much less than the total financing plan can you get by with and still be able to exert this kind of impact.

Q—Supposing we minimize restructuring and ask instead whether it would be good to give HEW more power to bring about reform.

A—Clearly, the answer is yes, and many of the recommendations that we're working on would involve a greater degree of this kind of power.

DETAILS NEXT MONTH

Q—There seems agreement that there is very little difference between Republicans and Democrats as to what the problems are and even considerable agreement as to what the solutions might be. Do you feel hopeful that some of these problems—lack of group practice, maldistribution of physicians, overuse of hospital beds etc.—can be resolved and will an effort be made to correct these inequities in the Administration bill?

A—Yes, definitely, yes. These are the things that we are trying to resolve and are now shaping the instruments to do so.

Q—When will details of the Administration plan be available?

A—We won't be in any position to submit the whole package to Congress before the middle of February at the earliest.

Q—Will you have a Federal Health Insurance Plan (broadened substitute for Medicaid) even though Congress takes no action on the Family Assistance Program (it was planned to tie both together eventually).

A—Yes.

MORE WOMEN DOCTORS, MORE GROUP PRACTICE PREDICTED

This nation is on the eve of massive change in its health system brought about by enormous cost spirals, a severe shortage of medical manpower and blatant inequality in the delivery of health care.

What changes can we expect?

Will there be more women doctors? Will nurses finally get an even break? Will hospitals have to go on budgets? Will we produce doctors in a shorter period of time? Is the public aware that lack of control of

physicians and hospitals is raising costs while in some cases producing inferior medicine?

Two nationally recognized leaders in hospital and medical-educational-manpower fields gave their views on these major health issues to The Globe recently in specially taped interviews.

They were Dr. John H. Knowles, director of the Massachusetts General Hospital, the man first chosen by former HEW Secretary Robert H. Finch to be the nation's undersecretary of health until the American Medical Association said "No," and Dr. Robert H. Ebert, dean of the Harvard Medical School, a medical educator recognized for his understanding of the changing medical scene.

The question and answers of the interview with Dr. Knowles follow:

Q—As one of the nation's leading hospital administrators have you reservations about the national health security bill proposed by Sen. Kennedy and Rep. Griffiths which would exert budget control over hospitals?

A—Yes, although the Kennedy bill doesn't have enough details so that one can be sure how it would be implemented. But it's all very well to say that we're going to collect money and then throw a stated amount into a region and then get all the folks there to whack it up and be good fellows. Within certain limits that could be the ultimate prescription for mediocrity in that, like the traditional pork barrel, money might be allocated not necessarily on merit but on the basis of political consideration and so-called equality—You have to remember that health in this country, under direct government control, has been put at the very lowest end of priorities—look at the municipal hospitals, the veterans hospitals, the state mental hospitals and you'll see something that is undignified, paralyzed by civil service, excessively bureaucratic, unresponsive and starved of adequate funds.

CHANGE NEEDED

Now having said all that, there is no question that the present public and private financing of medical services cannot be allowed to go on and so we've got to change the system and the Kennedy bill is the first attempt, and it's a decent attempt, to bring some order out of chaos and for that we should be grateful, but the Kennedy bill won't be the final form; we'll not see anything that even smacks of national health insurance or compulsory health insurance for all Americans in a Republican Administration.

In any reform there will have to be a balance of producer and consumer interest. Consumers thus far have found, and I hate to say it, that the only way they can be heard is through legislation—city, state and Federal legislation—that's the main way they've been able to influence the system.

Q—Is the answer to holding costs to put hospitals on a budget as provided in the Health Security Act?

A—Yes, I think so. Providing that public administrators can be quickly responsive and in a position to resolve conflicts rapidly, I'll be happy to take my chances with any bureaucracy if they are responsive, and I think they can be. Central regional bodies should do some regulating, say "no" to some things a hospital wants and "yes" to others.

Q—Would budgetary control of hospitals by some regional body lead to better medicine?

A—Yes, it would indeed. I was talking to a vascular surgeon, a heart surgeon, last night and I said, "How are you doing?" He said, "It's pretty tough. I make a good living but I have to travel all over to operate, south of Boston, north of Boston, New Hampshire. I don't have the advantage of your guys with their teams and I get called all times of the night because a chest tube isn't working or something. It's tough."

I'll say its tough. He shouldn't be doing these operations. They should be done here in town where we've got the machines and where morbidity and mortality are very low. All hospitals in this city don't do open-heart surgery and they shouldn't. Three or four of us do them and do them well, and that's enough. Someone should be determining this. No one is at present.

AMA OPPOSED HIM

Pluralism and competition is fine until it works against the public interest. The major reason the AMA didn't want me down there in Washington wasn't because I was a flaming liberal, a communist, or a member of the John Birch Society. They know I know what the facts are and that I'm willing to say them.

Q—Is there a poor distribution of medical manpower throughout the country, too many physicians in hospitals, too few in the central city?

A—There is a terrible distribution of medical manpower in the nation. The weight is in the major city medical centers, in middle-class suburban rings, and almost non-existent in inner city populations (about 25 million people) and equally bad in rural and poor suburban areas (another 15 million people).

Q—Does this mean physician crowding in the hospitals?

A—Yes, and part of this is understandable because physicians don't want to get away from the massive technology and back-up of a hospital, its multiple services. They want to do good medicine. Twenty years ago in Roxbury there were 76 physicians; today there are 15. In Charlestown there were eight or 10, now there are four—of course, we have a health center there now.

Q—Could highly efficient group practice, some of it university attached such as the Harvard Community Health Service, perhaps provide an attractive alternative for young physician-surgeons who today hope to stay in hospitals?

A—The answer is yes. Absolutely. I spent a whole morning with six of our young residents in internal medicine who want to stay here and draw up a group practice plan—one they think would be even better than the Harvard plan. They want to put their plan together and they want my help to get financing. They don't want to do fee-for-service stuff.

Q—In this respect then the national health security program would be good if it helped young physicians to enter innovative group practices serving the community.

A—Sure, put positive things in the bill. That's the part I like and I like about three-quarters of the bill. The other quarter I don't, and I believe that quarter is going to take a lot of shaking down.

Q—What do you predict?

A—We're going to have that wonderful grind for which this country is famous during which you'll have miles of testimony and try to strike a compromise that will at least go part way to solving the problem, and I think it will be a big issue in 1972.

Q—Do you feel that someone, somebody of government, must exert control on the location of new hospitals so that there is a minimum redundancy of hospital location as well as specialties within the hospitals?

A—Definitely. If a hospital on the North Shore decides that it suddenly wants to go into chest surgery and the regional group knows that its unit is only used twice a week, whereas we're operating 15 times a day at MGH, then they should say "no." The region doesn't need any more chest units.

Q—Does the public understand about these weaknesses in the present system?

A—No, this has to be brought out. We have to find creative, new ways of retaining freedom while getting equality. I believe there is going to be some new politics in this country; new people will emerge.

CITES NIXON PLAN

Q—Have you any feelings about the Administration plan—Family Health Insurance—which is being developed as an answer to the present inequities and health inflation costs?

A—My understanding, as it hasn't been presented yet, is that it will take existing Medicare and Medicaid money, and contract in regions on a per head basis for health care and thereby be tighter in prudent use of money. But you are not going to see anything happen unless the AMA wants it. If Congress throws the bill to the President and if it's too much for the AMA (which is right in the White House) then the President will veto it. It would be nice if for the first time Republicans would arrogate a social issue to themselves and provide constructive solutions.

The questions and answers of the interview with Dr. Ebert follow:

Q—Are we producing enough physicians to take care of the nation's health needs?

A—Not if we continue the organization of medical care as it is at present. There is nothing to encourage doctors to practice in rural areas or the central city. However, the physician shortage would not seem too extreme if we were to use more supportive health professionals and give them more responsibility and develop group practice. But we aren't just going to solve our problems by organizing para-medical care so we will need an increase in physicians as well as a changing pattern of health care delivery.

Q—Are the figures as testified before Congress correct in your view that we are short 50,000 physicians, 20,000 dentists and 150,000 nurses?

A—Figures are pretty meaningless. If you simply add 50,000 physicians and did nothing else I don't think it would have very much impact on what happened in this country in terms of medical care.

Q—At what rate are we producing physicians today and what should it be to take care of the nation's health needs?

A—I don't think anyone can give you any absolutes but at the very least we should be producing enough physicians so that we don't have to import 20 percent of the phyicians now licensed throughout the country. So we ought to increase the number of physicians by 20 percent immediately. And because there are further medical needs to be met, I think it would be reasonable to say that we should probably double the present output of physicians by the end of this decade.

Q—What is the present annual rate of new physicians?

A—About 9000 a year.

Q—What's the answer to the shortage—more medical schools, shorter preparation or a new approach to attract young men?

MORE MEDICAL SCHOOLS

A—I would agree with the Carnegie Commission report that we probably have to have more medical schools not only to produce more physicians but because of the presence of medical schools in an area seems to have an impact on the general quality of care and it does provide an opportunity for people who want to go into medicine and are qualified. We have to remember that there are more qualified applicants for medical schools than are taken. So one must ask the social question—should you deny entry into a profession where there is clearly a job for that person? Medicine is the only area of education today which is basically restricted and where people who are qualified can't get in. I don't think that's a good social policy.

Q—What about nurses? Would more money and better working conditions help recruitment?

A—Yes, I feel this is an important point because the nurse is quite limited as to what she can earn in medicine compared to the

physician and there is a built-in inequity in working conditions, in control over the hours she works. I believe a lot of what's happened in nursing is because nurses have been put upon by the medical profession for many years. This raises the entire problem of women in medicine and if you look at the profession of medicine it's designed for the man; not for the woman. That should be changed because women could do very well in medicine and indeed one could say that some of our problems in not having better family physicians is because we've excluded so many women.

Q—Would it be easier for the part-time woman physician to operate within the area of group practice than solo practice?

A—Yes, much. Women are really greatly handicapped in solo practice. In a group, the hours can be controlled and she could operate much more effectively.

Q—Might this not encourage women to go through the long years of medical preparation?

A—Yes. She could at first limit practice to four or five hours a day if she were married and had children. Then when the children reached school age she might practice full time. But she couldn't do that in solo practice. Only in anesthesia and in psychiatry is a woman physician able to use her skills for limited periods during the day.

MORE WOMEN DOCTORS

Q—Do you support an increase in the ratio of women physicians to men?

A—Yes, and I think there will be an increase. There is a good deal of pressure being put on us and I think it's high time this occurred. It's a national resource that we should use.

Q—Even if the nation adopted a national health insurance program what would have to be done to speed increases in the number of physicians, nurses, and dentists per capita?

A—I agree with the Carnegie report that we have to do something to trim down the number of years in the educational process. I believe that undergraduate education could be cut to three years, medical education to about three years for the average student and residency training to three years which would mean that, in most instances, one could produce a doctor in nine years after high school instead of today's 12 to 13. And there is no evidence that the quality of education would suffer.

It is very significant that those who were in accelerated education programs during World War II at Harvard, on analysis, have done as well as those who were not. We will always need flexibility, especially if we're going to recruit more people from minority groups who may need remedial work because of a poor start in primary and secondary school. But there should be a speed-up and this would apply to dentists and nurses, too. Nurses to gain prestige have been extending educational courses, but I feel there should be different levels in nursing and that nursing education should be continued while nurses are working.

Q—Would the acceptance of a national health insurance program close the physician-shortage gap more quickly than staying with present methods?

A—Simply adopting a national health insurance program doesn't really do anything except pay for the care and presumably give people more money to buy care. But it doesn't guarantee that there is going to be any change in the distribution of care. National health insurance must build in incentives to provide total care for groups and not just pay bills as they come in.

Q—Would a redistribution of physicians in itself cure the alleged doctor shortage or is there an actual number shortage under any conditions?

A—Certainly a redistribution of doctors would go a long way in resolving the problem, but it is difficult to say what is the appropriate amount of doctor's services. Doctors in the suburbs are busy. They are being used all the time. The call on their services is very great. So in terms of demand there would be unmet demand if you redistributed them away from those suburbs, but it would result in a more equitable distribution. In terms of needs, the country's needs would be better met, but needs and demands are different in medicine.

GROUP PRACTICE LIKELY

Q—Is it true that under greater group practice which would be demanded under Sen. Kennedy's and Rep. Griffiths' health security bill the doctor shortage gap could be closed more rapidly?

A—I don't think group practice alone can do it. There is no evidence that a doctor in a group is more productive than a doctor in solo practice, some of whom see more than 100 patients a day. However, group practice would permit greater use of physician and nurse assistance so productivity potentially could be increased by the group more than by the solo practitioner. Group practice does ensure better maintenance of quality.

Q—Do you feel that group practice would appeal to the physician graduates of today and tomorrow more than general practice?

A—I think general practice is a misnomer because I don't think we're going to train the type of GPs who did everything as in the past. It's perfectly clear he's not going to do major surgery and there's no need for it. It's not clear if he's going to do normal obstetrics but that can be resolved. It's most likely he'll be in the major areas that dominate the care of the family—internal medicine, pediatrics and obstetrics.

These three areas would take care of probably 90 percent of the patients and they'd only have to call the specialist for the very difficult things. And unlike Great Britain, he'd take care of his patients in the hospital. (Ed. note: Great Britain is now in the process of changing to the American pattern and allowing GP's in hospitals.)

Q—Do you feel young men becoming physicians today, not just in the East, will find a national health service approach to the delivery of health care quite acceptable?

A—My general impression is that they will. As one talks to Students today they are concerned with the social implications of what they do and the care they deliver. There is a greater social responsibility for medicine than perhaps was recognized in the past.

I don't mean this as an indictment of physicians in the past but it wasn't how they looked at their role. I think there is clearly a move away by the young physician from solo practice to group practice because group practice is more rewarding in terms of keeping up and having colleagues with whom to talk. I think even the idea that ultimately the physician might in some fashion be salaried or partially salaried is much more acceptable today than it was in the past.

Q—Can we meet the desirable goals of national medical care without changing the delivery structure?

A—I think we must change the structure. In fact I think to say that we're going to do anything and not change the structure is just plain silly. If we can keep the initiative in the private sector enough so that there can be competitive plans for changing the structure, I think we can use the kind of unique genius that this country has of really trying to do it more in the private sector and not in a monolithic way by the government.

IS GOOD HEALTH FOR AMERICANS A RIGHT OR A PRIVILEGE?

(By Ian Menzies)

Never has a nation been snowed with more health care doubletalk than America.

The public has been misled, confused, compromised, lied to and lobbied out of any opportunity to understand or influence the way it should pay for and receive the benefits of what is often called life's most prized possession—good health.

And, as in so many other instances, it has taken a crisis to force things into the open: in this case one so uncontrolled that without major reform, the nation faces a complete breakdown of its medical care system within three years.

Now, finally, as medical calamity threatens, the public is going to be given an opportunity to influence the health care direction that the nation takes.

But, although the options will become clearer, it will still be enormously difficult, in the welter of claims and counter-claims, for the average man and woman to isolate basic differences between plans and make evaluative decisions.

At least six proposals to change the nation's health care system will be heard in Congress this year. To try to understand the specifics of each in an effort to make comparisons would be most difficult. The basic options however can be narrowed down to three.

The three basic options involve philosophic concepts and attitudes, including a reappraisal of what is and what is not "the American way."

Americans have to decide, for instance, whether health care should be considered a right or a purchasable commodity.

This is the first basic decision that everyone will have to make, and it is perhaps the most fundamental health issue facing the nation.

If the majority decide that the maintenance of good health is a basic right, then it means that the best health care possible must be extended to every American as needed.

It also means that such health care must be offered to every American irrespective of ability to pay, in exactly the same way as the principle of public education is available today.

Acceptance of this concept would require a major change in direction because our current health system does not make health care a universal right; does not make it available to every American irrespective of ability to pay, and makes no provision for chronic or catastrophic illness. Health care now has to be purchased like an automobile or a washing machine. If you can afford it, you can have it, for as long as you can pay for it.

Although some "free" care is available for the indigent, it is limited and not always accessible, and there are millions of average citizens who can only afford a certain amount of health care and always have to weigh how much care they can afford. Too often it is too little, too late.

So America has to decide whether health care should be as much of a national right as free speech or fair trial, even though it wasn't mentioned in the first 10 amendments.

TWO PLANS COMPLETE

Not all feel it should be, including the present Administration, many Southern Democrats and most conservative Republicans. And it is this division which causes the hang-up over the second basic question, which is:

How shall the nation pay for health care?

Here again a decision has to be made.

There are really two distinct methods with several varieties in between.

One way is for people to continue to purchase the health care they can afford. And those unable to purchase any health care would have it purchased for them by the government, which would contract with physicians or hospitals either directly or through a third party.

This is basically the situation today, and it should be borne in mind that the government already is picking up 36 percent of the nation's total health care bill.

The second way would be to have a compulsory national health insurance program to which everyone able to pay would contribute a fixed amount from wages or unearned income, plus employer contributions, in exactly the same way as Social Security is supported today.

However, the largest amount would be contributed by the government from general tax revenues, 50 percent, which is 16 percent more than the government is currently contributing to health care.

This method would in fact guarantee that every American could have as much health care as needed no matter the length or seriousness of his illness for a flat payment deductible at source.

The government would estimate the desirable goals of health care and budget accordingly just as it does for national defense.

It is really not a radical switch. It would simply be putting health on the same basis as Social Security, with similar funding.

The nation would be insuring its health with the government instead of in different ways as at present.

Both methods have weaknesses.

The current way has produced an enormous health cost spiral because neither private insurance nor nonprofit insurance, the two main contractors, have any definitive control over physician or hospital charges, or more importantly, what causes those charges.

And even more uncontrolled is what the government pays out for the care of the medically indigent under Medicaid. In each case, the charges are met without much question and without control.

A National Health Insurance program would be no more successful than the present method unless controls and incentives were built in, which they have been.

Which brings up the third major issue.

If costs are to be held in check, then controls politely called leverage, must be introduced, and to do that, physicians and hospitals can no longer be left in the economic driver's seat as they are at present.

WHO WILL FOOT THE BILL

This is the most disguised, deliberately camouflaged issue of all. Behind every move of the American Medical Assn. is the determination to defend the right of physicians to dictate the financial arrangements of the nation's health system by clinging to the fee-for-service system.

More and more physicians, especially younger ones, disagree with the AMA's position. But this august body still dominates Washington politics through one of the most effective, well-financed lobbies of any organization on Capitol Hill.

So the three basic issues boil down to: (1) Should the best possible medical care in this country be available to every citizen regardless of ability to pay? (2) Should this right be guaranteed through government assuming full responsibility for payment? (3) Should controls and incentives be introduced into the system so that the economics of national health care are not solely dictated by physicians and hospitals?

If the answer to all three is "yes" then the direction the nation will take is the Kennedy-Griffiths Health Security Act, which is a national health insurance plan to guarantee, medical care for all, but with built-in controls and incentives to hold costs.

If the answer to any one of the three is "no," then the direction the nation will take is the upcoming Administration plan which, though not finalized, will dispense with costly, uncontrolled Medicaid, and substrate a Family Health Insurance Plan which would increase the availability and accessibility of services to more people, but fall short of universal care. Also being considered is a plan to alleviate the crippling financial cost of catastrophic illness for all Americans, but only after the patient has paid the first $6000 in costs.

Also being considered under FHIP is extending medical indigent benefits to families of four and above earning up to $6000, and reimbursing families for the costs of catastrophic illness after they have paid the first $2000.

The question is, will this go far enough, fast enough, to do any good?

And what are the political realities? What is likely to happen in Congress?

There is no question that Preident Nixon wants to become identified with a positive health package, though not one that will either offend the AMA or cost too much.

It is equally evident that the Democrats, with control of both houses, are unlikely to approve any Administration proposals that are not necessary to maintain present service.

And there is no chance of compromise between the two packages because of fundamental organizational differences.

What is most likely is that this will be the year of the "Great Health Debate," with neither party willing to withdraw and with each endeavoring to embarrass the other, and with minimum legislation.

The issue will then be thrust hard into the presidential race which, though already begun, will have intensified by the fall.

BUREAUCRACY FEARS

And the outcome of the 1972 presidential election, now only 22 months away, will determine whether adoption of a universal national health insurance system will be immediate or delayed.

Meanwhile still left hanging is national restructuring to resolve the huge health manpower shortage of physicians, dentists, and nurses, the need to redeploy physicians, to plan for hospitals on a national basis, to emphasize more outpatient care, to redesign health education and introduce preventive medicine at the community level.

The Kennedy-Griffiths bill would do more for Middle America in preventive medicine. The elimination of doctor office payments would undoubtedly encourage more visits. It would also eliminate most of the high drug charges which sometimes can be more of a drain on a family than physicians' bills.

Of course, a health security program would not be an immediate panacea, even though many feel its acceptance is bound to come.

It raises legitimate concerns, well articulated in this series by Dr. Robert H. Ebert, dean of Harvard Medical School and Dr. John H. Knowles, director of the Massachusetts General Hospital.

They fear an unresponsive bureaucracy might be the handmaiden of a national health program. This more than anything else is what the proponents of such a system must guard against if they are to win the endorsement of open-minded professionals.

Drs. Ebert and Knowles believe a change is needed and a structural change, they see the need for controls, but they want to ensure that the system remains dynamic, experimental, competitive and responsive.

No one proposes to follow the British pattern or any other European health system by taking over—virtually owning—the nation's health facilities; its hospitals, laboratories, physicians.

This myth must be exploded totally.

Competitive systems of providing health care, from the Kaiser plan to the Harvard Community Health Service to the South Shore Medical Center, would remain in business under the terms of the Kennedy-Griffiths bill.

Hospitals would remain independent. Physicians could opt in or out of the system. The public could continue to contract privately for health care if they so desired, in the same way that some families choose to send their children to private schools.

What it would do, above all else, is encourage the nation to seek good health and, once and for all, remove the fear of financial disaster which so often accompanies catastrophic, chronic, and terminal illness in all parts of this land.

SAFE SHIPMENT OF ALASKAN OIL—REMARKS BY ASSISTANT SECRETARY OF COMMERCE FOR MARITIME AFFAIRS

Mr. STEVENS. Mr. President, discovery of oil in Alaska's arctic has held attention for varying reasons. Early development of these petroleum reserves is of deep interest to many Americans because they accurately judge the serious need for the economic and social betterment promised by its revenues. Others sense only the possibility of ecological damage by oil spillage.

On May 21, 1971, Mr. A. E. Gibson, Assistant Secretary of Commerce for Maritime Affairs, addressed the Portland, Oreg., Propeller Club about possible resurgence of the American merchant marine in the Pacific coast area. I am placing Mr. Gibson's remarks in the RECORD today because they effectively clarify a great many facts about the Trans-Alaska pipeline. He analyzes the economic consequences of Alaskan oil delivered by sea from Valdez to the Pacific coast of the United States and speaks of the Nation's needs for a domestic oil supply.

Those Americans who rightly wish to see that every precaution is taken to protect the waters of the Gulf of Alaska and the North Pacific from pollution will find assurance here. From the vantage point of an experienced mariner, Mr. Gibson traces the tanker route beginning at Valdez and Prince William Sound, which he says has all the attributes of being one of the world's finest and safest waterways, progressing through the Gulf of Alaska, which he explains is no rougher than oceans everywhere else in the northern world, to Puget Sound, "one of the world's safest waterways." Mr. Gibson describes the extensive regulations and technical standards being formulated by Government to prevent accidents and to make sure ships can better withstand collisions or ground impacts.

If every American were to visualize as clearly as Mr. Gibson the vast potential offered by development of Alaskan oil resources and could appreciate the tremendous efforts being made by Government and industry to protect the environment, then I am sure they would welcome the earliest possible beginning on work in the Trans-Alaska pipeline.

Mr. President, I ask unanimous consent that Mr. Gibson's presentation be printed at this point in the RECORD.

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

REMARKS BY A. E. GIBSON

It is a very real pleasure to be with you this evening. Having spoken in San Francisco at its Maritime Day luncheon yesterday, I feel, in effect, that I am closing out a Maritime Day double-header. As I said there and I say again tonight, I know of no part of this Nation that better examplifies the coming resurgence of the American Merchant Marine than does the Pacific Coast area.

When I first visited Portland some 26 years ago, it was to embark on an adventure which for me is still going on. I arrived here in January, 1945, as a 22-year-old ship master about to assume his first command. That ship, a much battered Liberty, just back from the Battle of Leyte Gulf, and I were to travel from one end of the world to the other before we finally parted company a year and a half later—she to the Reserve fleet and I to the University and a life-long involvement in the Maritime Industry.

In the past two years I have had occasion to think back to those early days more than once, for as you possibly can imagine, there are many similarities between a fledgling ship captain in wartime and a newly arrived bureaucrat in Washington. We both sailed largely uncharted waters and the fear of hidden submarines never equalled the trepidation with which I approached my first Congressional appropriations hearing.

So it is with nostalgia as well as a sense of appreciation that I return to your city this evening.

My remarks yesterday centered on the recent progress that has been made in the implementation of President Nixon's maritime program enacted into law last October. The progress to date has been substantial. The budget for new ship construction has been greatly expanded both in the current fiscal year and the one ahead. Orders for new ship types consistent with the new program are being processed. The American shipbuilders are well on their way to meeting the challenge established by the President, and in one year have brought down the amount of subsidy required to meet foreign competition by as much as 10 per cent.

In the area of ship financing we are also making good progress.

The new Capital Construction Fund, which involves an extension to a broad range of vessel owners and operators of the tax-deferral privilege, represents potentially one of the most beneficial provisions of the entire new program. As a result of the greatly expanded eligibility standards, nearly all present U.S. owners and operators are eligible to build ships, tugs and barges with these funds for use in U.S. foreign or non-continuous domestic commerce.

Another extremely beneficial financing aid that MarAd administers is the Title XI mortgage insurance program which has undergone momentous changes in recent months. These innovations highlight the flexibility or this program in meeting the needs of the maritime community. For example, two leasing companies have received commitments for mortgage insurance on large tankers. There can be little doubt that ship leasing will grow rapidly in importance as a means of financing new tonnage. It is an ideal way to attract the new capital so vital to an expanding industry.

In another first, Title XI insurance has been recently granted to an operator for a large, oceangoing tug-barge combination, which will carry liquid bulk commodities from the Gulf to the East coast. We anticipate many more applications for this type of vessel, which offers the prospect of significantly reduced operating costs through greatly increased productivity.

In continuing our efforts to help U.S. operators generate more cargoes for their vessels, we are implementing the provision of the 1970 Merchant Marine Act which assigns to the Secretary of Commerce the responsibility for developing uniform regulations governing the administration of the Cargo Preference program. Acting rapidly to carry out this mandate, we have devised and instituted a reporting system on preference cargo movements. These reports will fulfill two objectives: First, the information gathered will form the basis of reports to Congress on the movement of Government-impelled cargoes; and second, we will be able to monitor agencies' shipments in time to take effective remedial action should imbalances arise.

In addition, we are establishing rules requiring that U.S.-flag participation be measured in terms of revenues as well as gross tonnage; that the U.S. portion of cargoes be booked before the foreign-flag share; and that 90 percent of the freight revenue be paid at time of loading rather than months later.

In the next few months, we will propose additional rules calling for the standardization of charter parties, public tender and bidding procedures on ship fixtures and public announcement of cargo availability. These changes are long overdue and are intended to rectify current abuses existing by virtue of past administration of the cargo preference laws.

Let me now turn to another subject which is closely related to our developing American-flag fleet—the recent discovery of the huge Alaskan oil reserves. Apart from the President's new maritime program which produced the Merchant Marine Act of 1970, no other event in recent years has offered such stimulus to U.S. merchant shipping.

Rarely in the history of a nation has there been an opportunity for a privately financed project which offers the social and economic benefits inherent in the development of these vast resources. The concern for ecology, both real and fancied, has generated prolonged delays in granting approval for the construction of the transalaska pipeline essential to bring the gas and oil to the "lower 48." To date every possible environmental harm that could arise from the development of the pipeline and the operation of tankers serving its southern terminal has been raised by the opponents of the project.

A respected member of the Administration recently voice his concern for what he characterized as the "particularly hazardous" tanker route between Valdez and Puget Sound. A prominent Democratic Senator called on the President to block construction of the pipeline ". . . to prevent grave environmental damage to . . . the fishing resources of Prince William Sound and the waters of the Northern Pacific in which the oil would inevitably spill." I ask you—what knowledgeable seaman has designated these waters "particularly hazardous?" Why must the oil found in this particular area "inevitably spill?" As another Democratic Presidential hopeful from a bygone era was fond of saying: "Let's look at the record."

Tankers sailing from Prince William Sound to Puget Sound will transit the main north and south sea lanes. They will not use the so-called Inside Passage. Passage between Alaska and the Strait of Juan de Fuca will be made on the high seas and well off the coast of Canada. In the Gulf of Alaska, the seas do get rough in the winter months; however, this condition prevails on the northern oceans everywhere else in the world, too. The North Pacific and the North Atlantic easily rival the Gulf of Alaska in this respect and yet no similar alarm is raised.

Strong opposition has been voiced in British Columbia regarding possible ecological damage to its Pacific coastline; but at the same time, on the East Coast, the Maritime Provinces are very actively encouraging the development of large refineries and ports for supertankers in their own Atlantic Coast ports. Canaport in New Brunswick is already handling tankers over 200,000 tons deadweight, and the New Brunswick Development Corporation has made a bid to attract Occidental Petroleum to build its $30 million refinery there, if it is prevented from establishing it in our country. Similar developments are being proposed for Nova Scotia and Newfoundland.

The proposed alternate route across Canada would have grave economic consequences to this country, including an increase in the balance-of-payments deficit resulting from a foreign direct investment of approximately $4 billion. It would result in a loss of thousands of jobs associated with the transalaska pipeline at a time when this can be ill-afforded. The payment of taxes to Canada estimated in excess of $100 million annually must inevitably be added to the cost to the consumer. Furthermore, the West Coast area would lose the supply of fuel so essential to meet its rapidly expanding demands for power.

With regard to Prince William Sound, it has all the attributes of being one of the world's finest and safest waterways. There is no lack of deep channels and, for the most part, the area is sheltered. There is certainly adequate navigating room for all-sized vessels. Unlike Cook Inlet, there are no ice problems as the ice which forms in this area usually does not interfere with navigation.

Puget Sound is one of the world's safest waterways. It has a fine record, especially regarding tankers. Petroleum cargoes have been regularly carried on these waters for many years. A recently completed study by the Seattle Chamber of Commerce shows that for a period of more than 50 years there has never been a serious collision in Puget Sound involving a tank ship and that this area has never experienced a major oil spill although there have been over 1,000 arrivals and departures of ocean-going tankers in a given year. With the advent of the large tanker, the volume of traffic has been greatly reduced.

When I leave here tomorrow, it will be to travel to that area, for a first-hand look at the problem.

Secretary of Commerce Maurice H. Stans, in a recent letter to the Secretary of Interior, urged his prompt approval of the pipeline project, citing a host of compelling reasons for an affirmative decision. Among other things, Secretary Stans pointed out:

That U.S. consumption of energy will, by conservative estimates, increase by 50 percent during this decade.

That the Nation's imports of foreign crude oil, which presently account for about 23 percent of our requirements, may be expected to rise by as much as 50 percent by 1980.

That our oil imports from overseas have undergone sharp upward price increases in recent years, a trend that is likely to continue.

And that our supply problems will be particularly acute on the West Coast, which by 1980 is expected to encounter a crude oil deficit of one million barrels a day.

Alaskan oil obviously would figure prominently in meeting these energy requirements if available and would be a deterrent to unreasonable price increases by foreign producers since it would reduce our dependency on imported oil.

We have estimated that with the completion of the Alaska pipeline a fleet of approximately 30 new U.S. tankers would be added to the American merchant marine to transport the oil from southern Alaska to the West Coast. The construction of these vessels at an estimated cost of $1 billion would give an added stimulus to our shipbuilding industry and would provide approximately 48,000 man-years of work in U.S. shipyards and allied industries. Manning and maintaining these vessels would create many additional permanent maritime jobs, while the

estimated annual operating and maintenance cost of $30 million would provide added employment in the related service industries. It should be obvious that much, if not most, of this increased maritime activity would be of direct benefit to the Pacific Northwest.

Given all of these benefits, are either Secretary Stans or I advocating that the ecological problems be ignored? Definitely not! We only ask that these problems be realistically faced—and I am confident that if they are, it will soon be recognized that viable solutions either exist or can be developed in time for the completion of the pipeline.

As an example, the Alyeska consortium has already planned to install mammoth reception facilities at Valdez to handle all oily ballast and tank cleanings at the conclusion of return voyages. Such a facility would be the most advanced in the world. On most voyages the tankers will have deposited their crude at Long Beach and taken on ballast in Long Beach harbor for safe navigation in the open ocean. While there will be no problem involved in separating the oil from the ballast and tank cleanings, what will remain will be polluted water from Long Beach harbor. The point of this is that marine ecology is not alone a question of tankers and cargo ships discipline but also goes to the problem of making our harbors clean from human and industrial wastes.

As some of you are undoubtedly aware, the Maritime Administration is deeply engaged in a variety of research tasks aimed at developing practical and economical solutions to the problem of ship-caused oil pollution. In the main, the Agency's efforts center on the following projects:

Improvement of the "load-on-top" procedure to remove all oil contaminants from the tank-washing and ballast water. This includes the development of more efficient and larger capacity oil-water separators and improved instrumentation to monitor the discharge of the treated water into the sea.

Concurrent economic evaluations of clean-ballast tanker designs. Such designs would provide tanks reserved exclusively for sea water ballast and obviate the need to admit water to the cargo tanks.

Currently, we have also under active consideration a proposal initiated by the City of Portland to undertake a joint project to construct a prototype facility for receiving and processing oily wastes from vessels and the port's ship repair facilities.

In his message on "offshore Oil Pollution," transmitted to the Congress last year, President Nixon called for concerted and far-reaching actions to prevent and curtail any ship-generated oil pollution. He outlined a series of recommendations involving international cooperation and national initiatives by both government and industry in pursuit of this objective.

The President's message stressed that oil pollution is a global problem and that any remedies will require international agreements to be effective. Accordingly, he has pledged the support of this Nation to seeking such agreements. Concurrently, he has directed the Departments of Commerce, Transportation and Interior to assume specific responsibilities in developing solutions to various aspects of the pollution problem.

Prevention of collisions and groundings, of course, is the optimum means of preventing accidental oil contamination of the oceans and coastal shorelines. The President called for more effective international standards for vessel operation and recommended the installation of a Harbor Advisory Radar System in the Nation's busiest harbors. These are being developed.

To curtail the amount of oil that would escape in event of collisions or groundings he has directed the Secretary of Commerce to develop specific technical standards for tanker design so that these ships will better withstand collision or grounding impacts. The Maritime Administration has assumed the task of evaluating such design features as inner skin protection, limitation of cargo tank sizes, and outfitting of tankers for cargo oil transfer from damaged tanks. It is intended that the technical standards developed will form the basis for multinational action.

I have gone into this detail to demonstrate, I hope convincingly, that far from being oblivious to the problems of ecological damage through accidental oil discharge, throughout the Administration much work is being done to overcome the problem. I believe those risks which do exist are being, or have been, reduced to acceptable levels, but no amount of work and effort or expenditure of funds will suffice to overcome the highly emotional reaction to half-truths or distorted facts. These often assume the form of religious belief.

The lead editorial in this month's edition of *Science*, the highly respected publication of the American Association for the Advancement of Science, called attention to this problem. It said:

"The emotional peak of 1970 was built in part on a solid base but it was also built in part on erroneous information and bad judgment. We must achieve and maintain a livable environment, but we are not about to choke to death from pollution, and the world is not going to run out of oxygen . . .

"Contributing heavily to the timing and the shape of the emotional peak was the behavior of the mass media. Reporters selectively quoted people who gave them the scary kind of story that their editors would print, or that radio and TV would use. Public emotion quickly rose. However, after a time the public interest began to level off, and the mass media are now turning elsewhere. Typically, a period of inattention will be followed by another phase in which low-key sober assessments will provide a more realistic picture to the public."

I believe we are entering such a period and a less emotional climate will allow construction of the Alaska pipeline to go forward. In so doing I believe that an example will be set for the rest of the world for sound ecological planning that can be successfully related to the economic development of a nation and the well-being of its people.

At this Maritime Day 1971 we are about to witness an entire rebirth of the American Merchant Marine. As the result of President Nixon's maritime program and the development of our Alaskan oil reserves, we are on the threshold of the greatest sustained peacetime building program in our history and in so doing the United States will once again take its rightful place among the great maritime nations of the world.

Thank you.

CHANGES NEEDED IN CORRECTIONS

Mr. BURDICK. Mr. President, I call the attention of my colleagues today to an editorial which appeared in this morning's Washington Post, which I think has great meaning to our Nation. It asks the question, "Can criminals be rehabilitated?" and this question is at the heart of the problem of crime in American today.

I think that most of the Members of this body are aware of the problem of recidivism—the nasty fact that our present correctional programs and facilities are not correcting offenders.

When we add the cost of the present correctional system onto the cost of the crimes which those repeaters perpetrate, we have a total cost for a noncorrecting correctional system that is simply too large for the public to bear.

This editorial is evidence of the growing acceptance in our Nation today of the idea that we have to make some changes in corrections, and that we must look at the problems in terms of the effectiveness of each dollar spent.

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

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

[From the Washington Post, June 8, 1971]

CAN CRIMINALS BE REHABILITATED?

Chief Justice Warren E. Burger has referred to contemporary prisons as "non-correcting correctional institutions." Two stark statistics document the observation. One, supplied by the Chief Justice himself, is that two-thirds of the 200,000 inmates of federal and state prisons are "alumni" of other prisons. The other, supplied by an associate administrator of the Law Enforcement Assistance Administration, is that about 80 per cent of all felonies are committed by repeaters—that is, by persons who, in one way or another, were processed through the correctional system and came out uncorrected. "A nation as resourceful as ours should not tolerate a record of such futility in its correctional institutions," said President Nixon.

What are the roots of this futility? It is possible that criminals are not corrigible—that they suffer either from some innate quirk which makes them incapable of conforming with the laws of society or that they have been so corrupted in youth by the squalor and immorality of their early environments and the inadequacies of their schooling as to leave them hopelessly warped and impaired. But there is no good reason to believe that either of these possibilities is true for more than a minor fraction of the more than 200,000 Americans now in prison. It is a fact that they are overwhelmingly uneducated and unskilled. But this is not to say that they are uneducable or unredeemable. And the inescapable truth is that on their redemption depends, to a very great extent, the safety of society. Moreover, there is a moral consideration. "We take on a burden when we put a man behind walls," the Chief Justice has reminded us, "and that burden is to give him a chance to change. If we deny him that, we deny his status as a human being, and to deny that is to diminish our own humanity and plant the seeds of future anguish for ourselves."

Three things, it seems to us, are necessary to rehabilitate a person—young or old—who has turned to crime. One is to give him some sense of ethical values—which is to say, really, some belief in the humaneness of society and of its willingness to accept him as a member if he can abide by its reasonable rules. Second, is to teach him a means of gaining a livelihood by honest work, a trade of some sort related to his own capacities and aptitudes and yet useful and marketable in the community. And, third, is to assure him a genuine second chance—which means to see to it that he finds a decent job, forgiveness for his past errors and a fair measure of acceptance in the community. The last is very difficult yet inseparable from rehabilitation. Giving a man a second chance means taking a chance on his ability to accept it.

The accomplishment of these three things means a vast and dramatic reform of penal methods and institutions and, above all, of attitudes. Congressional Quarterly, which has published a valuable study of the prison reform problem, reports that "most penologists agree on what must be done to make the corrections systems rehabilitate: more education and job training, more social and medical services, smaller prisons, more and better facilities, halfway houses where of-

fenders can adjust to civilian life before parole, work release programs, more parole officers and, ultimately, community-based correction systems to keep inmates near their families and friends."

Such an approach may be denounced as "coddling criminals." But when one thinks of the prodigious costs of the present approach—in terms of a high prison population, of the rate of recidivism, and of the toll of crime and of wasted human lives—one must begin to see that rehabilitation is likely to prove a great deal more economical that punishment. "We are suffering and must pay the high price of accumulated and deferred maintenance." Chief Justice Burger said a year ago. "And the cost is not in some distant future period; it is here and now and it is no farther away than the nearest dark street."

WHAT'S HAPPENING TO ALASKA'S MONEY?

Mr. STEVENS. Mr. President, the State of Alaska has published a booklet recently, which makes a timely assessment of the financial situation in our 49th State. I ask unanimous consent to have printed in the RECORD the text of this booklet, "What's Happening to Alaska's Money?—An Explanation."

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

MY FELLOW ALASKANS: This booklet by the State Department of Revenue provides an explanation of our current financial situation, and what we can do about it. It is important for all Alaskans to understand where we are and what may lie ahead, so that we can guide our actions wisely.

I urge you to familiarize yourself with this booklet. With knowledge and willingness to take the necessary constructive action we will be able to continue improving the quality of life in the 49th State.

Sincerely,

WILLIAM A. EGAN,
Governor.

Alaskans received more than $900 million from oil and gas lease sales at Prudhoe Bay in September, 1969. Now, scarcely a year and a half later, revenue-expense projections show that by 1976 nearly all of the $900 million will be spent. Furthermore, some projections through 1980 show a deficit even greater than the $900 million.

Despite this situation, we can and should be optimistic about Alaska's economic future. The State is softening the impact of pipeline delay with a large program of public works which will provide jobs for Alaskans and long overdue state facilities. Our future is brighter than ever as we come closer and closer to the day when our economic potential is finally unlocked. There are possible financial problems on the near horizon, however, and we want in this booklet "to tell it as it is."

We will try to answer the question of how we can talk of potential trouble with nearly $900 million in the general fund. We will try to explain how we got into the present situation and, most important, what we can do about it.

This is the Department of Revenue's answer to questions that are on the minds of many Alaskans. It is not a detailed answer although department officials will be happy to elaborate on the material discussed here. Rather, the answer is an attempt to provide the main pieces of a puzzle that Alaskans themselves can put together in many different ways—and each way will make a different picture of the State's financial future.

Compared with other states already deeply in the red, we Alaskans, with the bulk of $900 million still on hand, can control our financial future. But to do so requires an understanding of how we reached our present situation, and where we may be headed.

WHAT LED TO IT?

Last year, knowing the State had just earned $900 million, the administration and the legislature saw the opportunity to begin meeting some of the pressing needs of the Alaskan people. In deciding to do more in such area as education, welfare, and housing, they were counting on speedy issuance of a pipeline permit from the Department of the Interior, and oil revenues beginning in 1973.

OIL REVENUES DELAYED

Because of events since then, Alaskans now realize that the pipeline probably will take three years to build and will not be carrying oil until 1975 or even later. That means that income the State will receive from severance fees and royalties on North Slope oil production will be pushed further into the future.

The delay tells us clearly that oil income to the State from the North Slope cannot be expected until the mid-1970's or later, while the State's budget keeps growing annually. New projections confirm and define the inklings of some people a year earlier. Alaska is headed for financial trouble—although there is still time to change our course.

WHAT'S HAPPENING

How can a State that has $900 million be running out of money? In an immediate sense we are not now in trouble. But over the long run, we may be.

Simply put, we are presently spending more than we are taking in, and it appears that our revenues may not catch up with our spending unless we take certain steps.

Our discussion here and throughout the pamphlet will be in terms of the "fiscal year" on which the State operates financially. The fiscal year runs from July 1 of one year in which it ends. Thus the State budget approved by the legislature, in say, April 1971 would be for fiscal year 1972. The budget would take effect July 1, 1971 and run through June 30, 1972.

Right now we manage this trick of spending beyond our income by using part of the $900 million to pay for the difference. The Department of Revenue estimates that actual expenditures for the current fiscal year (from July 1, 1970, when the budget took effect, through June 30, 1971) will be close to $300 million. Of that, $218.2 million will come from revenues, including investment earnings. The other $81.8 million will come from the $900 million itself.

WHAT IS OUR INCOME?

The following breakdown shows the major source of revenue that will be going into the current year's budget. In the past, oil and gas lease sales and other "one-shot" devices have been used to raise State revenues to a point where they covered expenditures. However, recent budget increases have put Alaska in a position where our expenditures far exceed our revenues.

WHAT'S HAPPENING?

Some 28 percent of the estimated $300 million we will spend through Jun 30, 1971 will come directly from the $900 million. A large portion of the 22 percent investment income comes from investments made with the $900 million. As we spend the oil lease bonus money that income will decline since the size of our investment will shrink.

Department projections for non-investment revenues show an average annual growth rate of 4.4 percent. This average includes such things as an 8 percent increase in tax and license revenues, but also decreases in such areas as oil and gas revenues from Cook Inlet, where production is dropping off.

WHAT MAY HAPPEN

Let us start with July 1, 1971, when the budget for the 1971–72 fiscal year takes effect. Here is an example of what may happen to the expected $818.2 million in the general fund over the next 10 years.

Our estimates show that by 1976, the state's budget will total $524 million. Of this, a total of $209.5 million is expected to be taken from the oil fund, leaving it at a deficit of $75.5 million.

By 1980, the budget total is expected to hit $968.6 million. Revenues from state sources are estimated at $453.3 million, leaving a deficit of $515.3 million, in that year alone, with a cumulative deficit of $1.5 billion.

These projections are made on the basis that the State's budget will increase at an average of 15 percent a year. They also assume that part of the State's income or revenue every year will come from investments made with what ever is left of the $900 million, until it runs out. And they assume that income from North Slope oil will start to pour into the treasury by July 1975.

Frankly, revenue-expense forecasts, also known as "cash flow projections", are educated guesses, based upon the past, on how much money the State will receive during the coming years, and how much it will spend. The Department of Revenue is continually refining and updating these projections as new information and better methods of interpreting it are developed.

Depending on what things we assume are likely to happen, different forecasts can be made. The projections here is only one example.

BUDGET SIZE

Now, one of the most important things to note about cash flow projections is that where we end up depends on how big a budget we start with. The preceding example starts with a budget of $300 million in fiscal 1972 and a general fund balance of $818 million. With operating expenses growing at 15 per cent a year, that will produce a budget of $524 million in fiscal 1976 along with a general fund deficit balance of $75 million.

If we start with a smaller budget of, say $290 million and keep the growth rate at 15 per cent, then by 1976 the general fund balance would be $489 thousand. A comparison will help make this process clear. If you have $2.00 and increase your money by 15 per cent a year, in the first year you will have $2.30, in the fifth year $4.02, and in the tenth year $8.09.

Now, if you start with only $1.00 and make the same 15 per cent increase, you will have a total of $1.15 in the first year, $2.01 in the fifth year, and $4.04 in the tenth year.

From this it is easy to see that one of the things that pointed Alaska toward a future deficit is the size of the budget increase that was made last year. General fund expenditures rose from $168,814,582 in fiscal 1970 to an estimated $300 million for fiscal 1971, which will end this June 30. Cash flow projections at that time had different assumptions, such as an earlier start for North Slope oil revenues, which caused many to foresee a far different financial future for the State than is now indicated.

BUDGET GROWTH

Another factor that governs our financial future is the rate at which we increase our budget annually. Some have asked why the budget must continue to grow. There are several reasons.

Every state budget contains certain "built-in" costs, such as promotional pay increases for employees. Inflation also forces the budget up because it raises the cost of goods and services the State must purchase. In addition, there is a need for more roads and better maintenance of existing ones; there is a need for better housing, water and sewer service in the bush and elsewhere; and in

general, a need for improving the services that the State can provide.

Such things have caused the budget to grow in the past and will affect its growth in the future. Over the past 11 years the increase has averaged 21 per cent a year, ranging from a high of 77 per cent to a low of 13 per cent, as shown on the table below:

THE GROWTH OF ALASKA'S BUDGET

Fiscal year	Appropriation	Change (percent)
1959–60	$41,426,532	
1960–61	48,055,552	16
1961–62	59,750,033	24
1962–63	66,486,643	11
1963–64	90,711,444	[1] 36
1964–65	79,027,813	−13
1965–66	87,072,744	10
1966–67	96,465,981	11
1967–68	113,087,400	17
1968–69	127,849,487	13
1969–70	168,814,582	32
1970–71	[2] 300,000,000	77

[1] Earthquake.
[2] Estimated.

Note: 21 percent per year average increase. (Appropriation figures above exclude Federal grants, bonded capital expenditures, and dollars appropriated, but not spent.)

If we start with a lower budget of $290 million and increase it 15 per cent a year, by June 30, 1976 the general fund will have $489 thousand left and we will be on a steep downhill trend into deficit for the next year. If budget increases are held to 10 per cent, then our projection shows there will be $181,776,000 in the general fund—but we will still be heading downhill, only a little more slowly. If the increase is kept to 5 per cent, then we will have an estimated $347.5 million at the end of the same period.

Therefore, we see that with a 5 per cent yearly increase the State would actually begin to "make money" in 1976; the general fund balance starts to go up. Why is that? Remember that State revenues will be growing over the years. It is at this point that revenues will have increased to a level where they can pay for State spending. However, this assumes the State will start receiving North Slope oil revenue in 1975–76.

OIL REVENUE

There is another element of major importance in making forecasts of the State's financial future. When will Alaska begin to receive severance fees and royalty income from North Slope oil production? These oil revenues are expected to provide $128 million the first year, $180 million the second year, $198 million the third and level off at $234 million from then on.

In estimating the impact of North Slope oil revenues both budget size and rate of budget growth come into play. For example, using a budget of $290 million and an annual growth rate of 15 per cent, the State's general fund would be down to $489 thousand in fiscal 1975–76, if oil revenues started in the same year. However, if these revenues were delayed until 1976–77, the State would have a deficit of about $132 million in that fiscal year.

The effect of a delay in oil revenues will vary, depending on the size of the budget and rate of budget growth. Naturally, earlier oil production or faster capacity use of the pipeline will be Alaska's financial advantage.

EXTENDED DELAY

Delay in oil revenues beyond fiscal 1977 could have a devastating effect on the general fund balance, if the delay is so long that our budget spending gets ahead of the amount of income we expect to receive from the North Slope, combined with our other income.

Although use of a Canadian route to transport the oil now seems unlikely, such a route could create the kind of delay mentioned above because of the additional engineering and construction time required. Alaska would further suffer financially because the Canadians would demand use of part of the pipeline's capacity. That would reduce the amount of Alaskan oil that could be marketed each year, and thus cut down our annual income.

THREE KEY ELEMENTS

Thus in understanding what's happening to Alaska's money, there are three key elements that can be varied:

1. The size of the budget.
2. The rate of budget growth.
3. The timing of North Slope oil revenues.

Combinations of these variables provide the broad outlines of various pictures of the financial future that Alaskans can create. These prospects include:

A. Merely slowing down a decline in the general fund that leads toward a deficit anyway.

B. Leveling out the general fund balance so that Alaska's revenues—including general fund investment income—are enough to pay for the costs of providing State services.

C. Causing the general fund balance to grow.

If for example we hold budget increases to 6 per cent and oil flows in fiscal 1976, then for every $10 million cut in the budget this year we gain roughly $50 million in our general fund balance by July 1, 1978. Naturally, a delay of three years—even under these terms—will drop that balance significantly

TAX INCREASES

In several other states this year tax increases are being proposed to meet rising expenses. Using a sample budget of $318 million with its 15 per cent annual growth, let's take a look at the effect on different tax increases on Alaska's finances.

If we want to keep the general fund at between $800 million and $900 million through the end of fiscal 1975–76, we would have to increase tax and license revenues by 160 per cent. And that assumes that North Slope oil revenue starts in fiscal 1975–76.

These breath-taking figures show that the State depends heavily on natural resources for revenues. A more realistic tax and license revenue increase of about 10 per cent, with oil starting in 1975–76, serves only to slow down the rate at which the general fund will decline.

OTHER THINGS

Projections have also been made involving different levels of capital expenditures and bonding for roads, buildings, ferries and similar items. They show that low levels of capital expenditures over the next six years, ranging from $2 million a year to $5 million a year, cause only a relatively small drop in the general fund. But significantly larger capital expenditures begin to have a marked downward effect on the fund balance.

Similarly, projections show that additional bonding of some $50 million in new bonds in each of the fiscal years 1974, 1975, and 1976 (using 20 years, 6 per cent bonds) had only a moderate downward effect on the general fund. One interesting result is that if all the low-level capital expenditures from the general fund were made with bonds, the fund balance would be somewhat higher at the end of fiscal 1975–76.

Current Department of Revenue projections are based on assumptions of $2 million a year in capital expenditures from the general fund and $50 million a year in bond sales for capital improvements, starting in fiscal 1972–73.

WHAT IS TO BE DONE?

Although cash flow projections generally show a downward trend into a deficit, Alaska is not trapped on some kind of economic railroad, unable to change direction. There is no way to know precisely what the future holds, but we do have the ability to look down the road five or 10 years and to manage our future to some extent. We can decide, to the best of our ability, what belt-tightening now, what wise investments, what greater efficiencies will leave us in a stronger position later on.

One of the steps Alaskans can take to insure the financial health of the 49th State is to reduce the size of the budget for the coming fiscal year.

(Since publication of this budget in April, the Legislature adopted a $292,100,000 general fund operating budget. This is in line with the budget for fiscal 1972 estimated in this booklet. We feel that the projections and suggestions set forth are valid in light of this apparent final budget figure. Department of Revenue, May 10, 1971.)

This action means that Alaskans will have to postpone programs until we can afford them. It is also a direct, effective way to make sure Alaska will be in a stronger financial position in the future. We can preserve and enhance our ability to borrow money for schools, roads, and hospitals in the years ahead, we can preserve our financial integrity, if we decide now to get off the financial one-way railroad.

Some have mentioned additional oil and gas lease sales as an immediate source of income to provide a financial transfusion. While such sales would undoubtedly provide more money we don't know how much. To get the answer Governor Egan is seeking funds for geological research of potential lease sale areas so the State knows what it is marketing. Although such study will require a few years, its advantage is obvious when we recall the Prudhoe Bay sale that yielded $900 million was originally expected to bring in 11 million.

There are possibilities for a variety of economic developments throughout the State including expansion in the areas of fisheries and tourism. Actions to encourage such developments, which will yield a better return to their participants and to the State, are being explored. All of these possibilities depend on limiting our current expenditures.

We have looked at the major elements that explain the State's present financial situation: Revenues, expenses, size of budget, rate of budget increase, and timing of North Slope revenues. Yet they translate into people: Children going to school, families using the highways, blind and elderly receiving assistance.

Difficult decisions on such matters lie ahead for all Alaskans, and those decisions—on what must be postponed for the overall good—will be made by the tough, understanding people who live on the Last Frontier.

THE MILITARY SELECTIVE SERVICE ACT

The ACTING PRESIDENT pro tempore. At this time, in accordance with the previous order, the Chair lays before the Senate the unfinished business, H.R. 6531, a bill to amend the Military Selective Service Act. The clerk will please report.

The legislative clerk read the bill by title, as follows:

A 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 Senate proceeded to consider the bill.

The ACTING PRESIDENT pro tempore. At this time, in accordance with the previous order, the Chair lays before the

Senate amendment No. 115 by Mr. ALLOTT. Debate on this amendment will extend for not to exceed 3 hours, to be divided equally between the Senator from Colorado (Mr. ALLOTT) and the Senator from Mississippi (Mr. STENNIS).

At the expiration of that debate, the measure will be laid aside for the consideration of the conference report on S. 575, the Appalachian Regional Development Act, and after the vote on that conference report there will be further debate on amendment No. 115 of 20 minutes, to be equally divided between the Senator from Colorado and the Senator from Mississippi.

At this time the debate will proceed on amendment 115.

Who yields time?

Mr. ALLOTT. Mr. President, a parliamentary inquiry, so that I will be certain what the situation is.

The ACTING PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. ALLOTT. As I understand it, the pending question is on amendment No. 115. Is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. ALLOTT. May I inquire of the Chair: There has not been a quorum call this morning; has there?

The ACTING PRESIDENT pro tempore. There has been no live quorum call; there have been requests for quorum calls which have been called off from time to time.

Mr. ALLOTT. Mr. President, I am proposing an amendment to the pending bill, the Military Selective Service Act of 1967.

The amendment I am proposing would replace the basic military pay schedules proposed by the administration. It would replace those schedules with the schedules proposed by the President's Commission on an All-Volunteer Armed Force—the Gates Commission.

The purpose of my amendment is twofold.

First, it is to enable us to approximate justice more closely in our pay of the military. If this amendment is adopted we will end the shameful condition in which American servicemen and women are on welfare. If we do not pass this amendment, it is possible for that shameful condition to continue.

Second, it is to move us to the point where we can render a rational judgment about the feasibility of ending conscription and relying on an all-volunteer armed force.

The amendment only accelerates slightly, and modifies slightly, the pace and approach of our administration. It is a proposal by way of a perfecting modification to the administration's plans for improving our military policies.

The administration is committed to improving the caliber of justice accorded our servicemen and women in terms of remuneration. In addition, the administration is committed to achieving those conditions of economic equity that will enable us to act intelligently with regard to an all-volunteer army.

The Department of Defense favors substantial pay increases in the very near future. It favors a 2-step, 2-year increase of approximately $2.7 billion. It favors an increase of approximately $1 billion this year. What the amendment I am proposing does is to authorize spending $2.667 billion in basic pay increases this year. It does this with one simple replacement: It replaces that provision of the bill which would provide $908 million for basic pay increases. Thus the amendment would authorize an additional $1.759 billion for pay alone, above the administration proposal for this year. This would accelerate the pace and improve the distribution pattern of the administration's plan for improving military benefits.

However, and fortunately, prudent and judicious action taken by the Senate Armed Services Committee with regard to reducing overall manpower will yield some substantial unanticipated savings. These reductions will total 56,000 average strength—Army: 50,000; Navy, 3,000; Air Force: 3,000—and 112,000 end strength. Senators who wish to refresh themselves on the precise meaning of these terms can consult page 35 of the Committee report. If we use the accepted figure of a $10,000 savings per unit of manpower reduction, we see that by the end of fiscal year 1972 the level of manpower spending will be reduced by over a billion dollars as a result of the manpower reductions.

It should be understood at this point that I am accepting a cost figure that is certainly too high. I am using the Gates Commission figure of $2.667 billion because that is a familiar figure attaching to the Gates proposal. It is the figure familiar to those who are acquainted with the work of the Commission and the House hearings on pay matters. The Gates Commission computed the $2.667 billion figure as the cost of its pay schedules for an armed force of 2.6 million average active duty strength. But the Senate Armed Services Committee has set the average active duty strength for the Department of Defense for fiscal year 1972 at $2,553,409. Thus, the cost of the Gates Commission pay schedules will be somewhat less than $2.667 billion. In fact, the decrease in cost will be more marked than the drop in manpower. This is because any manpower reduction will involve greatest reductions in the lower ranks, where the Gates Commission schedules sensibly allot the major share of the increased benefits.

The House of Representatives has already voted to increase military remuneration by a comparable amount. But the pay provisions of the House measure are inferior to the pay provisions proposed by the Gates Commission in that the latter proposal is designed to be as efficient as possible in moving us to the point at which we can render an intelligent judgment on the feasibility of an all-volunteer armed force.

The House-passed pay proposal received a hearing in the Senate last week during the debate on the amendment proposed by the distinguished junior Senators from Iowa and Pennsylvania. In examining the record of the debate on the proposal, I have been struck by three things.

First, Senators have grave doubts as to whether we can spend the amount necessary to promote military pay equity without sustaining insupportable injury to another portion of our defense effort.

Second, some Senators favor the idea of a pay increase for the military, but were not enthusiastic about the pay distribution incorporated in that proposal.

Third, some Senators believed that the vote on increased military pay was a form of indirect and informal referendum on the idea of an all-volunteer army.

Mr. President, I want to address myself briefly to each of these three propositions now, and shall return to them as debate continues.

First. Will an increase in military pay result in insupportable damage to some other facet of our defense effort? I do not think so.

As always, I am sensitive to the need for budgetary and wage restraint. But it is neither necessary, not just, nor consistent with sound military policy to make an already underpaid profession bear the brunt of our concern for such restraint.

As always, I am concerned with the vigor of our defense capability. But I am not persuaded by the notion that an increase in military pay must mean a comparable—and crippling—decrease in another part of the defense budget. I do not believe that this Nation, with a trillion dollar economy and a budget well in excess of $200 billion, must finance its weapons by denying its soldiers equitable pay. Nor do I believe that our unfortunate involvement in South Vietnam should blind us to the necessity today—and tomorrow—of a sound defense system for our country. I believe the Congress should and will evaluate each facet of the defense proposal on its own merits. I believe the Congress should and will recognize that underpaid military personnel do not make a sound foundation for sound military programs.

Mr. President, I think it is safe to say that the senior Senator from Colorado is not known as a spendthrift. And it is especially safe to say that there is nothing in the record of the senior Senator from Colorado that would indicate that he is willing to engage in spending which recklessly imperils national security.

By the same token, Mr. President, the distinguished and dedicated members of the Armed Services Committee of the House of Representatives, who recently convinced the House to support a $1.7 billion pay raise, are not the sort of men one would accuse of taking risks with our national security capability.

In addition, Mr. President, there is only one circumstance in which a pay increase might result in a direct and comparable loss of support for vital defense projects. That would be if the Congress were to fix an arbitrary and imprudently low lump sum for defense spending, and then were to administer an indiscriminate across-the-board cut to defense spending.

Mr. President, I do not think the Congress acts that way. The Senate today is anxious to assume broad responsibilities in setting foreign and related

defense policies. Hence, I do not think the Senate is likely to adopt the irresponsible meat-ax approach to appropriating in such vital areas. In fact, it is inconceivable that the Senate would abandon the responsible process of considering patricular programs on their own merits.

Therefore, I conclude that national security will not be endangered if we promote equity with the relatively slight increase in net unanticipated spending which adoption of the Gates Commission pay proposals would involve.

Now to the second proposition:

Second. Is it sensible and consistent to support the pending amendment after having opposed the defeated amendment which incorporated the House-passed pay proposal which involves a similar amount of money? I think it is both sensible and consistent.

I opposed that amendment because I thought we had read at hand a better proposal. That proposal is the one drawn by the Gates Commission.

The great strength of the Gates Commission proposal is that it gives a greater share of its benefits to the men in the lower ranks, and gives the benefits to them in a very visible way. This is of crucial significance, because it is among the men in those ranks, and among young civilians who are considering entering into those ranks, that the most significant decisions are made which will determine the feasibility of an all-volunteer armed force.

This is not to say that only young recruits will benefit from the Gates Commission pay structure. In fact, there will be 524,124 over two's—persons with more than 2 years military service—who will be receiving increases under the Gates Commission pay structure who would not be receiving increases under the DOD fiscal year 1972 proposal.

Mr. President, I ask unanimous consent to have the following table of benefits for over two's printed in the RECORD at this point in my remarks.

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

PERSONNEL WITH OVER TWO YEARS SERVICE RECEIVING INCREASES IN THE GATES COMMISSION PROPOSAL BUT NOT IN DOD PROPOSAL FOR FISCAL YEAR 1972

Grade	*Number*
O–3*	17,596
O–2	26,103
O–1	2,828
O–1E	1,052
W–2	1,775
W–1	667
E–6	81,301
E–5**	392,802
Total	524,124

*Captain-lieutenant.

**Sergeant-petty officer, 2d class.

Mr. ALLOTT. Mr. President, there will be 960,716 over two's who will receive increases under the Gates Commission pay structure. The reason for including all of these 960,716 in the benefits is to be found in a basic principle of good management: such inclusion will maintain proper intergrade differentials.

Still, the salient feature of the Gates Commission structure is that under two's receive 74.6 percent of the benefits and over two's receive 25.4 percent.

In addition, the Gates Commission puts its benefits in basic pay where they are visible to the potential recruits. The House-passed benefits are divided between basic pay and other allowances that are not visible or readily decipherable. But they can be deciphered and they offer an interesting comparison with the Gates Commission benefits.

The House-passed remuneration proposal, considered only in terms of its basic pay portion—and I emphasize this point—involves a good distribution. It gives 78.9 percent of basic pay benefits to under two's and 21.1 percent to over two's. But the House proposal has a less attractive mix: it also relies heavily on increases in basic quarters and subsistence allowances. When the total package is assembled, deciphered, and its total value computed, the distribution of benefits is 64.1 percent to under two's and 35.9 to over two's.

Third. The third point: Is it the case that this amendment is only compatible with support for an all-volunteer armed force? No, in fact nothing could be further from the truth.

Any relationship between support for this amendment and support for the idea of an all-volunteer armed force is contingent rather than necessary.

True, the pay schedule herein proposed was drawn by a Presidential Commission which, after due investigation, endorsed the idea of an all-volunteer armed force. But that commission was careful and explicit in saying that such pay increases are called for on the ground of equity alone.

Mr. President, it would be tragic if we allowed confusion on this matter to defeat such an equitable and necessary measure. Thus I can not emphasize too strongly the fact that all Senators, regardless of their individual views on the all-volunteer armed force, can support this amendment.

The all-volunteer armed force is an idea about which honorable men of good will can and do disagree. They divide into three groups. Each group has powerful arguments and grave and worthy moral concerns.

First. Those Senators who endorse the principle of an all-volunteer army, and who want to make progress toward that goal now, should support this plan because it follows the carefully drawn recommendations of the acknowledged experts on the problems of making the transition to an all-volunteer armed force. I am referring to the outstanding men who comprised the Gates Commission. I ask unanimous consent to have printed at this point in the RECORD the names of the commission members, together with a description of their affiliations at the time they were appointed to the commission.

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

PRESIDENT'S COMMISSION ON AN ALL-VOLUNTEER ARMED FORCE

Thomas Gates, Chairman of the Executive Committee of Morgan Guaranty Trust Co., former Secretary of Defense, New York City.

Thomas Curtis, Vice-President and General Counsel, Encyclopedia Britannica, former Congressman from Missouri and ranking Republican on Joint Economic Committee, United States Congress. St. Louis, Missouri.

Frederick Dent, President, Mayfair Mills, Spartanburg, South Carolina.

Milton Friedman, Paul Snowdon Russell Distinguished Service Professor of Economics, University of Chicago. Chicago, Illinois.

Crawford Greenewalt, Chairman, Finance Committee, E. I. duPont de Nemours and Co. Wilmington, Delaware.

Alan Greenspan, Chairman of the Board, Townsend-Greenspan & Co. Economic consultants. New York City.

Alfred Gruenther, Former Supreme Allied Commander, Europe. Washington, D.C.

Stephen Herbits, Student, Georgetown University Law Center. Washington, D.C.

Theodore Hesburgh, President, University of Notre Dame, Chairman, U.S. Commission on Civil Rights. South Bend, Indiana.

Jerome Holland, President, Hampton Institute. Hampton, Virginia.

John Kemper, Headmaster, Phillips Academy. Andover, Massachusetts.

Jeanne Noble, Professor, New York University. Vice President, National Council of Negro Women. Former member, National Advisory Commission on Selective Service. New York City.

Lauris Norstad, Chairman of the Board of Owens-Corning Fiberglass Corp. Former Supreme Allied Commander, Europe. New York City.

W. Allen Wallis, President, University of Rochester. Rochester, New York.

Roy Wilkins, Executive Director, NAACP. New York City.

Mr. ALLOTT. Mr. President, Second. Those Senators who disapprove of the principle of relying on an all-volunteer army should still support this proposal. They should support it because it corrects a manifest injustice in our treatment of the military, and because it corrects this injustice with special attentiveness to the injustices felt by those in the lower ranks who experience this most severe and inexcusable injustice. In fact, those Senators who are least anxious to end conscription should be especially anxious to insure that conscription does not serve as an instrument for unjust frugality—an instrument for raising manpower without the necessity for equitable treatment.

Third. Those Senators who approve of the principle of an all-volunteer armed force, but who are dubious of the wisdom of moving precipitately toward that goal under current conditions, should support this proposal for two reasons. Again, the question of equity in military pay is distinct and separable from the question of the all-volunteer armed force. Second, the pay proposal I am suggesting is the least precipitate, most responsible approach to learning more about the possibility of an all-volunteer army. In fact, if we do not begin to make a determined effort to test some of the mechanisms by which an all-volunteer army would be made to function, then we run the risk of one day making a precipitate plunge into an unprepared experiment with voluntarism.

Mr. President, at this point I would include myself among the Senators in the third group. I am frank to admit that I do not know whether an all-volunteer army is feasible at this time, given the current state of the world, and given the disposition of some young people toward

the military. So, I intend to vote for a 2-year extension of the draft.

But I want to insure that we enter the next 2 years of conscription under circumstances which will enable us to improve our knowledge of the factors which will determine whether or not an all-volunteer army is feasible. It is my belief that we should move in that direction immediately and we can find out where we are, if we provide the pay schedules which have been set up in the Allott amendment.

If we must have a 2-year extension—and I believe we must—then let us make sure it is a purposeful, efficient, and informative extension.

The fact that a 2-year extension is necessary may be very unpleasant news to millions of Americans, young and old. But if we vote the extension in conjunction with this Gates Commission pay structure, then we will have gone a long way toward assuaging the disappointments felt by those Americans who want to explore the feasibility of an all-volunteer armed force.

Before concluding, Mr. President, there is one additional factor that merits consideration concerning this amendment. Some Senators, acting out of deeply felt convictions which I neither question nor impugn, have stated their desire to filibuster this draft extension through the end of this month, at which time the draft will expire. As I understand it, it is their hope that this action will expedite ending American participation in the fighting in South Vietnam.

While I respect the sincerity of these Senators, I strongly disagree with their reasoning and their objective. It is my hope that if the Gates Commission pay structure is adopted, thereby moving us as decisively as possible toward the point at which we can intelligently rule on the feasibility of ending conscription, these Senators might reassess their earlier judgment about the necessity of filibustering at this time.

I know that such a reassessment would be very gratifying to all of us who are always reluctant to countenance a cutoff of debate in this great body. In addition, such a reassessment would be gratifying to all of us who are anxious to preserve the spirit of comity which has prevailed thus far in this session, but which became a trifle strained during the warm summer months a year ago.

Mr. President, in summing up, three things are clear.

First, it is neither necessary nor just to economize by paying military men and women wages that fail a test of comparability with civilian wages for similar skills and employment. And it is shameful that the pay structure is so inadequate that, under the pay schedule accepted by the committee, some military families would be eligible for assistance under the President's family assistance plan as modified by the House Ways and Means Committee. If we reject this amendment, and accept the proposed pay rates, more than 1,000 military families will remain in poverty conditions. The object of sensible policy is to get people off the welfare rolls and on to the work rolls. Our military men and women are on honorable work rolls. It would be wrong for the employer—the Federal Government—to necessitate their also being on the welfare rolls.

Second, it is neither necessary nor sensible to protect national security by preserving inequitable and demoralizing pay structures for the military. The bad effects of those structures are too serious to be justified by an alleged gain that might be said to result from economizing on pay.

Third, it would not be prudent to begin the transition to an all-volunteer army without obtaining the sort of information that can only be obtained by a decisive test of pay incentives as instruments for attracting and retaining volunteers. A decisive, fullscale, one-step move to equity in military pay is superior to an incremental approach as an instrument for testing the effectiveness of decent wages in attracting and retaining high caliber men and women.

Mr. President, for all the reasons I have mentioned today, I hope the Senate will adopt this amendment.

Mr. STENNIS. Mr. President, what is the pending matter before the Senate?

The PRESIDING OFFICER (Mr. GRAVEL). The pending matter is amendment No. 115, offered by the Senator from Colorado (Mr. ALLOTT).

Mr. STENNIS. How much time do I have under the unanimous consent agreement, Mr. President?

The PRESIDING OFFICER. The Senator from Mississippi has 90 minutes.

Mr. STENNIS. I yield myself 20 minutes.

WHAT THE AMENDMENT DOES

Mr. President, what this amendment proposes is to increase the basic pay rates for military personnel to those recommended by the Gates Commission. The 65 percent of the additional cost would go to personnel with under 2 years of service, with the remaining 35 percent going to personnel with over 2 years of service. In this latter category the increases would be mainly in the junior enlisted pay grades.

By and large, this is the same amendment, with the exceptions that I shall note, as was debated here last week extensively and passed on by the Senate, known as the Hughes amendment, which was rejected by a vote of 42 to 31.

COST

In terms of cost, the committee bill increases basic pay at an annual cost of $908 million.

The pending amendment would increase basic pay over present scales with an additional cost of $2.667 billion. Stated the other way, the pending amendment would add to present pay scales an additional $2.667 billion. The cost by which this amendment would increase the bill would be $1.759 billion.

In other words, just to pitch in here another $1.759 billion, not recommended by the President, not recommended by the committee, not recommended by the Department of Defense, not recommended by Mr. Laird, and not recommended by the Chiefs of Staff of the Army, Navy and Air Force—in fact, opposed by them in writing—yet here we are. Where are we going? The budget is already out of balance by many billions of dollars, as I shall develop later.

I run up the flag of warning now that here is this money of $1.76 billion, which the taxpayers some day will have to pay, yet we do not have the money in the Treasury or in the budget. There are no tax laws now applicable to raise the money. In fact, it is already obvious from the figures I have in front of me, that there is an anticipated deficit for fiscal years 1971 and 1972 of over $44 billion. Yet this amendment would pitch in another $1.76 billion. As I say, there is no money to pay for it, no tax bills coming in that would raise it, and no present taxes on the books that would raise it.

I ask, where will the money come from?

It will have to be paid out of the deficit so far as any present prospects are concerned.

Mr. President, I hold in my hand a table which sets forth a comparison of each item in the Senate committee's version, the House committee's version, and the pending amendment. I ask unanimous consent to have the table printed in the RECORD.

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

TOTAL COSTS OF SENATE COMMITTEE PROPOSAL, HOUSE VERSION, AND ALLOTT AMENDMENT

[In millions]

	Senate committee[1] proposal	Hughes amendment	Allott amendment
Basic pay[2]	$908.0	$1,825.4	$2,667.0
Dependents Assistance Act	79.0	184.1	79.0
Basic allowance for quarters (BAQ)		640.1	
Basic allowance for subsistence (BAS)		37.8	
Out-of-pocket recruiting expense	2.9	2.9	2.9
Enlistment bonus	40.0	40.0	40.0
Special pay for optometrists	.7	.5	.7
Reservists' training duty entitlement under Dependents Assistance Act (DAA)		20.0	
Total cost	1,030.6	2,710.8	2,789.6
Additional cost over Senate committee proposal		1,720.2	1,759.0

[1] The Senate committee proposal is identical to the administration fiscal year 1972 program except for the inclusion of special pay for optometrists.

[2] This does not include the projected basic pay increase scheduled by public law for Jan. 1, 1972.

Mr. STENNIS. Mr. President, I repeat, the figures I have here, which are authentic, have been checked out by the Department of Defense itself.

The Hughes amendment would have added $1.680 billion to the committee bill.

The Allott amendment would add $1.759 billion to the bill—an increase of $39 million over the Hughes amendment, which was rejected last week—and there have been no changes in the facts since that vote of last Wednesday or Thursday, so far as I know.

REASONS FOR OPPOSING THE AMENDMENT

Mr. President, to a large degree the issues raised by this amendment are the same as the Senate has debated at length in connection with the Hughes amendment which was rejected by a vote of 42

to 31. In both cases the amendments enact sums of money for which there is not one dime in the Defense budget. And I have already given the figures the pending amendment would add.

In the RECORD of yesterday, there is a notice of an amendment by the Senator from Wisconsin (Mr. PROXMIRE) which he is going to offer, to limit expenditures in the Department of Defense for fiscal year 1972 to $66 billion. The Department of Defense now has a planned expenditure figure of $78.8 billion. To add this amendment to it, would make it $80.6 billion. But the Proxmire amendment would reduce that to $66 billion. So these amendments are coming in here. They are not pending on the bill but they are announced at the same time, traveling in totally opposite directions, which is completely unrealistic—and I say this with great deference to the authors of the amendments—to think that the pending amendment could be enacted into law without grave risk to our national defense. We all know that the Defense budget will not be increased beyond the $78.8 billion requested. The only alternative would be to cut some other vital programs to accommodate this increase which must be paid if enacted.

Our committee is now searching, trying to find a way anywhere it can, where reductions could be made in the $78.8 billion requested. We should not spend any more than is needed, but there is an additional reason. The climate is such that, I judge, nothing will pass the Senate unless it is shown to be actually needed—whether it is in or out of the budget—and this amendment does not even have the blessing of the Department of Defense or the President of the United States.

It would add an unbudgeted $1.8 billion to the fiscal year 1972 budget and as a result would be harmful to the national security effort in fiscal year 1972 and in the long run as well. This would result from a serious misallocation of resources first, between the pay area and other critical aspects of the Defense effort, such as investment, research, and operations and second, within the pay area itself.

If the cut were to be applied proportionally among manpower and other areas of the budget, it would involve first, reductions of over 250,000 military and civilian personnel below authorized levels for June 1972 and second, a cut of over $2 billion in budget authority outside the pay area, requiring a 6 percent cut in contracts planned for the fiscal year 1972 program. This would lead to major base reductions and realinement actions and serious dislocations.

I am for the realignment actions when planned and put together in a solid way, not hit or miss, and not to weaken our defenses, but just to throw in this $1.8 billion extra here on the floor of the Senate and thereby bring about the dislocations and realinements and everything else reasonable or unreasonable, in order to save any money, is something that is fiscally and militarily impossible.

The President's proposals, as reflected in the Senate Armed Services Committee bill, would provide a one-time increase of 50.2 percent for the lowest pay grade. With other raises recently granted, this would mean that pay in this grade would nearly double in less than 2 years since July 1969. The Senate bill, therefore, represents a very large step. Before doubling or tripling the increases sought by the President, it is only prudent to assess the consequences in a practical situation.

Even though the Gates group was a presidential commission, the President would not accept or recommend these rates. He rejected them. Furthermore, I would emphasize that they were considered in detail by the House Armed Services Committee and were not adopted as such. They put in some extra money. That is well known. However, these recommendations were not adopted as such.

During the discussion of these amendments, the tendency is to overlook the $908 million annual cost. That is an increase on an annual basis in the basic pay in the Senate committee bill. Under this bill, even without the amendment, the new enlisted man, just out of high school, will make as much as or more than his fellow high school graduate in civilian life.

Under the committee bill, the new recruit will earn a regular military compensation of $3,979. After basic training, which will last about three and one half to four months, he would earn $4,244.

Typically, he would be promoted twice more before he had been in the military a year and four months. Thus within this time while still an E4, to which he would be promoted in his first 2 years, he would earn $5,851. On the outside in civilian life, an average working 18- to 19-year-old earned only $3,200 in 1968. The average working 20- to 21-year-old earned about $5,000.

If the amendment were adopted it would have the effect of adding up to $5.1 billion increase for the employees of one Department of Government—the military—in one brief period of slightly over 12 months.

In January 1971, we had an increase in the Military Department in salaries and pay of about $1.2 billion.

In January 1972—next January—according to law already on the books, there will be an automatic increase of about $1.2 billion.

If this bill passes as the committee recommends it, it would carry in round numbers over $1 billion a year. That would make about a $3.3 billion increase in this department within the brief span of 13 months, not counting the Allott amendment.

When we add the Allott amendment to this $3.3 billion that I have already mentioned, we get in round numbers, according to my rapid calculations here, very close to $5.1 billion increase to one department within the brief span of 13 months.

Mr. President, at that rate where are we going? I have already said that we have an estimated deficit of $44 billion for fiscal 1971 and 1972 combined.

Giving one department of the Government here about a $5.1 billion increase in 13 months is unthinkable to me. It is out of proportion to the increases elsewhere. And it is altogether out of proportion in fairness to the taxpayer, the one who has to put up the money. These employees are taxpayers, too. They will pay their pro rata share, too, as they should, and as all of us should.

But the real burden in this matter is not going to fall on those who get the increase. It will fall on those who do not get the increase but will have to put up the money, if not now, later, and then pay interest on it until it is paid.

I say that is not only unsound, but it is unfair.

Mr. President, I have collected here the best figures I could get on this possible deficit.

I am afraid that the deficit which this country is facing threatens to undermine the very value of the dollar.

I believe and I predict that we are now setting off another round of inflation unless we do something to take the air out of the tires of another round of inflation. And instead of doing that, we are doing the very opposite.

As most of us now realize, the deficit for fiscal 1971 will exceed the previous official estimate of $16 billion and might well be more than $20 billion.

There have been some unofficial estimates that the combined estimate for fiscal year 1971 and the anticipated fiscal deficit 1972 figure will exceed $44 billion. I have not been able to get a reasonable governmental estimate on this matter, but it will be forthcoming soon.

If government spending is not brought under some control, we face a grim prospect of having further runaway inflation with the resulting cheapening of the dollar from which no group in our society can benefit.

This inflation is not a theoretical thing that the people in Wall Street have to adjust to and figure out what they must do. It is something that every housewife will have to figure out what she is going to do at the grocery counter, at the service station, and at the children's clothing counter. Everywhere she turns, she will be holding in her hand a dollar that is depreciating in value by the hour.

I tell the Senate now that the people are beginning to realize that. I am afraid that nothing will stop it except a legal revolution at the ballot box. I do not favor revolutions ordinarily, but I advocate an awakening of the consciousness of the people who are being called upon to pay greater and greater taxes and what I think is a greater burden to the average housewife and wage earner. I refer to the burden of runaway inflation.

I do not know of anything that is more pertinent to this very amendment and others of like kind than this situation about the runaway inflation.

The people now realize that we are going to have to account for it, and we should.

Mr. President, this amendment relates to another serious issue, and that is the constantly rising personnel costs which are consuming an ever-growing proportion of the defense dollar.

Military pay increases are necessary for a number of reasons, but pay increases alone do not add one single man or one additional weapon to our military forces.

Mr. President, I want to reduce the personnel so we can have a quality service, and I do not mean pitching out a great many people. Their terms will be expiring, some of them will want to retire, and some additional ones will want to leave for one reason or another. So attrition will take care of this reduced number. We are going to have to bring about a reduction in the personnel costs of our military. Otherwise we are going to have to content ourselves with either second rate weapons or fewer weapons than we need.

Let me review what has happened. In fiscal year 1964 the cost of military basic pay was up $8.4 billion. To support the same manpower level for fiscal year 1972 the cost would be $15.6 billion. This is an increase of about 85 percent from fiscal 1964 to fiscal 1972.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I am glad to yield to the Senator from North Carolina.

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

Mr. STENNIS. Mr. President, I yield myself 15 additional minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for an additional 15 minutes.

Mr. STENNIS. I yield to the Senator from North Carolina.

Mr. ERVIN. Is it not true that in addition to the increase in compensation of people in the Armed Forces any increase in the compensation of those people places a long-term burden on the American people that is almost beyond calculating because any person who serves as much as 20 years in the armed services can retire and then draw a very substantial part of his pay for the rest of his life?

Mr. STENNIS. The Senator is correct. It is the most liberal retirement system in the Government in that the person does not have to contribute anything and the retirement comes after 20 years of service, with his longevity still ahead.

In that connection we now have in the appropriation bills this year $3.4 billion to pay the retirement pay for the military alone.

Mr. ERVIN. Now, the Senator from Mississippi has been speaking very cogently on the question of inflation. I have had it impressed on my mind very much in the last few days that we now pay 8 cents for a postage stamp for a first-class letter. If my memory serves me correctly, the cost of a postage stamp for a first-class letter was 2 cents when I came to the Senate.

So we have inflation on the cost of a postage stamp ordinarily used by the American people of 400 percent, if my arithmetic is correct, in just the 17 years I have been in the Senate.

Mr. STENNIS. It might have been from 3 cents to 8 cents. Two cents went out a little earlier.

Mr. ERVIN. The Senator is probably correct. As I said, if my memory serves me correctly. But the truth of it is that inflation is eating up the substance of all the savings of the American people, is it not?

Mr. STENNIS. Yes, that is the tragedy of our fiscal affairs today, as I see it. It is destroying the purchasing power.

Mr. ERVIN. Does the Senator from Mississippi agree with the Senator from North Carolina that when we take into account the next 2 fiscal years we will have a period of 43 years in which the Federal Government has balanced the budget, as I recall, only eight times, and then only by narrow margins. Is the recollection of the Senator from Mississippi in accord with the recollection of the Senator from North Carolina?

Mr. STENNIS. Yes, and it was by a slim margin in several of those years, too.

Mr. ERVIN. I do not ask the Senator from Mississippi to agree with the Senator from North Carolina on this point, but I say that represents not so much a deficit of dollars as a deficit in the fundamental character of those who have been in charge of the Federal administrations, including those who have been legislating for the Federal Government.

Mr. STENNIS. I do agree with the Senator and I include myself in that group that I blame.

Mr. ERVIN. I was brought up in the old fashioned days, I presume, and I was taught that there is something inherently dishonest in making debts which the debtor has no intention of repaying in a reasonable time, and intends to allow the debt to be bequeathed to his grandchildren and his great grandchildren.

I thank the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from North Carolina very much for his very timely questions and comments.

Mr. President, I shall not take the time of the Senate much longer. In fiscal year 1964 personnel and related costs, such as family housing, and so forth, which has not advanced as much as pay itself, was only 43 percent of the defense budget as compared to 52 percent for fiscal year 1972. We must concern ourselves with the prospect of being unable to provide the funds for the first-rate weapons for our men in uniform in view of the constant pressures to keep down the defense budget.

I have been on the Committee on Armed Services for a good number of years and I have supported all the pay increases that could be justified at all. I have never been stingy in that respect because I have an appreciation for the men in the service and I want them to have every consideration and their families to have every consideration and they do have a lot of consideration. There is no doubt about that, and I refer to retirement, health, and all the things that go to make up ordinary day-to-day living. Now, they make a lot of sacrifices, too, in their day-to-day living, but they are by no means neglected.

In the course of time those pay increases will come. We have a law on the books now that gives them an automatic increase. This calculation is made every year, every 12-month period, according to the indexes, and the record of the increased cost of living and related matter. It does not take the vote of one Senator to give them that increase. It is automatic and operates according to law. That is where this $1.2 billion came from in January 1971 and where it will come from in January 1972. We have another $1 billion extra for the lower grade group, as the committee wrote the bill.

NO APOLOGY NEEDED FOR MILITARY PAY IN THE PAST

Mr. President, if we begin in 1963 and include the projected 7.4-percent increase for January 1, 1972, the cumulative increase in basic pay will be about 112 percent. The committee bill of $1 billion is not included in this since these were limited to the lower grades rather than across-the-board increases.

Let me cite another important statistic, Mr. President. There has been a great deal of talk, justifiably so, with respect to the pay rates for those with under 2 years of service. I would like to state, based on a survey of the data, that the overall increase since 1952 for the enlisted personnel with under 2 years of service has been about 254 percent. Oddly enough this is the same approximate increase for those with over 2 years of service. This is on the assumption that the committee recommended scales of an average of 36 percent are enacted into law.

Mr. President, I cited in the debate on the other amendment that the debate cannot be won on this "poor folks" plea because if the bill passes as the committee brought it here we are going to have military compensation that compares most favorably and is really above the average earning power of other young people just out of high school.

Mr. President, the Deputy Secretary of Defense, in a letter I have already cited, has set forth the grave consequences of adding an unbudgeted $1.7 billion in obligations to the defense budget. The Joint Chiefs of Staff have likewise indicated that the necessity to absorb any substantial portion of the proposed additional pay increase of approximately $1.7 billion at the expense of other accounts would severely disrupt essential defense programs and substantially impair our capabilities to meet national security requirements.

For these reasons, as I have already outlined them in the previous debate, I urge the Senate, in its wisdom, to reject this amendment.

Let me say a word about the volunteer army concept.

From my understanding of human nature and based on experience along that line and what little I do know about the military requirements, I just do not believe, in this day of affluence, that we are going to be able to get enough of the quality men, in talent, integrity, and intelligence, to operate our military service. This is a long story, and we gave the figures here in the debate on the other amendment and many other phases of this debate. But this bill is pointed in that direction, to give it a trial, and the committee bill has every dime of money in it that the chief proponent of a volunteer army asked for—that is, the President of the United States. So he is the believer. It is his colors that are flying, and he is running the race. I am talking about a horse race now, not a political race. He is the head man and he had the

substance of this amendment before him for some 6 or 8 months before he set these budget figures.

Instead of putting this money in the budget, he totally rejected it, but did make this selective increase that we already have in the bill.

Furthermore, this same budget request that would start off the volunteer army—it is so thought by those who think it is practical—has been under fire on the floor ever since we started debate on the bill. First was the very firm argument made by the Senator from Massachusetts supporting his argument to knock out the $40 million to be used as a starter for the so-called bonus.

But when the facts were in, the Senate, by a rather substantial majority, rejected the amendment and left the money in the bill.

But that is not all. Last week, after almost a week of debate, with almost the identical figures that we have in the amendment today, the banner was then carried by the Senator from Iowa (Mr. HUGHES), who made an excellent presentation, one that was well planned and thought out and exhaustively presented. The Senate came to a judgment, by a vote of 42 to 31, and rejected that increase. The Senate said that, even though the bill is pointed in the direction of a volunteer army, we think the President made a valid, sound judgment, and we reject the increase.

So this is ground that has been plowed backward and forward and crossways, by all different kinds of plows, and a majority of the Senate has come up with the same answer the President arrived at when he planned his budget.

In view of all the other things that have happened, and the increase in the budget deficit, and the increase in the cost of everything, the increasing cost of interest, as indicated in the morning newspapers, I think that is a double sign of caution here that we ought to leave it as it is.

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

Mr. STENNIS. I yield myself 1 minute.

The committee put in an amendment calling for a report next January or February, I believe, by the President of the United States as to what headway he has made. Let us stay the hand of these billions of dollars that we are rolling around here that we do not have, and give the President a chance to see how this matter will work, I believe we will give him more trouble than help if we should, in a thoughtless moment, adopt this amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, may I inquire as to what time is left on each side?

The PRESIDING OFFICER. The Senator from Colorado has 61 minutes remaining; the Senator from Mississippi has 53 minutes remaining.

Mr. ALLOTT. I thank the Chair. I yield myself such time as I shall use at this time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLOTT. Mr. President, I am very interested in the discussion of the great Senator from Mississippi, whom I have known and worked with and admired. I think he was not present on the floor when I made my original statement, or not all of it, and was not here when I pointed out that I have not exactly been known as a spendthrift in the Congress and as a member of the Appropriations Committee. I want to cover one matter now which he has discussed at great length. I refer to the letter from the Deputy Secretary of Defense, which appears at page 16794 of the RECORD, which contains all of the figures used by the Senator from Mississippi and which speaks of the dire consequences that might result from a pay increase of the size I propose. In that letter he said:

> If we had to accommodate such an increase within a fixed spending total, it would have an extremely serious impact upon our national security. If the cut were to be applied proportionately among manpower and other areas of the budget . . .

Mr. President, you have to have it one way or the other on this. You cannot predict dire consequences of defense cuts and then predict that, rather than have such cuts, we will have instead an increase of deficit spending in this country. If the additional cost—and it is an additional cost—is to come out of the present, existing budget of the Defense Department, it is not an inflationary increase in deficit spending.

I want to make it perfectly clear that it is not the intention of the Senator from Colorado that any other item in the Defense budget shall be cut. All I am asking for in this amendment is some justice and equity for the enlisted men of this country as it pertains to their pay.

Mr. President, I yield 5 minutes and such additional time as the Senator from Ohio (Mr. TAFT) may require.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. I thank the Senator for yielding, Mr. President. I take this opportunity to congratulate him on his proposal, which I think is an extremely necessary and meaningful one.

I have, since 1964, when I served on the Education and Labor Committee of the House of Representatives, been convinced that under anything like normal circumstances in world affairs, the United States could and should phase itself out of a compulsory military service and into an all-volunteer army.

I think, however, that absolutely vital to that step is recognizing that we have to pay adequate salaries in our armed services in order to attract first-class people and in order to attract enough people. I frankly believe, in the long run, that while you can talk all you like in a numbers game about how much this or that particular increase in salary may result in having an adverse effect upon the budget, in the long run it seems to me that when we are talking about a military budget in the neighborhood of $70 to $80 billion, the expenditures we put into getting really first-class people are perhaps more important than any other single defense expenditure that we can make.

Mr. President, I rise today in strong support of the Allott amendment which would implement the pay increases recommended by the Gates Commission for the members of our Armed Forces.

I believe that the strongest argument in support of these pay increases was made by the distinguished Senator from Mississippi (Mr. STENNIS) in his letter of June 3 which was addressed to his colleagues in the Senate. In that letter the Senator from Mississippi stated:

> 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.

He elaborated upon this in considerable detail in his very thoughtful remarks on the floor of the Senate, at which time he said in part:

> Moreover, these figures, which are based on service-wide average actually *understate* the numbers of men which would be lacking in these units if the draft were ended. This is because it is unfortunately the case that to a very significant degree the brighter men, the men who are competent to understand the technology of modern nuclear weapons, for example, are the men who are draft-motivated.

If our true volunteers are less qualified by education and have considerably lower mental standards, this is undoubtedly because the pay at the present time is insufficient to attract more capable personnel.

During calendar year 1970, true volunteers represented 55 percent of Army manpower, 63 percent of Navy manpower, 77 percent of Marine manpower, and 51 percent of the Air Force. If the premise is true what kind of military capability do we have with these high percentages representing men who are of substandard education and mental qualifications? If we are going to upgrade the quality of our military manpower it is imperative that we adopt the substantial pay increases recommended by the Gates Commission or we will be forced to limp along with a military force largely composed of men with inadequate education and mental standards to do the job, because they are not all going to be draftees. These larger percentages in each of the Armed Forces, in varying numbers, are going to be made up from the so-called substandard groups, unless we are willing to put out enough pay in order to attract men who are fully qualified.

I would like also to say, however, that I have considerable doubts as to the validity of these figures insofar as the men who have served in the Armed Forces for a period of time over 2 years are concerned. When you are talking about draftees and comparing their mental abilities on coming in as compared with other men in the Armed Forces, you have to be comparing them with men with over 2 years of experience. I cannot believe that our manpower pool, from which we are drawing our military forces, could remain substandard. In fact, the quality of our Armed Forces over the

years in the period through which we have been going, as well as the war in Vietnam itself, testifies that our men are competent, whether they be volunteers or draftees.

I believe that the rejection of the pay increases recommended by the Gates Commission would constitute a serious blow to our attempts to proceed toward an all volunteer army.

While I have never favored the immediate elimination and dismemberment of the Selective Service System, I believe it is very important for us to proceed responsibly toward an all volunteer army. The workability of the all volunteer approach would be greatly assisted if we could give our Nation's servicemen pay comparable to that received for equivalent skills in the civilian sector. Without comparable pay it will unquestionably be more difficult for the military to implement the all volunteer approach. With adequate pay, career status, and improved training, the quality of our forces would be upgraded to meet the increased skills demanded by complex arms systems, and they are getting more and more complex all the time. To assume, indeed, for any of these skills, that you are going to limit yourself, as the argument seems to go, to men who will be serving, because they are draftees, only for a period of 2 years, seems to me to be very apparent folly in itself.

It was unquestionably a great mistake for America to attempt to fight an unpopular and distant war in Southeast Asia with the use of unwilling draftees. This has contributed to low morale and an extraordinarily high usage of heroin and other narcotic drugs by our troops.

The Gates Commission has established the goal of an all volunteer army. In proceeding toward that goal, I believe that we must set meaningful limits on the number of men who can be inducted so that the draft can be wound down during the next 2 years and eliminated for peacetime. Consequently, I expect to call up my amendment No. 90 which would, for the first time, impose absolute limits on the number of men who could be inducted and provide a necessary transition to the all volunteer army.

The reason that I believe we cannot simply eliminate the draft now is that none of us really can be certain that the all volunteer army approach will be workable. What is clear, however, is that the all volunteer army approach will be much more feasible if we follow the Gates Commission's recommendations with respect to pay. We should not expect half of the Gates Commission report to be workable if we reject the other half.

We all want adequate compensation for our Nation's policemen who risk their lives for all of us here at home. How can we show less concern for the pay of our young men in the Armed Forces who risk their lives for all of us around the world? I hope that those Members of the Senate who wish to proceed toward the objective of an all volunteer army will join in supporting the Allott amendment, and I think it is most vital that we do so. I believe the quality of our armed services with an all-volunteer army with adequate pay, as is advocated by the Allott amendment, will result in a better and stronger, and yes, a cheaper long-run defense for the United States.

Mr. STENNIS. Mr. President, will the Senator yield on my time?

Mr. TAFT. I am happy to yield.

Mr. STENNIS. I yield myself 3 minutes.

I have listened very closely to the remarks of the Senator from Ohio, and, as always, he has something of substance to say.

I point out that in making my points about getting quality men through the volunteer system alone, I have always said we will get some, and we will get some that are very fine, indeed, and meet all the requirements and expectations. They will have the talents and aptitudes and all. But I do not believe we will get enough, and we will have to rely on both systems to a degree.

I favor these so-called elite groups, and I like the hard muscled and bony soldier. I like the paratroopers, you know, and the Green Berets. We will get volunteers for those.

But in the Air Force, and the Navy, where they are all registered now, according to the records, as being volunteers, they say themselves they were draft induced. And it is those men who signed up for 3 or 4 years, even though they would not have had to serve but 2, who supply a great deal of the talent for the submarines, the carriers, the missiles, and even the ICBM's, and that is where the need for their spark of aptitude, intelligence, talent, dedication, and all is found. I do not believe we can get enough of that type who would volunteer.

I noticed the Senator's remarks also about the quality, the standards of our Army. I shall not say anything to discredit the Army, but we deliberately lowered the standards for the intake—mistakenly so, I think—3 or 4 years ago. That is one thing that the Senator runs into. But at the same time, we have the intake of these talented people who would not have joined, we say, if it had not been for the selective service.

So I appreciate the Senator's remarks, but under the amendment we would go all out and go overboard all at once, without knowing whether or not it is going to work, putting too much money, as I see it, in the lower grades, before we even have had a test run. This money would not go to the captains and the majors, and it would not go to the top sergeants. Almost all the money in this amendment would be for the lower grades, which we have already increased in the committee bill.

I thank the Senator.

Mr. TAFT. I thank the distinguished chairman.

I should like to respond briefly, to clarify one point as to the percentages I mentioned earlier—let me quote them again—with respect to true volunteers, not draft induced volunteers.

This is a very difficult judgment, admittedly. On the basis of the Defense Department's own calculations—and I think on the basis of the calculations the chairman has been acting on—as to the actual number of true volunteers, I have reversed the draft induced volunteers and the actual draftees in the armed services in arriving at these percentages of true volunteers.

The true volunteers in the Army are 55 percent; in the Navy, 63 percent; in the Marine—I do not think anyone is going to run down the quality of the Marines as fighting men—77 percent; and the Air Force, 51 percent.

Let us take a look at one other factor that has been brought up. It has been pointed out that the level of intelligence of a draftee, so to speak, or of ability of some kind, apparently is higher than that we are getting in the all volunteer group that is coming into the armed services today. This may be true. It may be true, and it is not surprising. It is not surprising because the answer is—and this is one of the big problems of continuing the draft—that we have an enormous manpower pool. The defense manpower requirements cannot possibly make up anything other than a very small percentage of those coming in every year. Over and above what is normally required, the Army perhaps has——

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

Mr. STENNIS. I yield the Senator 2 additional minutes.

Mr. TAFT. Instead of taking the average intelligence, which is what we get in any volunteer group, because with that number of men we are going to get an accurate sampling.

I do not think we are going to get an adverse selection in the volunteers today. Where we are getting the adverse selection is in the abnormally high standards that the armed services are putting on the draftees they take in; and that will always be true, unless we are going to have such a large incoming manpower accession every year that we will get an accurate reflection of the intelligence of the overall group called for induction or possible consideration for induction.

I thank the Senator for his remarks.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I yield 5 minutes to the distinguished junior Senator from New York.

Mr. BUCKLEY. Mr. President, I rise to speak in support of the Allott amendment. I believe that both the Senator from Colorado and the Senator from Ohio have presented extremely able arguments in defense of the proposition, which is simply that we accomplish in one step the increases in levels of compensation which are contemplated in two steps at the present time.

There are a number of arguments, of course, in favor of this move at this time, and certainly the essential requirements of equity are the most compelling. But I want to limit my discussion to one aspect only, and I want to speak about the necessity of implementing the Gates Commission pay structure.

If we are to move to an all-volunteer army, I believe strongly and passionately that this Nation must return to a system which has been traditional in her peacetime, one in which her armed services are filled by volunteers for honorable careers in the military. There is no reason, based on the thoughtful study pre-

sented by the Gates Commission, why we should not anticipate that Americans will seek this career now as they have in the past. To my mind, we cannot possibly give the feasibility of an all-volunteer military a chance to prove itself unless we start now with those inducements in pay, those competitive inducements, which will enable us to demonstrate within the period of the extension of the draft that this country can, in fact, operate and meet its defense needs with volunteers.

I believe that if we compromise on this, if we try to save a few dollars here in achieving this goal, it may result in finding, when the draft comes up for a new extension, that we will have discredited the concept unfairly.

We must recognize not only the costs in dollars but also the social costs which are resulting from this conscription, from forcing young men into service against their will at this time. We are breeding an antimilitarism which is already eroding the quality of our military establishment. We are facing thoughtless, even reckless, cuts in defense procurement and research which we cannot stand at a time when the Soviet Union is continuing to build up its strategic strength in every category.

I believe we must deflate this mood of antimilitarism, and the only way we can do it is by convincing the people of this country that we are committing ourselves to phasing out the draft and going to the all-volunteer military.

Mr. President, I urge the Senate to telegraph its determination to the country by voting in favor of the Allott amendment.

Mr. ALLOTT. Mr. President, I yield myself 30 seconds.

I congratulate the distinguished Senator from New York on his very wise and very moving statement. I believe he has put his finger on one of the most difficult problems in this country. Unless we start to recognize the military as an honorable profession, this country is going to be in real danger.

Mr. President, I yield 5 minutes to the distinguished Senator from Alaska.

Mr. GRAVEL. Mr. President, I congratulate the Senator from Colorado for what I think is a very fine amendment. In fact, I had my staff in the process of preparing a similar amendment, because I think it goes to the heart of the matter of the pay raise—that is, that the raises are not so important to the officers in the higher echelons, but that the great injustice exists not only for those drafted but also for those who volunteer, in the junior grade of officers and in the very junior grades of enlisted men.

The Senator from Colorado has devised an amendment that, in my opinion, would bring about greater equity and better justice than the bill passed by the House or the measure adopted by the Senate committee.

I think it should be underscored that I have come to know Senator ALLOTT as a result of service with him on the Committee on Interior and Insular Affairs. He may have a philosophical view different from mine, but he has always attempted to be fair and just. For that reason, I want to comment on his efforts.

I also want to underscore the fact that although I may disagree on occasion with the approach of the distinguished Senator from New York (Mr. BUCKLEY), I feel that the point he makes is extremely valid.

If this Nation needs anything to see it through the immature years of man's society today, we do need a defense mechanism, a defense posture, that is proper. We may disagree on some elements of it, but this defense posture will rest upon the foundation of a proper regard for the military.

We should regard a professional soldier no differently than we do a doctor, and we should have the same reliance and the same faith, because these are patriotic Americans who choose to volunteer. We should adopt the attitude that if they render a service, they should be paid for that service, no less and no more.

Of course, that is not the view we have in our society today. As a result, some people in high office have felt that we should have the draft. The draft has permitted us a large volume of people. This has perpetuated the lack of a need to pay people properly. This has occasioned the malaise in the Nation which has resulted in derision of our military people. This is bad, because as a result of countervailing forces that take place in the sweep of it all, an extreme reaction is brought about that causes a reaction of the other extreme; and in the process of it all we do violence to what would be the well adjusted centrist position that should be taken by mature people.

This, of course, is the reason why I have taken what some would call an extreme position on this whole issue. I feel very deeply that this policy will erode the touchstone of our democracy. If we do not do something about it now, we will slip down the long path which will lead us into darkness and the destruction of our system of representative government.

Thus, I view this not only from the perspective of what it will do to cleanse the Nation, but also what will happen in the long run. That is why I feel so strongly that we should take steps in that direction. One step would be an equitable pay scale, which is fundamental, because those who say we need the draft—and I do not know of any other word to use here, and I do not use it with any disrespect—are duplicitous. If we want a volunteer army, the logical and obvious and only true way to get one is by paying people properly. But those who say we want a volunteer army but do not want to pay for it, I believe their argument is fallacious.

The Senator from Colorado (Mr. ALLOTT) warms my heart, for although we have divergent views in this body on many aspects of the defense posture, we do agree on one thing—that a man who works, whether it be in the military, or anywhere else in American society, should be paid a just wage for his industry. I think that is the greatest efficiency.

As my colleague has stated, he is not classified as a spender in this body, but certainly he can be classified as one who realizes that justice should be rendered in this regard, and I therefore state my affection for him.

Mr. ALLOTT. I thank the Senator from Alaska very much not only for his comments in my direction but also for his well reasoned and cogent arguments in support of my amendment.

Mr. President, may I make inquiry, how much time remains to each side?

The PRESIDING OFFICER (Mr. BENTSEN). The Senator from Colorado has 40 minutes remaining, and the Senator from Mississippi has 49 minutes remaining.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum, with the time to be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. 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. ALLOTT. Mr. President, I yield 5 minutes to the distinguished senior Senator from Oregon (Mr. HATFIELD).

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. HATFIELD. Mr. President, first, let me express my appreciation to the Senator from Colorado (Mr. ALLOTT) for introducing this amendment which focuses upon a part of the whole argument we have been engaged in during the past few weeks, that should be able to bridge the gap between those who favor a volunteer military, such as myself, and those who favor a conscription army. On this subject, we should be able to resolve our differences and reach a common agreement because, irrespective of one's support or lack of support for the draft, the question of equity, the question of justice, should supersede all other philosophical arguments.

Last August 25, 1970, the Senate was called upon to vote on the basic assistance in the Allen amendment. At that time, the Senator from Arizona (Mr. GOLDWATER) and I had introduced an amendment which was to the pay scale represented by the recommendations of the Gates Commission. Our proposal at that time was twofold. We very frankly admitted that we thought No. 1 was the equity feature. However, we thought that No. 2 would constitute a leg up on the objective of an all-volunteer army. And it would be an opportunity to make judgment on the attraction it would have to young men and would bring up true volunteers to the military level.

I think that at the time the consensus was pretty well established by the Senate that it did not feel it was necessary to have this transition period to study the proposition, the impact of an equitable or comparable pay scale to the all-volunteer army proposal.

We heard arguments then, as we have today, that somehow we must weep a lot of tears about the poor taxpayer at this point in the argument on equitable pay.

I would respectfully suggest that it is really a question of priorities. I did not see a lot of tears wept by the poor taxpayers when we were voting increases in our salaries here, or when we were voting on the ABM or for the continuation of the MB–70, the S–14, or the SST. I think the question of priorities is a fundamental factor. I happen to be willing to take a position on the question of comparable pay for enlisted personnel.

The Allott amendment would provide more money for the enlisted personnel and would give the enlisted men pay that would be more comparable than the Armed Services Committee recommendation.

When we talk about equity, I think we must bear in mind the Armed Services Committee recommendation still leaves over 700 families on welfare who are serving in the military branch of our armed services. We have had as high as 43,000 families on welfare in the military uniform, because they qualified as being within the definition of poverty.

Even with the military pay increase proposed by the Armed Services Committee, we would leave 700 families plus on welfare.

The Allott amendment would remove all families from welfare because it seeks equitable treatment for all military personnel.

One thing that I think we ought to bear in mind is that from 1948 to 1968, the pay for the upper ranks increased by 110 percent in contrast to only 60 percent for the first term enlistees. That is almost double the rate of increase. This started from an equitable pay base for the enlistees in 1948.

So, what the senior Senator from Colorado is attempting to do here today is to provide a program of equitable pay for the enlisted personnel, particularly for the first term enlistees and to extend the base, not that he is committed to an all-volunteer army, but from the standpoint of justice. So even through I may be on the other side of the question as it relates an all-volunteer army, I can stand here shoulder to shoulder with the Senator from Colorado on this very important amendment.

We have heard about inflation. Let me remind the Senate that inflation is something that hits all of the people of this country. The pay increases which have been made by this Congress and by other Congresses for enlisted personnel have barely met the inflation rise and the problems they face in trying to deal as human beings with their own needs and their own requirements as against the inflationary spiral.

We have not been generous. We have been miserly with our military personnel in requiring them to serve their country, to enter the military against their will and to require them to risk and even to give their lives. At the same time we force some of them to exist at the poverty level and to be on welfare in spite of the fact that they receive military pay. This is unconscionable.

I cannot imagine that any nation would be proud of the record we have of requiring our young men to serve in this kind of status. The Allott amendment would eliminate this inequity.

I urge all Senators to support the Allott amendment, irrespective of their views on the all-volunteer army.

Mr. ALLOTT. Mr. President, I thank the distinguished Senator very much for his support of the amendment. He brings out well the point I made in my main remarks in this matter, which is that even though he and I disagree as to our approaches to the draft, this is an amendment that does justice to military personnel, particularly those who are on welfare.

The point he has made is a very important one. It is that there are men in the military, both volunteers and draftees, who have to resort to welfare in order to live.

Mr. HATFIELD. Mr. President, I am grateful for this opportunity to join with the Senator from Colorado.

Mr. STENNIS. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 3 minutes.

Mr. STENNIS. I yield myself 3 minutes and will then yield to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 3 minutes.

Mr. STENNIS. Mr. President, let me say that the Senator from Colorado referred to my remarks in a very proper way, and said that I could not call this inflationary and say at the same time that they will leave reductions in bases and so forth. I never have emphasized so much this reduction in the bases.

I have frankly heard talk of those things, but they have seldom materialized. The point was well made.

Mr. ALLOTT. Mr. President, did the Senator say reduction in bases?

Mr. STENNIS. Yes, military bases.

Mr. ALLOTT. Mr. President, I never mentioned bases. I am afraid the Senator misunderstood me.

Mr. STENNIS. Well, the Senator said that I could not charge that this amendment would cause inflation and also dislocations of other military programs or taking it out of the hide, so to speak, of other military programs.

There has been mention here about the reduction in military bases that this matter might cause. I know there is talk about those matters, but they are just not done.

There was talk last fall that we were going to close a number of bases. However, at the last minute those things were not done. Perhaps some could be closed or reduced without hurting the military. But those things did not develop. Instead, the budget came out at $1.5 billion more than I expected at the time. I refer to the military budget.

If we vote for all of this extra money in here and pile it on too thick on these lower enlisted men's rates, whether the all volunteer army results or not, we will be stuck here with these increases that will never be reduced. They will never be reduced. Whether we have a selective service or an all volunteer army or a combination of both, these increases are absolutely too much, piling these on the lower income men until something more is known about how this would work. There is very little money in here, either in the bill or in this amendment, for anyone except these lower grade men and the very lowest commissioned officers, first and second lieutenants.

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

Mr. STENNIS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 2 additional minutes.

Mr. STENNIS. Mr. President, my point is that there is in the bill already, based on the President's judgment, enough to start this matter off. It is also enough to take these lower income groups out of the so-called poverty level.

I gave those figures.

I see a lot of these young fellows coming back from Vietnam, and many of them have been wounded. But whatever conversations I have had with them, none of them mentioned this proposition about the poverty level. I think the military does so much for the average young fellow in those 2 years in training him for life and giving him a trade that the average young man is far better off than when he went into the service although some of them because of large families have been neglected. Maybe they should not have been brought into the service at all if they had four or five children.

Mr. ALLOTT. Mr. President, I think this matter has to be met head on. Perhaps in the noise and confusion of the Senate I was misunderstood. I did not mention bases, but I said, Mr. President, that you have to take your choice in one of two ways. If increased costs are to come out of a rise in the budget then, it creates a deficit. But then you are not opting for reckless reduction in other parts of the defense budget. I announce for myself that I am fully and unequivocally opposed to any such reductions.

Second, with respect to the argument the Senator uses, I find, according to my records, that there would be under the scale offered by the committee still 1,008 families eligible for welfare if we kept the scale which is contained in the committee print.

Third, I would like to say that a decisive, full-scale, one-step move toward equity in military pay is superior to any incremental approach. In the committee method we would be using a less effective process that will not help us to find out whether or not we can establish a volunteer armed force. In addition, without the amendment we will not be able to bring our people in the military service up to a degree of respectability by giving them decent wages.

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

Mr. STENNIS. Mr. President, I yield 12 minutes to the Senator from South Carolina.

The PRESIDING OFFICER (Mr. CHILES). The Senator from South Carlina is recognized for 12 minutes.

Mr. THURMOND. Mr. President, I rise in opposition to amendment No. 115, offered by the distinguished Senator from

Colorado (Mr. ALLOTT) which would provide for adoption of the Gates Commission volunteer armed forces pay proposals.

This amendment, if adopted, would add approximately $1.8 billion in military pay over and above the $1 billion already approved by the Senate Armed Services Committee.

On May 26 the Senate rejected by a vote of 42 to 31 a pay amendment calling for about $1.7 billion in salary hikes. Amendment No. 115 provides that the proposed pay increases go to enlisted men in the lower ranks and junior officers whereas the amendment previously beaten allowed some pay increases to career personnel.

Mr. President, the Senate should reject this amendment on a number of grounds.

First, there have been no hearings on this proposal. The committee system of the Congress and the responsibility of the executive branch to make recommendations is subverted when the Senate takes upon itself the responsibility of a pay hike of these proportions. Not one word of testimony has been heard on this far reaching pay structure expansion.

Second, this amendment provides for an unbudgeted expenditure of approximately $1.8 billion. In other words, if this amendment passes, the Defense Department will have to cut weapons programs and personnel in order to find the money for these pay raises. It would, indeed, be unfortunate.

Third, the $1 billion in pay hikes already provided for in this bill will bring pay for the lower military grades up to the same level of increases given all grades in the past 10 years.

Fourth, the acceptance of additional military pay at this time would not enable the Nation to gain from the experience resulting from the various pay incentives already contained in this legislation.

Also, Mr. President, I wish to draw the attention of the Senate to the remarks of Army Secretary Stanley Resor on May 22, which I placed in the CONGRESSIONAL RECORD June 4, 1971. In answer to a question concerning the costs of the all-volunteer armed forces, Secretary Resor replied during his press conference as follows:

> 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 noncombat 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.

Mr. President, it will not be the $2.7 billion that is being discussed here. The Secretary of the Army said it will end up being nearer $7.5 billion.

Now, Mr. President, this is very important, and I urge my colleagues to listen closely. Secretary Resor, who has announced his retirement, is no longer under political restrictions, and in this press conference he dropped a bombshell which no one seems to have noticed.

As I just quoted, he stated that the all-volunteer armed force would not cost the $2.7 billion the Senate has been arguing about on this amendment and the earlier pay amendments.

The Senate has been told in recent days that the $1 billion in the pending bill and the $1.7 billion offered in the amendment last May would give the Nation an all-volunteer armed force.

Secretary Resor said, and I quote again:

> The cost for FY 73 will be in the neighborhood of 7.5 billion dollars—although this too is a very imprecise figure—instead of the 2.7 billion dollars estimated by the Gates Commission.

That is a quotation from the Secretary of the Army, Mr. Resor.

There it is, Mr. President—possibly $7.5 billion—if this Nation hopes to achieve an all-volunteer armed force by the end of fiscal year 1973 when the draft ends.

Mr. President, this country had better wake up. We are currently running what may develop into an all-time record deficit and at the same time are talking about paying for an all-volunteer armed force.

My distinguished colleague from Maine (Mrs. SMITH) the ranking minority member of the Armed Services Committee, has said all along she would support the all-volunteer force on three conditions. First, if the required manpower could be obtained on a volunteer basis. Second, if this manpower met needed mental standards to handle today's complex weapon systems. Third, if the American people were willing to pay the bill.

Mr. President, the more I think about Senator SMITH's qualifications, the more I feel this country may be reaching for the stars when it comes to paying the bill to relieve its young men of a military obligation.

In summary, I say to those Senators who think by voting for Amendment No. 115 they would bring about the necessary pay for an all-volunteer armed force immediately—then that is a dream. I repeat, it is a dream.

Mr. Resor served as Secretary of the Army for 6 years, and I value his findings based on study of the lottery results. The revelation that an all-volunteer armed force will cost this Nation around $7.5 billion each year is something to which each Senator should give serious thought.

Mr. President, how much longer do I have?

The PRESIDING OFFICER. The Senator has 3 minutes.

Mr. THURMOND. Mr. President, with further reference to the statement by Secretary of the Army, Mr. Resor, I would like to now quote some questions and give his answers:

> 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 accession 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.

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

Mr. STENNIS. Mr. President, I yield the Senator 2 minutes.

Mr. THURMOND. I thank the Senator.

Continuing with the quotation:

> 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 million 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 multiple 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.

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

Mr. THURMOND. Mr. President, may I have 1 minute?

Mr. STENNIS. I yield 2 additional minutes to the Senator.

Mr. THURMOND. In closing, I want to again repeat the statement by Mr. Resor, Secretary of the Army, that the Gates Commission underestimated in the number of acquisitions required by approximately 35,000 the number of true volunteers and did not differentiate between combat skill and noncombat skill personnel. Secretary Resor says the acquisitions, plus the number of true volunteers computed by the Gates Commission formula, indicated that the cost for fiscal 1973 will be in the neighborhood of $7.5 billion, although this, too, is still a very imprecise figure, instead of $2.7 billion estimated by the Gates Commission.

In view of this, how can we go forward and adopt this amendment if, under the estimate of the Secretary of the Army, it ends up at a cost of $7.5 billion?

I hope the Senate will think. I hope it will pause. Certainly we want to do right by our servicemen, and we are going to do right by them. I have stood here on the floor of the Senate for the 17 years I have been here and fought for the serviceman and I yield to no man in my interest in the serviceman; but these points by the Secretary of the Army are matters that I think the Senate must give attention to, because this is a far-reaching amendment and should be defeated.

I urge my colleagues to reject this amendment on the grounds I have cited in my remarks.

Mr. STENNIS. Mr. President, I yield myself 2 minutes. Am I recognized?

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. I highly commend the Senator for a very fine, meaningful speech. He has summed up in a few words some major points that I believe are totally correct.

In addition, I have heard estimates from knowledgeable people about the volunteer army matter running from $5 billion to $7 billion per year, but I was never able to nail that down in such a way that it could be used and authenticated and pointed out.

Here is Mr. Resor, an outstanding Secretary of Defense, who has served for nearly 6 years, and by request, you might say, over into the Nixon administration, an exceptionally fine man, who grew in stature as he worked and labored there. He has made the statement that it is going to cost, in his opinion, $7.5 billion annually. The key word there is "every" year. We are jumping off an abyss here. I do not think the President is to blame for this. We are going to jump over a precipice here and not know where we are going, except for this estimated cost which comes from a highly responsible man.

I want to say that we will have these salaries tied to these grades, and we will never repeal them. We are going to have to increase all others comparably to what we are putting on the bottom grades. That is going to be the next cry. I tell you, Mr. President, the Pentagon can move mountains when it gets behind a matter like this.

Another thing, if we enact this amendment and put it into law—I suppose the President would almost have to sign the bill——

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. STENNIS. I yield myself an additional minute.

The military would pay for it, with compound interest, right here on this floor, because it has to reduce the total military budget $6 billion to $8 billion. But if we increase the salaries, then they have to be paid. They become an obligation of the Government, and these increases would have to apply according to the terms of the law.

So I warn the military, Mr. President—the weapons group and everybody who is interested in everything else—"Beware, you are buying something here you are going to have to pay for with compound interest, right here this year, in the authorization and appropriation bills."

We had better get back on the ground, like we were last week, and say that this matter will have to wait for next year.

Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President, I yield 5 minutes to the distinguished senior Senator from California.

Mr. CRANSTON. Mr. President, I thank the Senator from Colorado. I want first to express my admiration for the way he has brought this matter of justice in pay to those in the Armed Forces back to the consideration of Senators at a very timely moment in our consideration of this measure, and in a way that I believe is destined, today, to bring about a different decision on this matter.

I believe that, totally apart from considerations of a volunteer army versus the draft, we must address ourselves to the problem of paying people in the Armed Forces, particularly in the lower grades, a living wage. It seems to me utterly disgraceful that we have at the present time people in the Armed Forces, some of them volunteers and some of them draftees, who are on welfare, whose families are subsisting on food stamps, and who are not only making the great sacrifice of serving their country in the Armed Forces, but are making the incredible sacrifice of having their families below the poverty level by the measurement of the present administration.

Just in summary, in regard to the Allott amendment, its cost is somewhat less than that of the amendment that was considered the other day, which had been offered by the Senator from Iowa (Mr. HUGHES). I believe the pay is distributed more equitably under this approach.

In the pending amendment, 75 percent of the money goes to those with under 2 years of service, 25 percent to those with over 2 years. The "over 2" money is merely designated to insure a standard 4-percent intergrade differential, while the House bill was designed to give larger increases to all grades.

This measure, as I think all Senators know, is basically designed to carry out the recommendations of the Gates study. It thus concentrates on the areas of greatest need. Increases in the Gates proposal go only through E–6—there are nine enlisted pay grades, as I think all Senators know—and through O–3. By placing all the money in the lower grades, the Gates bill merely straightens out the pay line which has been distorted by recent across-the-board pay increases.

Reservists would earn, on a weekend drill, $40.20 under Gates, $26.92 under the Senate bill, and $17.92 under current law.

Overall, the military force has received a cumulative pay hike of 154.3 percent since 1952, while the junior enlisted men have received only 86 percent, including the raise effective January 1, 1971.

The spread in monthly basic pay between the recruit's mere $134.40, the supergrader's roughly $750 to $975, the colonel's $1,800, and the four-star general's nearly $3,000 is entirely out of line.

Under present pay scales, the average recruit earns only $2,750 a year—including basic pay, allowances for quarters and subsistence, and the tax advantage. This is clearly inadequate: the Federal minimum wage annualizes to $3,300, an average Job Corps graduate earns $3,900 a year, the family assistance plan—as reported by House Ways and Means with the administration's approval—provides benefits to the working poor with up to $4,140 income for a family of four, and the beginning wage for most unskilled blue-collar work is $6,000.

Why on earth do we suggest that those serving their country, in the uniform of their country, are not entitled to something analogous to that? There is no reason why we should permit such pay discrepancies for work done in the civilian sector as against the very same work done by those in uniform. Why, for example, should we pay a military radio operator $1,000 less than he would receive if he avoided military service and was in civil service?

As Assistant Secretary of Defense Roger T. Kelley declared in testimony before the House Armed Services Committee some time back:

It is unfair to use the power of the draft to enforce inordinately low pay levels.

Adoption of the Gates Commission pay scales give us the unique opportunity to end the use of the draft to depress the pay of our servicemen. The legislative history of military pay increases reveals that our current structure relies heavily on the power to compel young men to enter the military regardless of the wage level.

Assistant Secretary of Defense Norman S. Paul admitted in 1963 that low wages led to high turnover and poor morale in the armed services, saying:

Undoubtedly, if you significantly increased the pay of these people, more of them would stay in and there would be less griping and less people leaving the service.

As we all know, turnover which is excessive increases the cost of maintaining the level of manpower deemed necessary. If we can get a more stable time of service from those in the Armed Forces by better pay and by better conditions in other ways, then it is obviously to the benefit of all concerned, the taxpayers and those serving in the Armed Forces as well as those subject to the draft.

Estimates of servicemen who presently qualify for welfare range from 10,000 to 43,000. The welfare problem is serious because 330,000, 23 percent, men in their first term of service are married, yet the compensation system is designed primarily for single men.

We should take account of the need of those who are married and serving in the Armed Forces.

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

Mr. ALLOTT. Mr. President, I think the distinguished Senator from California for his very cogent remarks. I now yield 5 minutes to the distinguished Senator from Alaska (Mr. STEVENS).

Mr. STEVENS. Mr. President, I have joined the Senator from Colorado as a cosponsor of this amendment. I have great respect for the chairman of the Armed Services Committee, who has been leading the fight to defend the bill reported by the committee, but I believe that we have to face the situation that we have today. It is simply that due to the continuation of the draft over such a long period of time—a peacetime draft, incidentally, which I violently oppose—we have a Defense Establishment which is underpaid. We have to face the situation that we are in today, which is that until we can establish incentives for these young people, those who want to enter the military service and those who are there now who would stay a little longer, which really make the military service a viable alternative career, these people will, as the Senator from California has stated, continue to leave our defense forces with a very high rate of turnover at the lower grades of the military service.

I am one of those who support establishment of an all-volunteer military force, but, I believe the conversion must be systematically paced to ensure preservation of our national security. Whether or not a U.S. soldier, sailor, or marine is a volunteer, he is the most well trained, best equipped, most technically competent soldier, sailor, or marine in the history of our armed services. Because he does not receive pay comparable to that of his fellow Americans in civilian life, he inevitably considers becoming a civilian himself. In too many cases, the decision is that he owes it to himself and to his family to seek a better way of life than he now can afford.

A professional military man will withstand the degredations so repeatedly heaped upon him these days by lesser Americans. But, his self respect will not survive a forced surrender of his family to poverty.

Nor can the Nation afford a technologically sophisticated military manned by transitory personnel anxious only to serve their time before handing over their duties to new recruits or conscriptees, who, in turn, start checking the days off the calendar. In the interest of national survival, it is fortunate that this element of the system has not become its downfall. The dedication of literally millions of American servicemen and women over the years has guaranteed our security to the point we take it for granted. We cannot forever expect to enjoy this luxury at the expense of others.

Passage of the Allott amendment will hasten the day of economic justice for our military, particularly those in the lowest paid entry ranks. It will be a demonstration of faith to those now in the military who are considering leaving, and to those civilians weighing the advantages and disadvantages of a military career.

The real justification, I think, for what the Senator from Colorado is trying to do is that his amendment makes the Gates report meaningful and makes this bill one that will respond to the need to insure that our military people, in the lower grades in particular, will see the advantage of remaining as a part of our national defense forces.

I supported the Hughes amendment, and I am sorry that it was not adopted. adoption of the Allott amendment, I feel, will hasten the day of economic justice for our military people, particularly those in the lowest paid entry ranks.

The other evening, I witnessed the late news, when one of the major networks interviewed a young military man and his wife. He was a volunteer, serving his country, getting training. He will remain trained, even if he decides to leave the military service and reenter civilian life. He will be part of the Reserve forces of this country. Yet, during the time he is in service, he is using food stamps. They are in a situation, as described by his wife, in which they are on a very basic standard of living—very substandard conditions, actually—with two small children, while he is attending this very technical school in the Army.

I thought it was a very good coverage by the national network of the problem we are faced with here today—that is, that young people who are in the service today are not paid enough money even to maintain themselves at the poverty level.

Even though we must continue the draft in order to bring into being the incentives for the volunteer service, I do not know why we would even question the necessity to raise the pay schedules as suggested by the Senator from Colorado.

I think it is essential to the survival of our defense system that our military people must be compensated at a rate that is comparable to what they would receive if they were in similar training in civilian life.

I am one who believes that the sooner we can end the draft, the better off this country will be. But we cannot end the draft unless we can have a viable system that provides the income of these young people need to subsist.

I have heard the statements of the Senator from Mississippi. I cannot agree with them.

I hope very much that the amendment of the Senator from Colorado will be adopted and that we can put into effect the incentives to keep our people in the lower grades in the military service.

Mr. ALLOTT. I thank the distinguished Senator.

Mr. President, I yield 5 minutes to the distinguished Senator from Illinois.

Mr. PERCY. I thank the distinguished Senator from Colorado.

Mr. President, before beginning my comments, I should like to ask a question of the distinguished Senator from Colorado. Has the distinguished economist of the University of Chicago, Mr. Milton Friedman, indicated his support for the Allott amendment?

Mr. ALLOTT. I must say to the Senator that Mr. Friedman has. As the Senator knows, Mr. Friedman was a member of the Gates Commission, and this amendment is really a part of his work.

Mr. PERCY. I am pleased to hear that he has specifically endorsed the Allott amendment.

I have had a long relationship with Dr. Milton Friedman, one of the most eminent economists in this country. I recently received a very fine letter from him on the general subject of discriminatory pay in the military services and the volunteer army, which he fully supports, and I am delighted to learn that he has specifically endorsed the Allott amendment; and I am proud, indeed, to be a cosponsor of that amendment.

I wish to commend the distinguished Senator from Colorado, a member of the Appropriations Committee—a powerful member of that committee—an intelligent, enlightened conservative, for the incisiveness and logical manner in which he is attempting to remedy one of the most blatant inequities connected with military service. I am pleased to support his undertaking.

I think it is very interesting that liberals, progressives, and conservatives—all types of ideological beliefs—have supported this amendment. I hope it will have the full support of the Senate.

The extensive debate in this Chamber and the other Chamber has provided us with more than enough information to confirm the stark realities of inadequate military pay, especially for GI's in their first term of duty. Our treatment of these men, who have been required to put their lives on the line for this country, has been nothing less than shameful. How can we possibly justify a system wherein the first-term enlistee is forced to bear the burden of 60 percent of the cost of his service? How can we justify a system which, under the terms of the family assistance program reported last year by the House Ways and Means Committee, would place well over a thousand military families on welfare?

How can we ignore the fact that present annual pay for a married recruit with two children is only $3,500, when the poverty line has been determined to be in excess of $3,900? It is no wonder that 134,000 first-termers hold second jobs in an attempt just to get by. By what possible reasoning do we explain the

necessity of food stamps for servicemen, not to mention the new almost routine negotiation of these stamps as currency at military commissaries, making them an accepted fact of life? Mr. President, these statistics and reports are not only impossible to justify, they are indicative of a situation we need no longer tolerate.

I indicated my opposition to an earlier amendment offered to this bill to increase military pay. I certainly intended no slight to its sponsor, my distinguished and able colleague, the Senator from Iowa (Mr. HUGHES). His amendment was well conceived and certainly a step in the right direction. However, my primary concern in this regard has been and continues to be the gross inequities we have imposed on the first-term recruits. The amendment we debate at this time is directed exclusively toward increasing basic pay and thus attacks the area where the most conspicuous inadequacies exist.

Having cosponsored legislation, in this Congress as well as in the 91st, to implement an all-volunteer Army, which contained similar pay increase proposals, I find this amendment consistent with that interest and that position.

First, these pay increases will provide a good test for the incentive principle. If we are to have an all-volunteer force, it must be competitive with other professions. Adequate pay is a visible, concrete enticement. It will indicate to us in a measureable way whether on this basis we can or cannot entice people to serve in an all-volunteer force and the extent to which we must find other incentives.

There is no better pay incentive than to simply say that this system will adequately pay men for what they are doing. We found that the pay of schoolteachers was grossly inadequate. We were expecting schoolteachers, in their loyalty to their country and the young people of this country, to deprive their own children of the necessities of life, in order that they could help benefit other children. We raised the pay of schoolteachers, we provided the incentives, and we have today, as the Senator from Colorado knows, a surplus of schoolteachers, for the simple reason that we said it was a matter of high priority. Let us place the same priority on finding a way to encourage a volunteer army and bring into that army people who can be adequately compensated.

Second, the best studies and recommendations we have in support of an all-volunteer army—most important of which in my view is the Gates Commission report—incorporate the pay raises as essential prerequisites. The Gates Commission, as many Senators know, suggests that increases are best placed in the basic pay categories. The Allott amendment, it seems to me, comes closer to fulfilling the recommendations of the Gates Commission than any other proposal offered to this body. So if anyone wants to support what the study commission has indicated is the right program, then the Allott amendment is the right one to support.

Mr. ALLOTT. I appreciate very much what the Senator has to say. It is true. I do not see how we can, as a country, ask people to serve in the military service at poverty wages. But that is what we are doing. Of course, the main difference, as the Senator has pointed out, between this and the previous amendment on pay, is in the lower ranks. That is the virtue of the pending amendment. That is where we need to do most of the work. I want to thank my good friend from Illinois for his wonderful remarks here and his cogent arguments. I would also be remiss if I did not include in that statement—because I was interrupted before—the very great remarks of the distinguished Senator from Alaska who spoke so ably and forcibly on behalf of the pending amendment a few minutes ago.

Mr. PERCY. I thank my colleague.

Now, Mr. President, I need not detail the precise financial impact of this amendment since it has already been thoroughly discussed. But I do want my colleagues to know that the fiscal impact is a matter I have considered in detail on this and the other related amendments.

To implement the provisions of this amendment the cost will be approximately $2.667 billion. The committee recommends $908 million in basic pay increases, approximately $1.756 billion less. But the committee and the administration do not oppose the $1.756-billion increase, as I understand it; rather, they choose to string out the increase over 2 years. Thus, while the administration may suggest that it lacks the money this year according to the structure of the present budget—a situation, incidentally, which Congress can certainly provide for in several different ways if it chooses to authorize the higher level—it does not appear to have substantive opposition to the pay increases themselves.

The Deputy Secretary of Defense, Mr. Packard, reflected this view back in March when he said in response to a question concerning the prospects of combining the 2-year pay increase into a 1-year proposal similar to the one before us now:

> If the Congress wants to move faster and will give us the money to move faster, I would see nothing wrong with this. I think in equity it would be a good thing. These fellows are not getting paid what they ought to be paid.

Mr. President, I should indicate in closing my great disappointment that the Senate, in its wisdom, saw fit to reject the 1-year extension of the draft as proposed by my distinguished colleague from Pennsylvania, Mr. SCHWEIKER. However, that defeat, if anything, makes even more imperative the passage of these pay increases. They stand to be the best—perhaps, the only—test of the viability of the volunteer army concept. They are fiscally feasible. They are supported by the best, independent studies available to the Congress. And, most importantly, they reflect the equitable imperatives of a situation where men are drafted or enlisted into service; are required to give at least their valuable time and too often, their very lives; are expected to perform their duties with loyalty and diligence; and are relied upon, in the final analysis, to defend this Nation from every conceivable military threat.

Mr. President, I cannot conceive of anything more inexcusable than our failure to provide these men and women with adequate compensation. I urge my colleagues to support this amendment.

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

The PRESIDING OFFICER (Mr. CHILES). Twenty-one minutes remain to the Senator from Mississippi.

Mr. STENNIS. I thank the Chair. I yield myself 8 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 8 minutes.

Mr. STENNIS. Mr. President, if the distinguished Senators from Illinois and Alaska will remain in the Chamber for a moment, could I ask the Senator from Illinois, does he have in mind a figure that he could give, as to what he thinks the annual cost of a volunteer army would be?

Mr. PERCY. Considerably higher than the present cost figure. We have to look at the cost of taking a young man in private life who can earn $8,000, $10,000 or $12,000 and pay income tax, or taking that same young man and giving him $100 a month and putting him into a grade of work which is substantially lower than the grade of work he is qualified to handle. The cost of putting 1 million men under forced requirements into the armed services is a very, very high figure, indeed.

Mr. STENNIS. Secretary of the Army Resor, who has just announced his retirement, has estimated that the cost per year—and I think this is a valid estimate—is in the neighborhood of what I have heard from him before at his press conference, $7.5 billion per year, once this thing is in motion.

Mr. PERCY. At what level, may I ask, is that figure based on? What size Army, Navy, and Air Force?

Mr. STENNIS. I do not know just what size it would be. I imagine it is based on approximately the size we have now. Anyway, that is an eye opener. I am standing on that as chairman of the committee.

Now, Mr. President, let me say with emphasis that I think the facts here have gotten confused. All these stories about poverty are being published in the press and they are not accurate. They are not based on fact, but there is no chance to refute them. We have no one to talk to in this Chamber during this debate except the Chair and it goes on and on and a Senator carries these figures in his mind.

Let me point out that under the committee bill, a new recruit will earn in regular military compensation $ 3,979. After basic training, he will earn $4,244. Typically, he would be promoted twice before he had been in the military a year and 3 months. Thus, within that time, while still in his first 2 years, he would be earning $5,851.

That is not poverty stuff, as I shall illustrate.

On the outside, in civilian life, in 1968, an average young man 18 to 19 years old earned $3,200. The average working man 20 to 21 years old earned about $5,000. Those figures have probably increased by several hundred dollars since 1968, but even if they have increased 15 or 20 per-

cent in 2 years, the point still remains that under the Armed Services Committee bill as presented, a young man in the Army will earn as much or more than he could in civilian life.

These stories about poverty just do not hold up. We have made an effort to find out how many families there were, even at their worst. Two measurements were recognized, one under the President's family assistance plan, and the other under the Office of Economic Opportunity. I have all the figures here.

Under the most liberal President's family assistance plan, 778 military families will fall below the poverty line.

I wish to add that, under the existing pay rates, approximately 4,275 families as compared to the 778 would remain below the poverty level.

I have said before that some increase has been overdue in the lower brackets, but there was an increase on January 1, 1971, and another increase on January 1, 1972, by operation of law. The committee has $1 billion extra in here and most of it goes to these men. When those are added in—it may not be above the poverty level in Alaska where prices are unusually high—it will be above the level here with these slight exceptions.

But this trumping up of stories about poverty and disgrace, and all the things that go with charges like that, do not pan out when the facts are actually examined.

The military compensation I have referred to does not include medical and other benefits.

May I point out that I have the figures here which have been verified after careful analysis as to the Hughes amendment and the Allott amendment—and making allowances for the $40-million enlistment bonus in the Hughes amendment—this amendment today is $39 million above the Hughes amendment that was rejected last week.

The Senator from California had his figures mixed up. I state those things as facts. We can go along here and talk about poverty, and about an amendment here and an amendment there, and the disgrace, and the condition of a few families, but we are going over this budget now by $1.8 billion or more. It is going to jeopardize the whole military program.

I have not committed myself to next year's figures, but I am going to consider something. But we are going to pay here in blood for a reckless thing—and I think it is a reckless thing—if we pass the pending amendment.

There is another group which would vote for the amendment, but wants to decrease the total military cost by $8 billion. We just cannot travel in two directions at the same time, gentlemen. This is a serious matter. Each Senator controls his vote and, of course, I respect their votes. But let us stick to the facts here as we find them by these very serious calculations.

We ought not to count so hard, in my humble opinion, on this so-called poverty level, all these disgraceful things that have been done. A few men who had several children were brought into the service, and the pay was not enough, and so forth. However, that has been remedied now, or will by this bill.

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

Mr. PERCY. Mr. President, will the Senator yield me 1 minute so that I might reply to the Senator? I believe the Senator asked a good question.

Mr. STENNIS. I yield 1 minute to the Senator from Illinois.

Mr. PERCY. Mr. President, I would like to quote from the Gates Commission report that the costs for a fully voluntary force are and should be on a continuing basis, $1.5 billion for a 2 million man force; $2.1 billion for a 2.5 million man force; and $4.6 billion for a 3 million man force.

As I understand the Nixon proposal it is to cut the size of the force. That is good. I fully realize that we have to provide for the military. I say that we should pass a tax on leaded gasoline. That would involve $1.3 billion. We have saved $1 billion on the SST.

Mr. STENNIS. Would the Senator put in his tax bill today?

Mr. PERCY. I would do so, absolutely. I support it fully. I think it is in the national interest.

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

Mr. STENNIS. Mr. President, I yield the Senator 2 additional minutes.

Mr. PERCY. Mr. President, I would cut the appropriations we are paying for surplus products. I think there are lower priorities that ought to be slashed out of the budget. The money ought to come in this manner.

Does the distinguished Senator disagree with the statement by Under Secretary of Defense Packard when he said, "If Congress wants to move faster and would give us the money to move faster, I see nothing wrong with this, I think it is a good thing. These GI's are not being paid what they ought to be paid."

Mr. STENNIS. They have looked at the figures and they take a statement that has been totally rejected by the President, by the Secretary of Defense, and by the Bureau of the Budget.

Mr. PERCY. This was in March.

Mr. STENNIS. They are totally opposed to the amendment. I have been through all this. This whole thing is wrapped up in an experiment with the volunteer army that I have already expressed myself on.

It is just a dream that someone had.

Mr. PERCY. We have had this dream for many years in this country.

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

Mr. STENNIS. I yield to the Senator from Alaska.

Mr. STEVENS. Mr. President, as the Senator from Mississippi knows, I have great respect for his leadership. However, we hear about a reordering of priorities.

I think our priorities should include a strong Defense Establishment. To have that we must have a strong incentive for the men to stay in the Armed Forces.

The Senator from Mississippi mentioned some young men out of high school. The young men in the service that I meet in my State have 3 and 4 years of college. Many are married and have a baby or two. They cannot live on this amount of money contained in the bill in my State, on that pay scale.

Mr. STENNIS. Not in Alaska.

Mr. STEVENS. I would follow the Senator with respect to most items pertaining to Defense Establishment, but we have to have comparability to the civilian sector in military rates of pay.

Mr. STENNIS. Mr. President, I will support the Senator in extra appropriations to cover the high economy in the Senator's State. It is not his fault, nor is it their fault.

Mr. STEVENS. I realize that. We are very grateful to the Senator for his support.

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

Mr. STENNIS. I yield 1 additional minute to the Senator from Alaska.

Mr. STEVENS. Mr. President, I want the Senator to understand why we feel that if we are going to have a professional Defense Establishment, a basic area we must concentrate on is in the lower grades so that we will be able to get men to continue to serve. That is why I support the amendment.

Mr. MANSFIELD. Mr. President, will the Senator yield me 2 minutes?

Mr. STENNIS. I yield 2 minutes to the Senator from Montana.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the able Senator from Mississippi, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

LEAVE OF ABSENCE

Mr. BYRD of West Virginia. Mr. President, the very distinguished senior Senator from Connecticut (Mr. RIBICOFF) is absent from the Senate on official business. He is a Senate observer at a conference of the Organization for Economic Cooperation and Development in Paris.

I, therefore, ask unanimous consent that a leave of absence be accorded to the distinguished senior Senator from Connecticut beginning with yesterday, June 7, 1971, and extending through Wednesday, June 16, 1971; and that the permanent RECORD with respect to the votes of yesterday show that he was absent on official business during those two votes.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 4724) to authorize appropriations for certain maritime programs of the Department of Commerce; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GARMATZ, Mr. DOWNING, Mrs. SULLIVAN, Mr. PELLY, and Mr. MAILLIARD were appointed managers on the part of the House at the conference.

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

H.R. 803. An act to amend title 10 of the United States Code to provide a more equitable standard for awarding the gold star lapel button;

H.R. 1161. An act to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against domestic wine under title I of such Act;

H.R. 6217. An act to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938;

H.R. 7950. An act to repeal sections 3692, 6023, 6025, and 8692 of title 10, United States Code, with respect to pilot rating requirements for members of the Army, Navy, Marine Corps, and Air Force; and to insert a new section 2003 of the same title;

H.R. 7960. An act to authorize appropriations for activities of the National Science Foundation, and for other purposes; and

H.J. Res. 169. A joint resolution authorizing the acceptance, by the Joint Committee on the Library on behalf of the Congress, from the U.S. Capitol Historical Society, of preliminary design sketches and funds for murals in the east corridor, first floor, in the House wing of the Capitol, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 6359) to amend the Water Resources Planning Act to authorize increased appropriations.

The enrolled bill was signed by the Acting President pro tempore (Mr. ALLEN) today.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

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

H.R. 803. An act to amend title 10 of the United States Code to provide a more equitable standard for awarding the gold star lapel button; and

H.R. 7950. An act to repeal sections 3692, 6023, 6025, and 8692 of title 10, United States Code, with respect to pilot rating requirements for members of the Army, Navy, Marine Corps, and Air Force; and to insert a new section 2003 of the same title; to the Committee on Armed Services.

H.R. 1161. An act to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against domestic wine under title I of such act; and

H.R. 6217. An act to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938; to the Committee on Agriculture and Forestry.

H.R. 7960. An act to authorize appropriations for activities of the National Science Foundation, and for other purposes; to the Committee on Labor and Public Welfare.

H.J. Res. 169. A joint resolution authorizing the acceptance, by the Joint Committee on the Library on behalf of the Congress, from the U.S. Capitol Historical Society, of preliminary design sketches and funds for murals in the east corridor, first floor, in the House wing of the Capitol, and for other purposes; to the Committee on Rules and Administration.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask that the time be equally divided between 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. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE MILITARY SELECTIVE SERVICE ACT

The 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. MANSFIELD. Mr. President, at this time I yield to the distinguished deputy majority leader for the purpose of proposing a unanimous-consent request which I think he, his counterpart on the Republican side, the Senator from Alaska (Mr. GRAVEL), the Senator from Oregon (Mr. HATFIELD), and others have worked out—I hope.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. STENNIS. Mr. President, may we have quiet and I ask that attachés please be seated.

The PRESIDING OFFICER. The Senate will be in order.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I have been authorized by the distinguished majority leader to propose the following unanimous-consent request, after having discussed it with various and sundry Senators who are directly involved.

Mr. President, I ask unanimous consent that on Thursday, June 10, when the unfinished business is laid before the Senate, the Chair lay before the Senate amendment No. 143 by the Senator from South Dakota (Mr. MCGOVERN), on behalf of himself and the Senator from Oregon (Mr. HATFIELD) and several other Senators; that during the further consideration of that amendment the time be limited and controlled, and that the time on the amendment be equally divided between the distinguished mover of the amendment and the distinguished manager of the bill; and that a vote occur on amendment No. 143 at not later than 5 o'clock p.m. on Wednesday, June 16.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered——

Mr. GRAVEL. Mr. President, there is objection. Reserving the right to object——

The PRESIDING OFFICER. The Senator from Alaska.

Mr. GRAVEL. Mr. President, I withdraw my objection.

The PRESIDING OFFICER. There being no objection, it is so ordered.

Mr. BYRD of West Virginia. Now, Mr. President, I ask unanimous consent that it be further provided that time on any amendment to amendment No. 143 by Mr. MCGOVERN be limited, that it be divided and controlled, divided between the mover of such amendment, which would be in the second degree, and the distinguished author of the amendment in the first degree, Mr. MCGOVERN.

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

Mr. STENNIS. Mr. President, would the Senator repeat that unanimous-consent request about the controlled time?

Mr. BYRD of West Virginia. Yes. I will not repeat the consent request unless the Senator wishes it——

Mr. STENNIS. No; the facts.

Mr. BYRD of West Virginia. The facts are that time on any amendment offered to the amendment offered by the Senator from South Dakota (Mr. MCGOVERN) will be equally divided between the mover of the amendment in the second degree and the mover of the amendment in the first degree (Mr. MCGOVERN).

Mr. STENNIS. If I may observe this, it is customary for the manager of the bill to be in on this, to a degree, and I would expect some consideration at that time.

Mr. SCOTT. Mr. President, if the Senator will yield, I would like to express the same thought. It is the general understanding that opportunity of the manager of the bill be preserved so that, notwithstanding unanimous-consent agreements, time may be yielded from either side to permit the manager of the bill to make suitable comment. Would that be sufficient?

Mr. STENNIS. I think it is understood on that basis.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, further, that Senators in control of the time on the basic amendment (No. 143) by Mr. MCGOVERN may be authorized to yield from the time under their control to any Senator on any amendment to the amendment.

The PRESIDING OFFICER. Is there objection? If not, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask further unanimous consent that no amendment not germane to the amendment (No. 143) be received.

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

Mr. BYRD of West Virginia. Mr. President, it is the understanding of the distinguished Senator from Alaska (Mr. GRAVEL)—and it was only through this understanding that he did not interpose an objection to these various requests—that the leadership would proceed on

the basis that a motion to invoke cloture on the bill and all amendments thereto would not be offered, insofar as the leadership would have any control, until, and not before, Monday, June 21.

Mr. SCOTT. Mr. President, reserving the right to object—and I shall not object—but I do this simply——

Mr. BYRD of West Virginia. Mr. President, this is not a request; this is merely an expression of an understanding.

Mr. SCOTT. If the Senator will yield, then——

Mr. BYRD of West Virginia. Yes.

Mr. SCOTT. I would like to say the leadership on this side share the same understanding, and the Senator has said not before Monday.

Mr. BYRD of West Virginia. Yes.

Mr. SCOTT. Therefore, such motion could be offered on Monday or thereafter.

Mr. BYRD of West Virginia. No; the understanding is that it will not be offered before Monday, June 21, but I want to make explicit the further understanding that it will not be offered subsequent to that Monday; that there will be a cloture motion offered on Monday, June 21; but certainly so far as the leadership is concerned—and I am authorized to say this by the majority leader and after conferring with other Senators, including the minority leader and assistant minority leader—it is the understanding of the leadership that there will be no cloture motion offered before June 21, but certainly we would expect such a motion to be offered on that date.

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

Mr. BYRD of West Virginia. I yield.

Mr. GRAVEL. And that is, as I understand it, our understanding; that is, that in order to accommodate the body on all sides of this issue, the cloture motion in hand would be filed on June 21, which would bring a vote in the afternoon, at 1 or 2 o'clock, on the 23d of June; and I think that would accommodate all parties between now and that date.

Mr. BYRD of West Virginia. That is correct, and I thank the able Senator.

Mr. GRIFFIN. Mr. President, will the Senator yield to me for a moment?

Mr. BYRD of West Virginia. I yield.

Mr. GRIFFIN. I am advised by the desk that the unanimous-consent agreement, so far as it applies to amendments to the amendment, contains no time limitation. It was understood, I believe, that a time limit of 1 hour would apply to each such amendment.

Mr. BYRD of West Virginia. I thought I said 1 hour.

Mr. GRIFFIN. Either it was an oversight, or the words of the able majority whip were not heard at the desk.

Mr. BYRD of West Virginia. If it was an oversight, I ask unanimous consent that the time be limited to 1 hour on any amendment to the amendment in the first degree, amendment No. 143, to be equally divided between the mover of such amendment in the second degree and the mover of the amendment in the first degree.

The PRESIDING OFFICER. Is there objection to that request? If not, it is so ordered.

The unanimous-consent agreement reads as follows:

Ordered further, That the Senate proceed to vote not later than 5:00 p.m. on Wednesday, June 16, 1971, on amendment No. 143 by the Senator from South Dakota (Mr. McGovern) and the Senator from Oregon (Mr. Hatfield) and several others, with the time for debate thereon beginning on Thursday, June 10, 1971, when the unfinished business is laid before the Senate until the time for the vote, to be equally divided and controlled by the mover of the amendment and the Senator from Mississippi (Mr. Stennis).

Provided further, That amendments to amendment No. 143 be in order and that the time on any such amendment be limited to 1 hour to be equally divided and controlled by the mover of the amendment and the Senator from South Dakota (Mr. McGovern) to come out of the time allotted to amendment No. 143, and that the Senators in control of the time for debate on amendment No. 143 may allot additional time from under their control on any such amendment.

Provided further, That amendments not germane to amendment No. 143 shall not be received.

Mr. STENNIS. Mr. President, I direct my thought now to the leadership of both sides. It is understood now that the leadership is going to press in every way possible for the consideration of these amendments or any that may be filed hereafter. That is necessary in the way I understood the arrangement.

Mr. MANSFIELD. Mr. President, if the Senator will yield, that is certainly the intention of the leadership, because, when we get through with the consideration of the Allott amendment, the Eagleton amendment will be brought up. Following that, we will be approaching the time for consideration of the conference report. Then we will have some more debate on both the Gravel and Allott amendments, and there will be two rollcall votes.

Then the distinguished Senator from Michigan (Mr. HART) will lay down his amendment. That will take not to exceed 2 hours. Following that, the distinguished Senator from Massachusetts (Mr. KENNEDY) will lay down one of his amendments, which will take 3 hours.

So we are going to go as long and as hard as we can to fill up the void and take care of these amendments.

Mr. STENNIS. I thank the Senator. Much progress has been made in this field, but I am referring to the days—and there are many days—between now and June 21. That will continue to be the pattern?

Mr. MANSFIELD. Absolutely.

Mr. STENNIS. Mr. President, on the matter of cloture, I understand it will not be filed until the 21st, but when that is done the rules of the Senate will regulate everything from then on, so they would control and we could not make any agreement on that.

Mr. MANSFIELD. Yes.

Mr. SCOTT. Mr. President, if whichever Senator has the floor will yield to me, I would like to comment, in support of the majority leader, that I think we ought to stay as late as may be necessary to get out our work that we can effectively dispose of, including amendments, and even though I have engagements in the evening, we should stay.

Mr. MANSFIELD. Mr. President, the Senator has been cooperative in his role as minority leader. I want him to know how I appreciate it.

NO SESSION ON SATURDAY

Mr. MANSFIELD. Mr. President, we indicated earlier that there would be a possibility of a Saturday session. In view of the agreement, there will be no Saturday session, because the time has been allocated and no purpose would be gained in coming in on Saturday.

Mr. SCOTT. No, because of being under controlled time.

Mr. MANSFIELD. But there will be a session on Friday. There will be votes today. There will be votes tomorrow, and, if we can break in on Thursday and Friday, there will be votes on those days for either amendments to the amendments or other amendments which may be brought in. So the Senate should be on notice to that effect.

Mr. STENNIS. I thank the Senator.

Mr. SCOTT. I would say, let peripatetic Senators be on notice.

Mr. ALLOTT. Mr. President, if I may have the attention of the distinguished Senator from Mississippi——

Mr. BYRD of West Virginia. Will the Senator permit the Senator from Mississipp. to yield to me first, very briefly?

Mr. ALLOTT. I hope to have the floor myself, but I shall be happy to yield.

Mr. BYRD of West Virginia. I am sorry. Mr. President, I ask unanimous consent that it be in order to order the yeas and nays at this time on Amendment No. 113.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Which amendment is that?

Mr. BYRD of West Virginia. The Eagleton amendment.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. Would the Senator from Colorado permit the Senator from Missouri to be recognized, with the understanding that the Senator from Missouri will yield to the Senator from Colorado?

Mr. ALLOTT. Mr. President, I just want the floor, if I can have the attention of the Senator from Mississippi. Technically, the floor has been under the control of the Senator from Mississippi and the Senator from Colorado since about a quarter after twelve, although neither one of us has had actual control of it. Two minutes was yielded to the majority leader for a quorum call, and other matters taken up. Just to clear up the situation, may I inquire what amount of time still remains on the Allott amendment from this morning's session, to both sides?

Mr. BYRD of West Virginia. Mr. President, would the staff people take seats in the rear of the Chamber, please?

The PRESIDING OFFICER. From this morning's time, all time is expired.

Mr. ALLOTT. Mr. President, that simply cannot be. I still had——

Mr. BYRD of West Virginia. Mr. President, if the distinguished Senator will yield to me, I say this most respectfully to the Senator. At 2 o'clock this afternoon, the conference report on the Appalachian Regional Development Act will be laid before the Senate. There will be 2 hours of debate thereon, and a vote will occur on the conference report at 4 o'clock.

Following the vote on the conference report, the amendment of the distinguished Senator from Colorado will again come before the Senate, there will be 20 minutes of time to be equally divided between the mover of the amendment and the manager of the bill at that time, following which there will be a vote on the Allott amendment.

Mr. ALLOTT. Mr. President, I have never had a harder time trying to be helpful to other people than I am having right now.

As I figure the time, I figure that there are still several minutes remaining to each side of this morning's time allotment on the debate.

In the interests of harmony, I am willing to make this compromise: If I may be permitted to yield 1 minute to the Senator from Kentucky, then I would propose that we just yield back, out of this morning's time, whatever remains of that time, and take the matter up this afternoon later. Is that agreeable to the Senator from Mississippi?

The PRESIDING OFFICER. Is there objection?

Mr. BYRD of West Virginia. Mr. President, may I just say for the RECORD there is no time left out of the 3 hours. It was up at 12:30.

Mr. ALLOTT. Well, the time was taken by other people, and it certainly was not yielded by me.

Mr. BYRD of West Virginia. It had to be yielded by someone.

Mr. ALLOTT. It was not yielded. It is not important, but I think if the Senator will look at the RECORD, he will find that the Senator from Mississippi yielded 2 minutes to the majority leader for a quorum call, and he never got the floor back after that.

Mr. BYRD of West Virginia. Then the RECORD will show I yielded to myself on behalf of the Senator from Mississippi.

Mr. ALLOTT. Well, you are a very strong man. But if this is agreeable to the Senator from Mississippi, it is agreeable to the Senator from Colorado.

Mr. STENNIS. Mr. President, I am willing to yield back the time.

Mr. ALLOTT. I yield 1 minute, then, to the Senator from Kentucky.

(The remarks of Mr. COOPER when he spoke on S. 2023 are printed in the RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senate is not under controlled time at this point.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. 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.

Mr. BYRD of West Virginia. Mr. President, the distinguished Senator from Missouri (Mr. EAGLETON) is about to call up his amendment, on which there has been an agreement to the effect that time on the amendment will be limited to 1 hour, equally divided. The yeas and nays on the amendment already have been ordered.

I ask unanimous consent that, when the Senator concludes his presentation of his amendment, whatever time remains from the hour be reserved; that the amendment be temporarily laid aside; that following the disposition of the amendment offered by the Senator from Alaska (Mr. GRAVEL)—which I believe is No. 122—later today, the Senate then resume its consideration of the amendment to be called up by the distinguished Senator from Missouri (Mr. EAGLETON). Amendment No. 113; that at that time the remaining portion of the hour not used begin running, and that the vote occur at the conclusion of that time on amendment No. 113 by Mr. EAGLETON.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Also, Mr. President, I ask that at the conclusion of the remarks by the able Senator from Missouri, the Senate stand in recess, awaiting the call of the Chair, with the understanding that the recess not extend beyond 2 p.m. today.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered.

AMENDMENT NO. 113

Mr. EAGLETON. Mr. President, I call up my amendment No. 113 to H.R. 6531, and ask that it be read.

The PRESIDING OFFICER. The amendment offered by the Senator from Missouri will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. EAGLETON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 33, between lines 13 and 14, insert the following:

(33) At the end of the Act add a new section as follows:

"REGISTRATION FOR VOTING IN FEDERAL ELECTIONS

"SEC. 22. (a) Except as provided in subsection (b) of this section—

"(1) At the time any person registers with the Selective Service System pursuant to section 3 of this Act he shall be informed of his right to be registered at the same time for voting in all Federal elections held in the State in which such person is being registered for purposes of this Act. Persons who elect to register for voting in Federal elections under this section shall be so registered in accordance with such procedures as may be prescribed by the President if such persons are otherwise qualified to register for voting in Federal elections in the State in which they are being registered for selective service purposes.

"(2) Under such regulations as the President may prescribe, the Director shall furnish to the appropriate election officials of any State all necessary and appropriate information regarding persons registered under this section for voting in Federal elections held in such State. On and after the time such information has been so furnished to the appropriate election officials of any State in the case of any person, such persons shall be deemed to have met all the requirements for registration for voting in Federal elections held in such State. Any such registration for voting shall continue in effect for the same period of time it would have been in effect had such person registered under the applicable State law.

"(3) Registration under this section of any person for voting in Federal elections held in any State shall constitute valid registration for voting in elections held in such State other than Federal elections whenever the laws of such State so provide.

"(b) The provisions of subsection (a) shall be inapplicable with respect to persons registering under section 3 of this Act in any State if the Governor of such State notifies the Director in writing within thirty days after the date of enactment of this section that such State does not desire to have the registration provision of this Act for voting in Federal elections apply in such State.

"(c) The President is authorized to issue such regulations as he deems necessary to carry out the provisions of this section.

"(d) As used in this section (1) the term 'State' includes the District of Columbia and the Commonwealth of Puerto Rico, and (2) the term 'Federal election' means any general, special, or primary election held solely or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member or Delegate to the House of Representatives."

Mr. EAGLETON. Mr. President, in 1970, Congress gave 18-year-olds the right to vote, recognizing the proposition that a man who was old enough to die for his country and to risk his life for his country should have a voice in his country's government, a voice in deciding what men and women set the policy for the Government.

As the Voting Rights Act Amendments of 1970 acknowledged, prohibiting 18-year-olds from voting was:

Particularly unfair treatment of such citizens in view of the national defense responsibilities imposed upon such citizens.

That is a quotation from title III of section 301(A)(3) of the 1970 Voting Rights Act Amendments.

Each year, some 2 million 18-year-olds register for the draft, a draft that could force them to engage in war. That these young Americans between the age of 18 and 21 are qualified to die for their country in Vietnam is tragically attested to by the 21,257 young men between the ages of 18 and 21 who have died in Vietnam combat since 1961. This age group accounts for approximately 47 percent of American servicemen who have died in battle in Vietnam.

Currently, the Department of Defense, in accordance with the 1955 Federal Voting Assistance Act, is attempting to

assist young servicemen in voting through Federal postcards. That system has not been quite successful in terms of participation, in many instances, because we have a diversity of registration requirements among the 50 States.

This amendment to the pending bill would help 18-year-olds, in particular, work through the system, and would also help the smaller number of 18-year-olds who will eventually serve in the Armed Forces, to exercise their right to vote.

The bill allows the registrant to register to vote in Federal elections at the same time that he registers for the draft, unless the Governor of a given State writes to the Director of Selective Service within 30 days of enactment, requesting that his State not participate in the program.

I wish to underscore that point, because there might be some doubt about it.

This amendment, as drafted, and if adopted, would give any State, through the exercise of the Governor's option, the right not to participate in the process of permitting a draft registrant at the time of his 18th birthday to register simultaneously at the draft board for the draft and also to register to vote in Federal elections—and Federal only.

If that were deemed to be an unsatisfactory way of operating in a given State, the Governor could say, "We do not want to participate in the program," and that State would then obviously not participate, under the language of this amendment.

The amendment goes on to provide that this system can be used in a State election, if the State legislature of a given State, through affirmative action in that State, asks that the procedure be applied—that is, seeks by affirmative legislative action at the State level, to come under it. Since the amendment provides for registration for Federal elections only, in my judgment, the procedures would be relatively easy.

The draft registrant must be 18 years of age, as are registrants who vote in Federal elections required to be 18. Both registrations could be accomplished at the same time, at the same place—very convenient.

A 30-day registration requirement for Federal elections could, likewise, be easily met.

This, in essence, is a brief summary of what we attempt to accomplish in amendment No. 113—that is, to make it convenient and expeditious for one who is registering for the draft and, thus, comes under the purview of the draft, and all that that entails, likewise to exercise his franchise to vote in Federal elections.

Mr. President, how much of my half hour remains to me?

The PRESIDING OFFICER (Mr. GAMBRELL). The Senator has 26 minutes remaining.

RECESS

Mr. EAGLETON. Mr. President, that concludes, for the moment, my brief introductory remarks with respect to amendment No. 113.

Pursuant to the unanimous-consent agreement just made by the distinguished Senator from West Virginia (Mr. BYRD), I move that the Senate now stand in recess subject to the call of the Chair, for not later than 2 p.m. today.

The motion was agreed to, and at 1:03 p.m. the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 2 p.m., when called to order by the Presiding Officer (Mr. WEICKER).

APPALACHIAN REGIONAL DEVELOPMENT PROGRAM—CONFERENCE REPORT

The PRESIDING OFFICER (Mr. WEICKER). Under the previous order, the Chair now lays before the Senate a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 575), to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended.

(The conference report is printed in House proceedings of June 2, 1971, pp. 17456–17459, CONGRESSIONAL RECORD.)

The Senate proceeded to consider the conference report.

PRIVILEGE OF THE FLOOR

The PRESIDING OFFICER. Who yields time?

Mr. MONTOYA. Mr. President, I ask unanimous consent that I may be permitted and that the Senate will allow the following members of the staff of the Public Works Committee and a member of my staff, to remain in the Chamber during the consideration of this legislation.

They are: Barry M. Meyer, Phillip T. Cummings, David Sandoval, John Yogo, Bailey Guard, Judy Perente, Richard E. Herod, J. B. Huyett, Jr., and Karl Braithwaite.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object—and I do not believe that I shall object—under the regulations, each committee having jurisdiction over the subject matter under discussion is allowed to have as many as four members of the committee staff on the floor at any one time without unanimous-consent request.

As I understand the Senator's request, he would ask that eight members of the committee staff be allowed the privilege of the floor during debate on the conference reports and this is not in addition to the four which would be automatically allowed. This is inclusive of the four, is that correct?

Mr. MONTOYA. That is correct.

Mr. BYRD of West Virginia. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

Mr. MONTOYA. Mr. President, I yield myself such time as I may require.

Mr. President, today the Senate is considering the conference report on S. 575. This legislation originated in the Senate and was introduced by the distinguished chairman of the Committee on Public Works, Mr. RANDOLPH. As introduced, S. 575 addressed itself only to extension of the Appalachian regional development program, the authority for which expires on June 30 of this year. An amendment was added on the floor of the Senate also extending the Public Works and Economic Development Act of 1965 for 1 year.

In the House of Representatives a new title was included in the bill reactivating the Public Works Acceleration Act of 1962. It was the presence of this title that caused the greatest differences between Senate and House conferees.

The Subcommittee on Economic Development, which I chair, began an extensive series of field hearings in February. These hearings were conducted in seven States and Washington, D.C., to gather information on which to base a comprehensive new national economic development program. The subcommittee felt that previous responses to economic hardships and the existing mechanisms to assist communities in improving their economies were inadequate to cope with the demands of the 1970's. A depressed national economy, widespread unemployment, joblessness among highly skilled technical workers, and a mobile population all dictated the development of new procedures to eliminate and prevent the recurrence of the situation we have today.

These hearings took the subcommittee from North Carolina to Alaska in a period of 3 months. We received not only voluminous documentation supporting the need for new legislation, but also numerous indications of the form which this legislation should take. The subcommittee is now developing new proposals which I expect to come before the Senate for consideration during this session of the 92d Congress.

It was in anticipation of this forthcoming legislation that the committee did not act on extension of the Public Works and Economic Development Act of 1965 or a bill before it to reactivate the Public Works Acceleration Act. Recognizing, however, that authority for the Public Works and Economic Development Act also expires on June 30, 1971, an amendment extending this authority for 1 year was approved on the floor of the Senate—the amendment offered by the distinguished Senator from New Hampshire (Mr. COTTON). Since the Public Works Acceleration Act is not active at this time we felt that the problems it seeks to alleviate could be approached through the new legislation.

Addition of title I, relative to the Public Works Acceleration Act, by the House of Representatives, was not an action contrary to the philosophies of the Subcommittee on Economic Development or the Committee on Public Works.

After its enactment in 1962, the Public Works Acceleration Act proved to be a valuable tool in assisting communities with the building of needed public facilities and the provision of jobs for unemployed workers.

The inclusion of title I of S. 575 was approved by a large majority in the House of Representatives. It became a problem for the conference, however, because of opposition by the administration and indications that title I would bring about a veto of the entire bill by the President. The Senate conferees believed

that the other provisions of S. 575 were so important that this risk should not be taken, particularly since we were developing a national program covering the same topics. It became apparent, though, that the Senate conferees would have to accept title I so that this legislation could be passed. The House conferees were insistent.

As reported by the conference, both titles I and II, the extension of the Public Works and Economic Development Act, provide important interim assistance in meeting current unemployment problems. While our new program is being developed and considered by the Congress, title I authorizes $2 billion for the accelerated public works program. Several changes were made in the criteria allowing communities to participate in this program. As reported by the conference, eligible areas includes those designated by the Secretary of Commerce as "redevelopment areas" or as "economic development centers" as provided for in the Public Works and Economic Development Act of 1965. These designations alone make more than 1,000 communities eligible for participation in the program. Also eligible are areas designated by the Secretary of Labor as being areas of substantial unemployment for 6 of the preceeding 12 months and those areas designated by the Secretary of Labor as having a high percentage of unemployed Vietnam veterans.

The bill permits Federal participation of up to 80 percent of the cost of public works projects or up to 100 percent if State or local governments have exhausted their taxing and borrowing capacity for these purposes. Title I also provides that new areas designated as eligible for participation in this program shall remain eligible for at least 1 year.

Title II of S. 575 extends the Public Works and Economic Development Act of 1965 for 2 years as provided in the House bill. It authorizes the expenditure of $550 million in each of the 1972 and 1973 fiscal years. The conference approved provisions which should broaden the effectiveness of the Public Works and economic development program. Communities would become eligible if their median income levels are 40 percent of the national average, rather than 50 percent as now provided. Communities may be designated as redevelopment areas if they have large concentrations of low-income persons, are rural areas with substantial outmigration, have high unemployment rates or are faced with a sharp rise in unemployment because of the actions of an important source of employment.

The regional development programs established under this act would be funded at a level of $305 million for the 2-fiscal-year period and the Alaska Field Committee at $500,000 for the same span.

The conference accepted most of the Senate provisions relating to the Appalachian regional development program. There was, in fact, little difference in the two bills on the provisions affecting Appalachia. The nontransportation aspects of the Appalachian program will be continued for 4 additional years and the highway and the highway program for 5 years. Additional authorizations of $576 million for nontransportation activities and $925 million for the highway program are provided. The only new Appalachian activity authorized in this legislation is a special airport safety improvement program for which $40 million is authorized.

Continuation of the Appalachian development program was approved by large majorities in both the Senate and House of Representatives. This indicates, I believe, that the Congress believes this unique program has not only made significant progress in the past 6 years but is geared to making even greater progress in the next 4 years. I take the votes of my colleagues as an affirmation of the validity of this approach to the special problems that beset Appalachia. I am confident that they will be given again today.

Mr. President, S. 575 represents a collection of legislative proposals designed to attack a broad range of severe economic problems faced by our country today. Severe unemployment and recession conditions must not be allowed to continue unchecked. It is the responsibility of the Congress to act to alleviate the hardship of individual citizens and to buttress our national economy so that it remains strong and competitive, not only within the boundaries of the United States but also on a global basis.

The legislation contained in this conference report would move affirmatively in this direction, and I urge its acceptance by the Senate.

Mr. RANDOLPH. Mr. President, has time been allocated to the able chairman of our Subcommittee on Economic Development?

Mr. MONTOYA. Mr. President, we have 2 hours under the unanimous-consent agreement.

Mr. RANDOLPH. I hope that it will not be necessary to use all of that time.

The PRESIDING OFFICER. Who yields time?

Mr. MONTOYA. Mr. President, I yield as much time to the Senator from West Virginia (Mr. RANDOLPH) as he may require.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, will the able senior Senator from West Virginia yield for a unanimous-consent request?

Mr. RANDOLPH. I yield.

WAIVER OF GERMANENESS RULE BY UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, in view of the fact that all matters are under agreements with reference to time until the disposition of amendment No. 113 by the Senator from Missouri (Mr. EAGLETON), I ask unanimous consent that the Pastore rule concerning germaneness not become applicable until the final disposition of amendment No. 113 today.

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 thank my colleague for yielding.

APPALACHIAN REGIONAL DEVELOPMENT PROGRAM—CONFERENCE REPORT

The Senate continued with the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 575) to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended.

Mr. RANDOLPH. Mr. President, the explanation of the provisions of the agreed conference report on the pending bill focuses attention on several facets of the report which is the work of both the Senate and House conferees on S. 575.

I feel it is important to say that there is more involved in this bill than there was when I introduced S. 575, along with 58 cosponsors, on February 3, 1971. Yet, as always in conferences, we consider carefully what we have done in the passage of an act in the Senate and what our counterparts in the House of Representatives have done on this important matter.

It is, in a sense, a broad ranging legislative package. It looks toward the alleviation of many of the economic shortcomings and deprivations faced by the people of what is known as the Appalachian region, consisting of 13 States—all of West Virginia and parts of 12 other States, across the mountains from a portion of New York down to Alabama and South Carolina in the South.

Mr. President, I repeat that there were 58 cosponsors of the measure that I had the responsibility of presenting to the Senate. We had intended at that time to deal only with the continuation and extension of the Appalachian regional development program.

I think the Senate has generally cast rollcall votes reflecting approval of the unique Federal-State partnership that has made real progress in the improvement of the lives of the people in this important area of the United States.

Since that date in February, S. 575 has had a healthy growth and now it contains provisions to cope with the economic hardships in all parts of the United States.

As has been indicated by the able chairman of the Subcommittee on Economic Development, there have been important developments. He has given considerable time to title I because it is necessary to discuss the reactivation of the public works acceleration program which was new matter written into the House version of S. 575.

The chairman of the Public Works Committee of the Senate, who now has the privilege and responsibility of discussing this conference report, believes, as do Members of the Senate rather generally, that an accelerated public works program is a valuable and effective way in which to help with the problems of high unemployment. It was my responsibility in 1962 to offer an Accelerated Public Works Act in the Senate of the United States.

Mr. President, so that the record may be complete, earlier this year I introduced S. 732 to reactivate the Accelerated Public Works Act to help attack unem-

ployment in the United States. There are 30 cosponsors of that legislation, indicating an intense interest in the Senate in this matter.

Companion legislation was introduced in the House of Representatives by Representative JOHN J. MCFALL, of California, and other Members. They presented the legislation which, in essence, was passed by the House as part of the Appalachian extension bill and incorporated in the action of the Senate and House conferees. The Senator from New Mexico (Mr. MONTOYA) has correctly stated that it was the intention of the chairman of the Committee on Public Works and the members of the Subcommittee on Economic Development to include the provisions of S. 732 in the new economic development legislation being formulated by the subcommittee.

I felt that while the concept of accelerated public works has been proved valid in combating unemployment, certain modifications might be necessary to make it more effective in terms of the complexities of the problems of 1971.

I say very frankly that I was somewhat concerned about the possibility of a presidential veto because of the inclusion of accelerated public works in S. 575, which would unnecessarily jeopardize other important programs.

Of course, it is understandable that we do not want to jeopardize the extension of the Appalachian Act and the other provisions which we have dealt with on prior occasions and with which the Senate is very familiar.

There was a difference of opinion among Senate conferees on how we should react to the inclusion of title I by the House. I had to think very carefully how we should act. Each Senate conferee is a man of mature judgment, regardless of whether he is a Democrat or Republican. The seven Senators who served were men who were considering these situations and in no wise in a partisan approach.

My distinguished colleague, the Senator from Kentucky (Mr. COOPER) has quite properly circulated a letter describing the approach he favored. A subsequent letter, signed by the Senator from New Mexico (Mr. MONTOYA), the Senator from Maine (Mr. MUSKIE), the Senator from Missouri (Mr. EAGLETON), and myself explained the viewpoint of those of us who had agreed as a majority from the Senate to the provisions of accelerated public works.

Mr. President, the letter of the Senator from Kentucky quite properly, as I have said, raises important matters. The letter was circulated last week to all Members of this body. Yesterday, there was a further letter which went forward from the four Senators I have mentioned expressing our viewpoint on the matters that were raised, because I think the Senator from Kentucky, the Senator from Tennessee (Mr. BAKER) and others serve the Senate well in bringing these matters to our attention.

Mr. President, I ask unanimous consent that the letter which likewise went to all Senators yesterday afternoon be printed at this point in the RECORD.

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

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
Washington, D.C., June 7, 1971.

DEAR SENATOR: Every Senator has received a letter of June 3, 1971 from our colleague John Sherman Cooper regarding the Conference Report on S. 575. Senator Cooper is very much concerned and rightly so with the impact of clause 3 of House Rule XXVIII, which has the effect of denying the Senate an opportunity to secure changes in House language not appearing in an original Senate enactment. As Senate Conferees on the bill, we share this concern and are disturbed by the impact of this rule on the conference process. Something should and must be done to remove this impediment to a properly functioning legislative process. We do not agree, however, that the way to do this is by rejecting the Conference Report. We disagree both procedurally and substantively.

It is not this Conference Report or its adoption that accomplishes the acquiescence to the House revision nor does adoption of the report establish the precedent. The change in Rule XXVIII was approved by Senate agreement to the Legislative Reorganization Act of 1970. It is imperative that the House be prevailed upon to change its rule, which it may do without Senate concurrence, and we believe the Senate should formally make its views known to the House so that they can respond.

Senator Cooper has served his colleagues well by raising the issue but his suggested attack on the implementation of the House Rule would not serve that purpose or the Nation. Rejection of the Conference Report would disrupt and jeopardize the Appalachian Regional Development Program. It would disrupt and jeopardize the Public Works and Economic Development Act and the programs of grants and loans which it authorizes as well as the regional commissions which have been established under it. It is a rejection of the revitalization of the Accelerated Public Works Act. It was this House-passed language, which we were effectively barred from modifying, that raised the point initially.

The Senate Conferees had carefully considered and developed an alternative with broader reach into the National unemployment crisis. We can still pursue that approach in subsequent legislation.

If unemployment nationally were not on the rise, the latest report is that we are now experiencing a 6.2% unemployment rate, which means that 5.2 million people are now unable to secure work, and if it did not mean a halt or severe delay in the prosecution of the Appalachian Regional Development program, which has reached its most productive and effective level after six years of painstaking effort to secure its proper implementation and results and if it did not mean that the Title V Commissions also engaged in important economic revitalization activities would come to a grinding halt, we would join him in seeking a modification of the House Rule. This is not a time, we respectfully suggest, for a contrast over differences of opinion as to how the conference procedure should be implemented.

Too many people stand to lose too much. We would hope that our colleagues, while accepting the warning sounded by Senator Cooper, would reject this proposed method of achieving an understanding with our colleagues in the House. We earnestly recommend that the Senate adopt the Conference Report on S. 575 which will mean much to millions of people all over the United States.

Sincerely,

JENNINGS RANDOLPH.
EDMUND S. MUSKIE.
JOSEPH M. MONTOYA.
THOMAS F. EAGLETON.

Mr. RANDOLPH. Mr. President, I urge very earnestly that the Senate adopt the conference report on S. 575 because it provides a well-balanced legislative approach to solutions for the problems of unemployment and economic stagnation that plague far too many of our American communities, and too many of our American citizens.

The accelerated public works program of the 1960's gave great assistance to communities by providing both jobs and needed public facilities. And these were provided in hundreds of communities over this country. That program was initiated swiftly, it was implemented very quickly, and it was a success. I want to underscore this fact. Within 3 months after President Kennedy signed the appropriations bill and had allocated funds to the proper agencies, a sufficient number of projects came into being to exhaust funds that had been appropriated. By May 1, 1963, more than 1,700 projects were actively underway and a total of 5,958 man-months of employment had been provided. But June 1, 1963, with virtually all funds assigned to 3,675 projects scattered throughout the States and territories, the Under Secretary of Commerce estimated that 549,000 man-months of work had been generated by those projects. A similar number of man-months of employment were created in related fields.

I am not provincial, but I refer to the State of West Virginia when I tell of what the accelerated public works program of the 1960's did there. There was money allocated to projects totaling more than $2.5 million for communities moving forward on their own with the Federal Government, in carrying out the wide variety of projects. What were these projects? They were sewage treatment plants, needed parking facilities to help the mobility of traffic for men and women who were going to work and to shop, facilities for public health, and certainly we needed them in our States, and in some instances community centers and community buildings that were needed.

This is the type of activity that characterized the program throughout the United States—in the State of Kentucky, the State of Tennessee, the State of New Hampshire, and the State of New Mexico, those States ably represented by my colleagues who are in the Chamber.

Mr. MANSFIELD. Mr. President, will the Senator yield to me briefly?

Mr. RANDOLPH. I am gratified to be able to yield to my distinguished majority leader.

Mr. MANSFIELD. Mr. President, I make this request at this time because I do have to go to another meeting and I appreciate the consideration just shown by the Senator.

Last year, the States of Montana, Wyoming, North and South Dakota, and Nebraska, recognizing the success of the Appalachian Commission and the potential provided by Public Law 86–136, title V, as amended, prepared on a bipartisan basis an overall economic development program for the States I have mentioned and made appropriate application.

Through the efforts of several of my distinguished colleagues, the Congress

moved to appropriate an initial $300,000 to launch the five-State region into the Upper Missouri River Economic Development Commission. Unfortunately, the Secretary of Commerce has not taken the necessary action to allow the Commission to move forward. With this in mind, I consider it critical that assurances be given that the legislation we consider today, in its authorization, provides for the Upper Missouri River Regional Economic Development Commission when final approval is granted by the Secretary of Commerce, which I hope will not be too long from the present.

Would the distinguished chairman of the Committee on Public Works, the Senator from West Virginia, care to make a response to what I have just said?

Mr. RANDOLPH. The able majority leader has recalled that he discussed these matters at the time of the passage of S. 575 a few weeks ago. What have we reflected from that date until this afternoon, and how was it affected by the action of the Senate and House conferees in agreement?

I can say that all of us who were Senate conferees were much concerned with the designation of future regional commissions.

The problem of the Upper Missouri River Regional Commission has been brought to the attention of the Committee on Public Works many, many times, by the majority leader, the senior Senator from Montana. He has impressed upon us the necessity for action in that area, with which he is so familiar and for which he has worked so diligently.

During our February 24, 1971, hearings he made it very clear that the Upper Missouri River Commission must be established if we are to have maximum benefit derived by what we believe is a proper way to proceed in these matters, and that is the regional approach.

I assure the majority leader that the conferees intend that there be immediate designation of the Upper Missouri River Regional Commission, and I call his attention to a statement that is indicative of that fact when the majority report on S. 575, contains, on page 15, this language:

> This authorization includes funds for administrative expenses of new regional commissions which may hereafter be designated, such as the Upper Missouri Basin and the Mid-South Regional Commissions.

Mr. MANSFIELD. Mr. President, I want to thank my distinguished friend and point out that I am much encouraged by the statement which he has made.

I think for the RECORD it ought to be indicated that correspondence has been exchanged with the President and with the Secretary of Commerce, and that correspondence has been signed by the 10 Senators from those five States: Senators MANSFIELD and METCALF, from the State of Montana; Senators HANSEN and MCGEE, from the State of Wyoming; Senators CURTIS and HRUSKA, from the State of Nebraska; Senators YOUNG and BURDICK, from the State of North Dakota; Senators MCGOVERN and MUNDT from the State of South Dakota; plus the following Governors: Forrest Anderson, Governor of Montana; James Exon, Governor of Nebraska; William Guy, Governor of North Dakota; Richard Kneip, Governor of South Dakota; and Stanley Hathaway, Governor of Wyoming.

Again I wish to thank the distinguished Senator from West Virginia for what he has just said and to assure him that I appreciate the courtesy which he has shown.

The Missouri River Basin, encompassing the States of North and South Dakota, Wyoming, Nebraska and my State of Montana, is a vast region. These States share a great many similar problems, unique to the region. Early recognition of the common bonds shared by these States brought about attempts through consortiums and informal agreements to arrange for research into Great Plains agricultural problems, the sharing of common higher educational facilities, the possible development of a common energy transmission grid, solutions to transportation, to mining and many other problems common to the area.

Those States suffering from the "cost of space," with sparse populations and limited revenues consider the regional approach to economic development a promising one. As I have said, a bipartisan union comprising all of the Senators, all of the Governors and all of the Congressmen of the five States in question has petitioned for the Upper Missouri River Regional Economic Development Commission. On June 17, 1970, my colleagues in the Senate joined in a letter to the Secretary of Commerce, asking for the approval of the Regional Commission application. Regrettably, the Secretary's response was not encouraging, but indicated that his Department was continuing a comprehensive review of the effectiveness of the Regional Commission program.

On February 2, 1971, my colleagues joined in another letter to the Secretary, asking that the Commission be approved and that the $300,000 for the first year of the Commission's operation be released. Once again, the Secretary indicated that the decision and appropriations would be held in reserve until the Congress had had an opportunity to further review the administration's legislative proposals. In the Secretary's letter to which I refer on March 15, he states:

> In the event the regional commission program is continued beyond a relatively brief transition period, I would be happy to reconsider the proposal to establish the commission in accordance with the Governors' recommendation of last year and your endorsement.

Through the courtesy of the distinguished Senator from West Virginia, Senator Randolph, the Governors of the States in question appeared before the special Subcommittee on Economic Development of the Committee on Public Works on February 24. Following that hearing, the Governors joined with the Senators of the various States in a letter to the President, asking for his assistance in the establishment of the Missouri River Regional Economic Development Commission. John D. Ehrlichman, responding to this letter on behalf of the President, indicated the administration's preference for revenue-sharing rural development; however, Mr. Ehrlichman's letter was concluded by the following statement:

> In the event that Congress authorizes the continuation of the Title V program beyond a period necessary to make the transition to revenue sharing, your request should be reconsidered in that light.

That is the request of the 10 Senators and the five Governors. I believe the passage of this legislation without mistake demonstrates the intent of the Congress to encourage the creation of the Upper Missouri River Regional Economic Development Commission. I would appreciate knowing if the distinguished Senator from West Virginia shares my belief that the 2-year extension we consider today is definitely beyond the time as indicated in Mr. Ehrlichman's letter and in the Secretary of Commerce's letter.

Mr. RANDOLPH. Mr. President, I am gratified to respond to the able majority leader, the senior Senator from Monana, in reference to his question, because certainly I express the feeling of all conference participants—certainly the Senate conferees—that the 2-year extension in funding under title V, for regional commissions, is not just for the period of transition to revenue sharing; that is, a program that is much more than any certain set of months. In fact, it is a long-term commitment of the Congress to the regional approach, in which we believe economic development can well go.

I remember during the subcommittee hearing in Seattle, conducted by our able subcommittee chairman, Governor EVANS and others, speaking for Washington and Idaho, said:

> We believe the regional approach is very important. We would like stress given as promptly as possible to doing something in our area.

So we expect these regional mechanisms to perform a central role in the economic development programs of the future.

We have had experience, of course, with the Appalachian regional development program, and I think such regional approaches are essential if block grants are to be used effectively.

The committee strongly favors these voluntary organizations and this regional organizational effort. The Governors of Montana, Wyoming, Nebraska, North Dakota, and South Dakota, mentioned by the majority leader, certainly are undertaking this approach in the Upper Missouri River.

I will say that if the Senator continues to be thwarted in his efforts—and I hope he will not be—to create this regional commission, the Subcommittee on Economic Development of the Committee on Public Works will consider what he has been doing as a legislative mandate

Mr. MANSFIELD. May I again thank my distinguished colleague, not on my own behalf, but on behalf of the 10 Senators and five Governors from the Upper Missouri area.

It is, of course, my hope that, as chairman of the committee, my colleagues

from the region might rely upon your active support for the expeditious creation of the Missouri Commission so that we might move forward in tackling our common problems and, in so doing, benefit by our common opportunities.

Several of my colleagues have publicly contended, as have I, that, should the Congress at some later date approve the administration's revenue-sharing proposals, there is no reason to believe that the regional development approach we consider today cannot exist effectively side by side with those proposals.

In closing, I would ask unanimous consent that the letters to which I have made reference be made a part of the RECORD in their entirety at this point.

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

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., June 17, 1970.

Hon. MAURICE H. STANS,
Secretary, Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: The Governors of Nebraska, North Dakota, South Dakota, Wyoming and Montana submitted to you an application to create a Regional Economic Development Commission under the authority of Public Law 89-136, Title V, as amended.

The establishment of the Regional Commission would be consistent with President Nixon's national commitment to the environment and his desire to assign more problem-solving responsibility and programs to the states and localities.

It offers the first real hope for a solution to our common problems of unemployment, underemployment, lagging industrial and commercial growth and out-migration.

The five Governors have joined in an historic non-partisan cooperation to improve the five-state area; we join with them in urging your earliest approval.

Sincerely yours,

Mike Mansfield, Lee Metcalf, Clifford Hansen, Gale McGee, Carl Curtis, Milton Young, Quentin Burdick, Karl Mundt, George McGovern, and Roman Hruska.

THE SECRETARY OF COMMERCE,
Washington, D.C., June 29, 1970.

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: Thank you very much for the letter of June 17 which you and your colleagues from Nebraska, North Dakota, South Dakota, Wyoming, and Montana sent to me concerning the proposal to create a Regional Economic Development Commission encompassing those States.

As you noted, the Governors of the States, through the Honorable Frank L. Farrar, Governor of South Dakota, have submitted an application for the creation of the "Missouri River Commission." I have advised Governor Farrar that, while I am most sympathetic to the needs of the five States and the Governors' desire to have a commission established, it is not possible to do so at this time. The budget constraints under which we are currently operating have made it impossible to request funds for the establishment and operation of any new commissions in the coming fiscal year.

We are continuing the comprehensive review of the effectiveness of the regional commission program as a vehicle for economically upgrading lagging regions, and we hope to have our recommendations for Presidential consideration in the near future. If the review produces favorable results for the program, you may be assured that a Missouri River proposal would be examined with interest.

I am also writing to the Senators who joined with you in your letter of June 17.

Sincerely,

MAURICE H. STANS,
Secretary of Commerce.

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., February 2, 1971.

Hon. MAURICE H. STANS,
Secretary, Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: On June 17, 1970, we conveyed to you our great interest and support of the Regional Economic Development Commission proposed for the Upper Missouri as authorized by Public Law 89-136, Title V, as amended. This was proposed and requested by the Governors of Nebraska, North Dakota, South Dakota, Wyoming and Montana.

As Senators from these states, we felt the establishment of this Regional Commission would be a major step forward in finding a vehicle to aid in resolving some of the more difficult environmental and economic problems which are common to the Upper Missouri region. As months go by, the problems of unemployment, underemployment, lagging economic growth and out-migration become more serious.

The Congress has appropriated $300,000 for the first year of this Commission. We are somewhat concerned that you have not approved this new Regional Commission so that the funding and implementation of the Commission's work can proceed as authorized and recommended by the Congress.

Your early favorable consideration of this five state project would be most appreciated.

Sincerely yours,

MIKE MANSFIELD, LEE METCALF, CLIFFORD HANSEN, GALE MCGEE, CARL CURTIS, MILTON YOUNG, QUENTIN BURDICK, GEORGE MCGOVERN, and ROMAN HRUSKA.

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., February 24, 1971.

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

DEAR MR. PRESIDENT: Nearly a year ago, an application was submitted to create the Missouri River Regional Economic Development Commission under the authority of Public Law 89-136, Title V, as amended.

Correspondence to the Secretary of Commerce on June 17, 1970, conveyed our great interest and support for this Economic Development Commission proposed for the Upper Missouri. It was our feeling that the establishment of this Commission would be a major step toward finding a vehicle to aid in resolving some of the more difficult environmental and economic problems which are common to the Upper Missouri region.

Congress has appropriated $300,000 to permit the Commission to become operative during this fiscal year. However, the application has not been approved and funds have not been released by the Office of Management and Budget even though a year has passed.

It is our considered opinion that the establishment of this Commission fits in the concept of revenue sharing being proposed by the Administration. If revenue sharing is enacted, this Commission would provide a administrative vehicle for advanced planning and a wise expenditure of such funds as may be made available on a regional basis.

Your assistance is respectfully requested in authorizing the Missouri River Regional Economic Development Commission and is the release of the necessary funds to permit it to get on with its work.

With best personal wishes, I am,

Sincerely yours,

U.S. Senators: Mike Mansfield, Lee Metcalf, George McGovern, Quentin Burdick, Milton Young, Carl Curtis, Roman Hruska, Clifford Hansen, Gale McGee, Forrest Anderson, Governor of Montana; James Exon, Governor of Nebraska; William Guy, Governor of North Dakota; Richard Kneip, Governor of South Dakota; and Stanley Hathaway, Governor of Wyoming.

THE SECRETARY OF COMMERCE,
Washington, D.C., March 15, 1971.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: Thank you for your letter of February 2 urging establishment of the Upper Missouri Regional Commission comprising the States of Montana, Wyoming, Nebraska, and North and South Dakota.

As you know, the President's proposals concerning revenue sharing and reorganization of the Executive Branch would supplant the regional development commission program, as well as certain other programs designed to foster area and regional economic development. Funds now spent in the regional commission program will become part of the President's rural reveune sharing package that will soon be proposed to the Congress. In the circumstances, it would be inappropriate to establish any new regional commissions at this time.

For these reasons the Office of Management and Budget has placed in reserve the funds which the Congress has recommended be used to finance the proposed Upper Missouri Commission and the proposed Mid-South Commission. They will be held in reserve until the Congress has had an opportunity to act on the President's special revenue sharing proposals.

In the event the regional commission program is continued beyond a relatively brief transition period, I would be happy to reconsider the proposal to establish the commission in accordance with the Governors' recommendation of last year and your endorsement.

I am sending a similar letter to your colleagues who joined you in sending your letter of February 2.

Sincerely,

MAURICE H. STANS,
Secretary of Commerce.

THE WHITE HOUSE,
Washington, D.C., March 15, 1971.

DEAR SENATOR: The President has asked me to thank you for your letter of February 24 concerning your support for the creation of the Missouri River Regional Economic Development Commission.

The President agrees with the position that interstate cooperative arrangements are consistent with the revenue sharing approach. However, the creation of new interstate arrangements under Title V of the Economic Development Act would be contrary to the revenue sharing approach, because the Title V commissions force Federal requirements and constraints upon the plans of the participating states. The President feels strongly that the states are capable of creating sound development plans without requiring Federal review and approval and without dictating a Federally prescribed organization.

The President has proposed, therefore, that funds which would have been spent for the Federal costs of Title V commissions and many other programs to be combined into six special revenue sharing programs. The funds from each of these six programs would be distributed among the states on a problem oriented formula basis with the states and localities making up their own minds about how these funds might best be spent. If the states chose to spend these funds upon some kind of interstate cooperative arrangement, it would be their voluntary decision.

If the benefits of interstate planning and coordination are in fact real, as we believe they are, then there is every reason to expect

that an appropriate mechanism will be developed by states in the Upper Missouri area. Such a state developed mechanism will allow the funds provided by the general and the six special revenue sharing programs to the states and localities to be used on a cooperative interstate approach to attack the environmental, economic, and other problems existing in the Upper Missouri region without the numerous Federal constraints involved in a Title V commission.

The ultimate future of the Title V commission program will, of course, be determined by Congress. In the event that Congress authorizes the continuation of the Title V program beyond a period necessary to make the transition to revenue sharing, your request should be reconsidered in that light. However, we are hopeful that the apparent advantages of revenue sharing will bring about an acceptance of the approach I have outlined above.

Yours sincerely,

JOHN D. EHRLICHMAN,
Assistant to the President for Domestic Affairs.

Mr. MANSFIELD. Mr. President, again I wish to extend my deepest thanks to the distinguished Senator from West Virginia on behalf of the Senators, the Representatives, and the Governors of the Upper Missouri Basin States, because while the amount it will cost—only $300,000—I repeat, only $300,000—is small, it will mean a great deal in the development of this sparsely populated but huge area geographically speaking.

Mr. RANDOLPH. Mr. President, it was my privilege to interrupt the remarks that I was making on the conference report, to give opportunity to the majority leader to interject these matters, to discuss a problem which affects several States, as he has indicated.

Very quickly, I shall conclude, because I know that my good colleagues, the Senator from Kentucky (Mr. COOPER) and the Senator from Tennessee (Mr. BAKER), wish to speak to a very important matter in connection with the conference report.

Another feature of S. 575 is extension of the Public Works and Economic Development Act of 1965. This program also has been valuable to many communities in helping them strengthen their resources for economic improvement. In addition to local projects, five multi-State regional development commissions, as I have indicated earlier, have been established along the lines of that which serves Appalachia. I think it is fair to say that there has been some delay and I am not critical of Congress or the Administration, but now these commissions are now progressing to the point where they can begin to provide effective services to their areas and applications are pending for the creation of two more regional commissions. Continuation of the Public Works and Economic Development Act will allow these plans to go forward.

The Appalachian Regional Development program, I very earnestly believe, as I have said on many occasions is one of the most successful efforts in the history of our country to develop new governmental structures responsive to the needs of our people—not a framework that is unworkable, but a program that has a heartbeat in it, where the people help themselves, and where the projects are brought into being back home, and not initiated in Washington, D.C. I think it is very important to carry forward the plan of partnership. Of course, as I have mentioned, as a Senator from the only State lying wholly within the Appalachian region, I am acutely aware of the many persistent problems of the millions of people who live in this mountainous area of Kentucky, Tennessee, and West Virginia, and the program we wish to extend this afternoon to send this conference report from this body to the House of Representatives and have it acted on there and sent to the President for his approval.

The Appalachian program was designed to help this region overcome many of the chronic deficiencies that have prevented it from fully participating as an area and as a people in the prosperity and growth of our country.

I regret that there has been misunderstanding in some quarters about the operation of the Appalachian program. This has occasionally led to criticism of the program and contentions that it has not always been as productive as it should have been.

Mr. President, I think that in a sense the New York Times did not fully understand this program when, a few weeks ago, it published an editorial on the subject. I read it and disagreed with its conclusions. I was not sensitive; I was not backed into a corner. I in no way felt it was necessary to answer the editorial for the sake of answering, but I did write a letter to the editor of the New York Times pointing out that whereas they had criticized the program for certain reasons, it was not intended to be that kind of a program, it was intended for other reasons. On just one score, the construction of our development roads, how they brought into the area adjacent to the highways literally hundreds and hundreds of new plants, not pirated from other States, but because of the conditions in these mountainous States, and that through the desire of the people for employment, and their ability to do jobs with skills that they could certainly be taught, the program was most successful.

I ask unanimous consent to have printed in the RECORD at this point the editorials from the New York Times to which I have referred and the letter to the editor which I dispatched, and which I am happy to say was published.

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

NO EXIT FOR APPALACHIA—BUT HOPE FOR JOBLESS

According to the generous definition written into Federal law, Appalachia is a region which stretches across thirteen states from the southern tier of New York through West Virginia and Kentucky to the northern corner of Mississippi. Since the beginning of the Kennedy Administration a decade ago, this region has been the beneficiary of approximately $2 billion in special Federal assistance.

This program, administered since 1956 by the Appalachian Regional Commission, is highly popular in Congress. Approved overwhelmingly in the Senate last month, it has just sailed through the House. It is equally popular with the states, as witness the fact that Governor Rockefeller is now lobbying to have eighteen additional rural counties in New York redefined as "Appalachia." Several other regions which have similar but more modest programs are eager for expanded Federal help.

The infusion of Federal money into Appalachia has helped to redistribute wealth to one of the poorer sections of the country, but it has not reached the really poor who need help. Of $1.1 billion originally authorized, $840 million—more than three quarters of the total—was earmarked for highways. Most of the rest of the money was allocated for construction projects such as regional health centers, vocational schools and airports. As one commission official has said, "It's a brick-and-mortar program rather than a people program."

The original explanation for this emphasis is that the Johnson Administration did not think that Congress would support a regional "human resources" program for Appalachia at the same time as it was being asked to finance a nationwide "war on poverty." So-called "human resource" projects were therefore assigned to the Office of Economic Opportunity, now in rapid decline.

As a result, the Appalachian regional program mostly helps those who are already well up the economic ladder—merchants, bankers, coal mine owners, industrialists, road builders. The fringes of the region which have always been better off have also shown economic progress. But the persons who live in what most people think of as Appalachia—the rural poor in West Virginia and eastern Kentucky—have scarcely been touched by all this Federal spending.

Highways again account for roughly one-half of the money in the new bill approved by Congress. But the mania for building highways can no more solve the problems of the poor in Appalachia than a four-lane expressway through an urban slum helps the inner city poor. The Appalachian Regional Commission has thus far provided only old answers to old problems. Some economic justification exists for its public works projects, but the human misery of central Appalachia needs far better answers.

The Appalachian bill would be on its way to President Nixon's desk were it not that the House added an unrelated amendment authorizing $2 billion for a nation-wide program of public works, principally water and sewage projects. The amendment authorizes up to 100 per cent in Federal grants in areas which have substantial unemployment—usually 6 per cent or more—among the entire work force or among Vietnam veterans.

Because of the time required for projects to be approved and actual work begun, it may be eighteen months or more before this amendment would have any impact on unemployment. On balance, however, the amendment is justifiable as a temporary antirecession measure because the number of jobless is usually the last economic indicator to show improvement. Thus, even if the economy makes good progress, unemployment may still be a considerable problem two years from now.

A bill already approved by the Senate to authorize $1.7 billion over the next two years to create public service jobs would probably be more useful to the chronically poor as distinct from the temporarily jobless. There are thousands of custodial, paraprofessional and technical jobs which need doing in hospitals, schools, playgrounds and other municipal services but which cannot be filled because city budgets are overstrained. Unless and until the Federal Government comes effectively to the aid of the cities through revenue sharing or some other device, federally subsidized public service jobs should be regarded not as an antirecession move but as dependable long-term help for the poor and for the community in which they live.

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
Washington, D.C., May 7, 1971.

EDITOR,
The New York Times,
New York, N.Y.

DEAR SIR: Misunderstandings of the intent and functioning of the Appalachian Regional Development Program have resulted in incorrect appraisals of its success in the five years it has been in operation. Your editorial of April 24 reflects this faulty reasoning in its criticism of the thrust of the Appalachian Program.

The Federal-state partnership in Appalachia was never intended as an anti-poverty program in the sense of that conducted by the Office of Economic Opportunity. Such an approach, in fact, would have been an unwise duplication of effort.

The Congress recognized that the unique nature of Appalachia—physical isolation, a largely one-industry economy, inadequate financial capital—left it without the resources on which to build a sound economy. The Appalachian effort was geared to helping the states and communities marshal their resources, supplementing them with Federal assistance and developing a sound infrastructure as the beginning of the long climb to prosperity.

I do not dispute that the immediately discernible benefits, as you point out, seem to have gone to the towns and their business communities. The Appalachian Regional Commission adopted the concept of growth centers in which to concentrate development efforts. I am sure you would agree that, given the rugged terrain of Appalachian and its widely scattered population, any attempt to take services and aid to the poor of the mountains would be an exercise in futility. Consequently, it was felt wisest to develop strong communities—centers with the greatest growth potential—from which economic benefits would spread across the countryside. This is a sort of "ripple" effect, but it is the most logical approach to breaking Appalachia out of its economic stagnation.

Given the monumental nature of Appalachia's problems, there have not been—nor was it anticipated that there would be—dramatic breakthroughs in conquering poverty in the region in a scant five years. There have been substantial improvements, though, not the least of which is the creation of 200,000 new manufacturing jobs by the 1,150 plants established in the region since 1965. The Appalachian development program may not be responsible for all of them, but its impact has certainly been felt. In addition, many communities are better because of the schools, health programs, transportation and other public facilities established or improved under Appalachian sponsorship.

The Appalachian highway program was recognized from the beginning as a key part of the total development effort. It should be obvious that job-producing industries will not be enticed to any area where the principal transportation arteries are narrow roads winding their tortuous way through the mountains. It is also impossible to make public services available to the people without a good transportation system. The Appalachian highways are essential if the region is ever to develop a healthy economic and social structure. They are in no way a result of what you call the Congressional "mania for highway building."

The value of the 508 miles of Appalachian highways completed (not all of them four-lane expressways) has been demonstrated. More than three-fifths of the new industrial plants are within 20 minutes of the highway corridor system and nearly one-half are within 10 minutes.

I regret that a publication with the sophistication of The New York Times has succumbed to the lure of easy answers and overnight results. I make no pretense that the Appalachian Program has reached all of its initial goals to help bring an underdeveloped region into the mainstream of American life. There has been enough sound progress, however, and the growth of innovative social and governmental structures is so encouraging, that its continuation is fully justified.

Truly,

JENNINGS RANDOLPH.

Mr. RANDOLPH. What the New York Times said or some other newspaper editorially may have said is not the correct appraisal of the program.

An objective appraisal of the Appalachian program proves that this is not the case. It was never intended to be an antipoverty program such as that conducted by other agencies of Government. It was instead designed—and has been carried forward, I underscore—to help the people of Appalachia gather their resources together and to supplement them with Federal assistance to develop a basis for economic expansion.

I am not foolish enough to say we have had any dramatic breakthroughs in the scant 5 years this program has been in operation. But as Senators representing States in that region know, there have been significant improvements, and the evidence of progress is such that this work must be continued and not be allowed to disappear before the original goals are reached.

It would be difficult to claim that the Appalachian program itself is responsible for the many improvements we have witnessed over the past 5 years. I believe, however, that there is evidence this program has had a strong influence in the creation of 200,000 manufacturing jobs by the 1,150 new plants established in the region since 1965. This is indicated by the fact that more than 60 percent of the new industrial plants are located within 20 minutes of the Appalachian highway corridor system and nearly one-half are situated within 10 minutes of this new transportation network.

S. 575 continues the nontransportation portions of the Appalachian program for 4 years and extends the highway program for 5 years. Related to the upgrading of transportation in this region is a new program authorizing $40 million for airport safety improvements over the next 4 years. The contribution of my colleague, Senator ROBERT BYRD in bringing to the attention of the committee the need for an airport safety provision must not go unnoted. His effective presentation of the problem helped us bring this measure to fruition.

The conferees approved several amendments to the Appalachian program designed to improve its function in a number of areas.

Added flexibility is provided in such areas as health and child development services, vocational and technical educational programs, and housing construction. Programs to combat mine drainage pollution, a serious threat to the Appalachian environment, are added to other mining-related activities conducted under sponsorship of the Appalachian Regional Commission.

The supplemental grants program in Appalachia has permitted many communities with limited tax bases and public revenues to develop needed public facilities. S. 575 makes this program even more valuable by authorizing the use of Appalachian funds as first-dollar matching money for communities which have exhausted their local resources and are thereby unable to participate in other Federal grant-in-aid programs.

Organizations seeking to alleviate the serious housing shortage in Appalachia are given authority to use Appalachia funds for offsite developments necessary to the construction of housing.

A key part of the Appalachian program since its beginning is the construction of vocational and technical schools through which the skills needed by new industries could be provided. Substantial progress has been made in building new schools and S. 575 would permit financially hard-pressed communities to use Appalachian funds for the operation of these schools. This bill also would authorize the establishment of multijurisdictional demonstration programs in education similar to those already operating in the field of health.

A major feature of this bill provides increased flexibility for the Appalachian Regional Commission to allocate funds among its various programs.

Mr. President, this legislation is the result of extensive research, comprehensive hearings and considerable deliberations by Members of the Senate and House of Representatives. Members of the Committee on Public Works have been diligent in their attention to this legislation, knowing as they do of its impact in all sections of our country.

The leadership of Senator MONTOYA, as chairman of our Subcommittee on Economic Development, has been outstanding. Senator JOHN SHERMAN COOPER, the ranking minority member of the full committee, and Senator HOWARD H. BAKER, the ranking minority member of the subcommittee, have made many constructive contributions to this legislation, as have all members of the committee.

S. 575 does not represent the completion of our efforts in this critical area this year. We expect additional legislation to be forthcoming to improve on the programs we have before us today. I strongly urge the Senate to accept this conference report.

Mr. President, to accommodate certain of my colleagues, I yield the floor at this time.

Mr. MONTOYA. Mr. President, will the Senator yield to me before he yields the floor?

Mr. RANDOLPH. Yes; I yield to my able chairman.

Mr. MONTOYA. I would like to say, Mr. President, that the distinguished chairman of the full committee, the senior Senator from the State of West Virginia has really been a beacon in the new field that is evolving, now, of economic development in the United States. His leadership brought about Appalachia, and his vision has involved going, as he indicated, although not very specifically, to a point where the Appalachian States served by this legislation, in the last 2 years of unemployment, have remained at a steady pace, and they have really not experienced the economic adversity that the other parts of the country have

experienced, because of the great start made through the Appalachian concept, which was brought about by the thinking, the vision, and the dedication of the distinguished Senator from West Virginia.

I also wish to give proper credit to another stalwart in the Committee on Public Works, the distinguished Senator from Kentucky (Mr. COOPER), who has been working side by side with the chairman of the full committee and with me, as chairman of the Subcommittee on Economic Development; because he, too, has given us good advice, and his sound judgment has always prevailed.

The Senator from Tennessee, who is now the ranking minority member of the Subcommittee on Economic Development, also has been most helpful in this great effort to try to infuse the economic blood of this country with meaningful types of hardware so that we can proceed to fruition.

In our deliberations, not only in the subcommittee but also in our hearings in the field and in conference, we all worked together, not as political partisans but as individuals interested in a common cause; and this is the way we have handled the proposed legislation.

So I commend all these Senators for the great part they have played in forging this measure up to this point.

Mr. COOPER. Mr. President, I yield 5 minutes to the distinguished Senator from New Hampshire (Mr. COTTON).

Mr. COTTON. Mr. President, I thank the distinguished Senator from Kentucky for yielding 5 minutes to me at this time. I also appreciate the courtesy of the Senator from West Virginia and the Senator from New Mexico, of availing me 5 minutes at this time because I am compelled to attend a meeting of a House and Senate conference at 3 p.m.

Mr. President, I can recall few times since I have been a Member of Congress that I have been torn between the interest of my own constituents and the merits of a measure than I am today.

I was, and am, deeply grateful to the distinguished Senator from West Virginia, the distinguished Senator from New Mexico, and the members of the committee who handled this bill when it went through the Senate. I am deeply grateful to them for accepting my amendment, which extended the title V regional commissions and gave them another year of life in order that we could prove their value.

Nevertheless, I was much disappointed when the House added to this bill a cool $2 billion. It is beyond me why an otherwise most worthy measure was picked to be loaded up with a highly discredited relic of the past. I have grave apprehensions about what will happen to this bill if it gets to the White House for the President's signature in the form that is now before us.

I confess that I was torn between voting my convictions on the whole overburdened measure as it came from the committee on conference and thus turning my back on my good friends who helped me with my own amendment.

I think that the New England Regional Commission has been very effective; perhaps, because the New England States are small and are compactly placed together and have been working for many years as an area. I know that the commission means much in New England—and every New England Governor is deeply interested in it.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks an article published in the highly respected Journal of Commerce on Monday, May 17, 1971, about the work of the New England Regional Commission.

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

(See exhibit 1.)

Mr. COTTON. I was gratified, however, to note that the House added $50 million to the authorization of the title V commissions. It is my understanding that the increase was interested for airport safety improvements in the title V regions. This would provide a similar program to that authorized Appalachia by the new section 201(A) added in title III of the pending bill.

That amount of money does not seem great, but it means much to the New England States. Northern New England is practically bereft of any air service, and all of New England suffers in its air service because of the lack of navigational aids and other safety requirements at many of our airports.

Only yesterday, we learned of a horrible accident and loss of life at the New Haven, Conn., airport. This airport needs an ILS system and has been termed one of the 10 most unsafe airports in the country by the airline pilots. The Public Works Committee recognized the problem in Appalachia and I am delighted that this program will be extended to other regions. New England needs more money for navigational aids and other aids, and at least, a beginning—is in this bill and I am grateful for that. I would hope that the commission will reflect this emphasis in their programs.

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

Mr. COOPER. Mr. President, I yield 2 additional minutes to the distinguished Senator from New Hampshire.

Mr. COTTON. I will content myself by saying that I compliment the distinguished members of the Senate committee: First, for bringing us an excellent bill; and, second, for waging a fight in the committee of conference to save that bill and prevent its being connected with and burdened by this huge authorization by the House.

I think it is most unfortunate that a good bill that offers such hope to the people of all of this region, will probably run into serious difficulties in the future because of the insistence of the House in adding a thoroughly discredited program with a $2 billion price tag to it. I do not want to see the work being done in Apalachia held up, retarded, or reduced in any respect. Nor do I want to see the good work in the other regions held up. I want the other regions, including my own, to have a fair chance to show their worth. From what I read and hear, I think my own region has already done so.

What is going to happen when the chips are down in the matter of this bill with this burden, I do not know. But whatever the outcome, the Senator from New Hampshire has a lively sense of gratitude for the cooperation of the Senators on the committee and a high resolve to help them see to it that in the end, Appalachia and these other regions do not suffer.

I thank the Senator for yielding to me.

EXHIBIT 1

[From the Journal of Commerce, May 17, 1971]

COMMISSION SPURS AREA DEVELOPMENT

BOSTON.—An innovating and relatively new mechanism is now functioning through which the Governors of the New England States and the Federal Government are collaborating in helping to solve some of the chronic economic problems in the area.

The New England Regional Commission, organized in 1967 under the provisions of the Public Works and Economic Development Act of 1965, is pursuing a comprehensive package of planning and action programs aimed at stimulating economic development in the region.

Comprised of the six New England Governors and a Federal Co-chairman, appointed by the President, the Commission is one of five designated by the Secretary of Commerce under the statute which authorizes their establishment where economic development lags behind the nation as a whole. The New England Regional Commission is the only one of the five encompassing an entire group of states with long-standing historic and economic ties.

The Federal Co-chairman, Chester M. Wiggin, Jr., and the Governors, Frank Licht of Rhode Island, this year's state co-chairman, Thomas A. Meskill of Connecticut, Kenneth M. Curtis of Maine, Francis W. Sargent of Massachusetts, Walter Peterson of New Hampshire and Deane C. Davis of Vermont, have worked cooperatively to bring the Commission's programs into phase with the planning and development activities being conducted in the respective states.

Presently, the Commission is extensively involved in the fields of occupational education, energy and electric power, water pollution abatement, health, conservation and environmental control, transportation and related subjects linked to the future development of the region. Working relationships have been created with Federal departments in New England and Washington. The Commission has access to state agencies through the Governors to assure the necessary coordination.

Additional action programs are evolving from Commission sponsored research studies now being completed.

The Governors have asked the Commission staff to draft legislation for submission to Congress authorizing the creation of a federally chartered corporation to deal with the issue of rail passenger service in the region.

Commission funding was instrumental in the successful reverse investment mission conducted last month when six teams of industrial development specialists toured Western Europe for the purpose of attracting capital investment to New England.

URBAN GROWTH

Considerable resources are being invested by the Commission in a "growth center" demonstration to assist a few small urban communities in reaching their potential for economic growth. One growth center, St. Albans, Vermont, has already been designated and another center in Maine is in the process of being selected.

Another example of how the Commission has assumed leadership in implementing a regional cooperative venture is the Nashua River project. The project is intended to demonstrate, on an interstate basis, the value of a systematic approach involving Federal,

State and local governments and the private sector in a coordinated program to restore water quality in a seriously polluted river. It is believed to be the first attempt at relieving pollution to deal with an entire river basin as a single system to be undertaken on a voluntary cooperative basis.

In the immediate future, the Commission will continue to concentrate most of its attention to identifying regional issues affecting regional development and by encouraging cooperative action at all governmental levels.

Mr. COOPER. I yield myself 15 minutes.

Mr. President, first, I should like to thank the distinguished chairman of the subcommittee, the Senator from New Mexico (Mr. MONTOYA), and the distinguished chairman of the Committee on Public Works, the Senator from West Virginia (Mr. RANDOLPH), for their very fair statements and for their kind references to me and to Senator BAKER.

We have enjoyed in the Public Works Committee a harmonious relationship. We have said many times that there is little partisanship in the committee, and that is correct. We have tried to work out programs that would be helpful to the people of our areas and to the people of the United States generally.

I have commented on several occasions that the kind of work which we do in the Senate Committee on Public Works is perhaps little known to the people of the United States. When I first began to serve on the committee, the chief subjects of legislative interest were the development of our great river basins under the Corps of Engineers, the development of the Federal-aid highway systems, including the great Interstate System, and the construction of Federal buildings.

That is important work, still. But, in recent years, we have become seized—as my colleague here from New York would say with his legal precision—with many of the great environmental questions. We have been dealing with air pollution, water pollution control, the problem of oil slicks which is part of water pollution, and solid waste disposal and resource recovery.

In addition, the Senate Committee on Public Works has, in recent years, assumed jurisdiction for broad development plans in the country. Among those, of course, are the Appalachian Regional Development Act and also the Public Works and Economic Development Act of 1965.

These programs are coming into fruition, so that we owe much to each other. I owe much of the distinguished chairman of the committee, the senior Senator from West Virginia (Mr. RANDOLPH), and to the Senator from New Mexico (Mr. MONTOYA.).

Mr. RANDOLPH. Mr. President, will the Senator from Kentucky yield for just a few seconds?

Mr. COOPER. I am happy to yield to the Senator from West Virginia.

Mr. RANDOLPH. The Senator from Kentucky mentions the broad range of subject matters, including environmental legislation, which comes into the Public Works Committee. It is somewhat disappointing that the news media—and I am not being critical—continues often to characterize the Public Works Committee as the "pork barrel" committee of the Senate. I think it would be well that there should be a recognition of the transition to important matters which have been incorporated into the work of this committee during the past few years, so ably advocated by the distinguished Senator from Kentucky.

Mr. COOPER. I thank the Senator from West Virginia. We have all benefited from his leadership and experience.

Mr. President, I now address myself to the issue before the Senate in considering whether to adopt or reject the conference report on S. 575.

On June 3, 1971, I sent a letter to every Senator—and I also spoke in Senate last Friday, June 4—explaining the procedural problem which the Senate faces today as it votes on this conference report. It is a serious problem. I wanted every Member of the Senate to understand the issue before the Senate, not only in reaching a decision on this conference report, but also considering future legislation that will come before the Senate.

I do not know that I can improve on my earlier statement, but I will give some historical background on the problems which resulted in the conference report now before the Senate.

Earlier this year, the Committee on Public Works proceeded to the consideration of the extension of the Appalachian Regional Development Act. The bill which resulted in the original act had been introduced in 1965 by the Senator from West Virginia (Mr. RANDOLPH) and myself, with many cosponsors. As the authorization for the Appalachian Regional Development Act would expire this year, we decided in the committee that we would vote for and support an extension of that act for 4 years. We decided that we would not consider, at this time, extension of the Public Works and Economic Development Act of 1965—an act also of large importance because it is designed to extend to other areas of the United States the same opportunities for development that we have enjoyed under the Appalachian Regional Development Act—but would hold further hearings on substantive amendments to the act.

I believe the chairman of the subcommittee (Mr. MONTOYA) would agree with me that in our discussions the committee decided that under the present terms of the existing Economic Development Act—and I may say also because of the lack of support it has had from the executive branch—it would be better if we could work out a more precise, effective, and useful program, which we could submit to the Senate later this year.

When the Appalachian extension bill, S. 575, came before the Senate however, the distinguished Senator from New Hampshire (Mr. COTTON) offered an amendment to add a title extending for 1 year the Public Works and Economic Development Act of 1965. He convinced us with logic and with passion, so that both the manager of the bill, the distinguished Senator from Tennessee (Mr. BAKER), and I agreed that the title should be added.

The bill as passed by the Senate then went to the House of Representatives. The House added a new title, title I, which is an amendment to the old Accelerated Public Works Act of 1962. Without going into great detail, the House proposal authorized $2 billion to be appropriated for public works projects throughout the country. The House, having added this large and different proposal to the Senate bill, asked for a conference with the Senate.

We went to conference. Before doing so, in discussions in the full committee—engaged in by both majority and minority Members—we considered that the Accelerated Public Works Act of 1962 as revived by the House did not meet the present problems of unemployment in this country as well as we believed they should be met.

At that point, we had no opportunity to prepare a program for presentation to the Senate. But, together in committee—and after hearings—a program was developed in response to the House proposal. I may say it was developed largely under the leadership of the distinguished Senator from Tennessee (Mr. BAKER), the ranking minority Member of our Subcommittee on Economic Development, but also with the close cooperation of the chairmen of the subcommittee and the full committee. Our proposal was designed to assist more precisely and effectively those areas of the United States which are now having the most serious unemployment problems.

We went to conference with great confidence that our proposal would be considered, and that we would at least have an opportunity to discuss it and have votes upon it.

We were confronted instead by the adamant position of the House conferees that nothing could be considered which would materially alter their title I, accelerated public works. We were permitted to offer an amendment to reduce the amount of $2 billion to $1 billion, $750 million, or some minor amendments. But we were told that the House conferees would not consider, would not discuss, would not allow us to present, amendments of any substance to their new title I.

This was done upon the basis of House rule XXVIII, clause 3, as amended by the Legislative Reorganization Act of 1970. That act, of course, was agreed to by the Senate, but this was a change in the House rules. Mr. President, I ask unanimous consent to have the text of rule 28, clause 3, printed in the RECORD at this point in my remarks.

There being no objection, the text of the rule 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. COOPER. Mr. President, the effect of this strict interpretation of the revised House rule XXVIII, if adhered to in the future, will be to severely restrict the ability of the Senate to deal with House amendments to Senate bills. I see no reason why it may not be adhered to by the House, because during the conference the House conferees told us they had received an opinion from the House Parliamentarian that any new matter of any substance offered in amendment or modification of title I would be subject to a point of order in the House and would be sustained. That information was given us several times during the Conference.

At one point the House conferees told us that in recess they were going back to talk to the House Parliamentarian, and would report to us his views of the language we had submitted to them as a modification of title I. They returned and said the Parliamentarian would rule that it was not germane.

It was rather difficult for me to see how the Parliamentarian of the House could decide, in advance of a proposal, that it would not be germane. But in a way, it is rather interesting that the Senate became subject, in a conference, to a prior ruling of the Parliamentarian of the House. What is the practical effect of this rule if it is adhered to—not only on this first occasion of its strict application but on all other proposals which may come before Congress in bills originating in the Senate?

We know as a constitutional matter that the House alone may originate revenue measures. In recent years, the House has asserted the right and the exclusive authority to initiate appropriations measures. We are now confronted with a new proposition. It is this:

Unless the House originates a legislative measure or authorization bill—that is if the Senate acts first—the House may place in that bill a new, different and additional proposal and ask for a conference. We have no authority at all to consider that amendment in conference, to attempt to alter it, to attempt to improve it, even if all of the wisdom and the judgment and belief of the Senate conferees dictate otherwise.

I do not want to give extreme examples, but I would like to point out what the consequence of this ruling could be.

If the Senate, for example, in a military procurement authorization bill, had nothing about an ABM, and the Senate bill went to the House and the House placed in the bill an ABM amendment, and the House and Senate then went to conference, this rule would preclude the Senate conferees from altering that proposal of the House in any way.

Or suppose that some entirely new program of vast consequences and cost should be added in the House bill, to any bill acted upon first by the Senate. If we then go to conference, under this rule there would be no possibility of the Senate working its will upon that legislation.

I do not think that is right. It denies to the Senate the authority to act upon measures added by the House, except through a procedure which I will discuss in a few moments. It denies to this body of 100 men—representing all of the States of the Union, representing their constituents—a voice upon the substance of amendments placed by the House in any bill which originates in the Senate.

We would be reduced to this situation:

In every instance, to protect the Senate and to give the Senate a chance to legislate and respond to House proposals, we would have to await House action. We would have to wait until the House had first passed a bill. Perhaps it would never pass the bill. We would have to wait until the House passed it, and then we would have a chance to work our will upon it.

There is one other procedure. We could originate a bill, send it to the House, and the House could amend it and add new material and return the bill to the Senate. The Senate could then refuse to go to conference. We could take it back to committee, or act upon it on the floor. Following Senate action, the bill would go back to the House again. If the House did not accept the Senate modification of their substitute, and again amended the bill and returned it for the second time to the Senate, that would be an amendment in the second degree and the Senate would be precluded from acting—except to accept the House amendment or let the bill die.

So if we decide not to go to conference under the new House rules, we could act again on the Senate bill as changed by the House, but the House would always have the last voice. We could either act a second time on the bill or go to conference, and have the same result we have today in this bill. I think it is a remarkable procedure.

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

Mr. COOPER. I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for an additional 5 minutes.

Mr. COOPER. Mr. President, this procedure affronts the dignity of the Senate. However, I do not make too much of that point. I make more of the fact that it ignores the authority of the Senate. And I make a far more substantial argument—that the Senate has the right to consider these proposals that are placed in our bills by the House of Representatives. It has the right to have the opportunity to amend them if it desires to do so, to modify them and to make them more effective.

Mr. President, if this conference report on S. 575 should be rejected, the House substitute for the Senate bill would then be immediately before the Senate. The motion having precedence and the first procedure, according to the Parliamentarian, would be to ask that it be referred to the Senate Committee on Public Works—in effect returning the Senate bill as modified to the committee which originated it. There the Committee on Public Works could discuss the title I added by the House. They could accept it if they wished. They could improve it. Or they could suggest an alternative such as that proposed in the conference by the Senator from Tennessee (Mr. BAKER)—which both Democratic and Republican members of the committee and Senate conferees agreed was a much better vehicle to assist in unemployment.

If we vote for the conference report today, we tie our hands.

Mr. President, I read with great respect the letter to Senators from my friend, the Senator from West Virginia (Mr. RANDOLPH) and the Senator from New Mexico (Mr. MONTOYA), joined in by the Senator from Maine (Mr. MUSKIE) and the Senator from Missouri (Mr. EAGLETON).

In the first two paragraphs they admit this problem. They admit exactly the substance of what I am arguing today. But they say this is not the place to change the procedure, that it will not be a precedent if we accept the conference report. They argue that the proper way to challenge this procedure is to ask the House to change its rule.

We could introduce in the Senate an amendment to the Legislative Reorganization Act, and I am sure it might be passed by the Senate. But when it goes to the House, is there any assurance that the House would accept it or act upon it? I do not think so.

If we approve the conference report on S. 575 today, we are acquiescing in the position of the House conferees and the House, and we are making a precedent which will rise to haunt this body in the years to come.

I ask the Senate is it worth it? Is it worthwhile to do this? Is anything to be granted by such an action?

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

Mr. COOPER. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for an additional 5 minutes.

Mr. COOPER. Mr. President, if the Senate votes down the conference report, it can immediately send the House substitute for the Senate bill to the Senate Committee on Public Works, which is made up of a body of men who are fair and just. They could recommend to the House provision, if they decided to, or they could amend and modify it, to make it a better program to combat unemployment in this case, and return the bill to the whole body of the Senate to work its will.

How long will that take? We could do that in just a few days, 2 weeks at most. We know the subject.

I want to ask my colleagues on the other side of the aisle if that is not the most reasonable approach. It is argued in the letter of my dear friends and colleagues on the other side of the aisle that to take this action would jeopardize extension of Appalachian Regional Development program.

Of course, I know that is not correct, because in the bill the committee would report back to the Senate we would include the Appalachian regional program, and also the extension of the Public Works and Economic Development Act, and they would be acted upon at the same time as any new legislative proposal or accelerated public works program would be acted upon. We know this body has voted time and time again for the Appalachian Regional Development program and its extensions. We know the support for extension of the Economic Development Act of 1965. We know we will renew them again. So there would be no delay in this matter, except for a few days or a week or 2 at most.

I think this is a matter of great importance or I would not have raised it. I must say that I would not expect everyone in this body who might vote against the conference report to be bound by his vote, and I would not ask anyone here to bind himself on that vote. So this is an open matter—open for all of us to decide in our good judgment and upon our good sense.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. COOPER. I am glad to yield to the Senator from Alabama.

Mr. SPARKMAN. I notice in the conference report filed by the conferees that only four conferees signed it from the House and only four conferees signed it from the Senate. Looking at the calendar I notice there were seven conferees on each side. Was there any particular reason? I take it the three on this side did not sign it because of the conflict over title I.

Mr. COOPER. I want to make clear that I did not sign the conference report on S. 575 as amended by the House, and the Senator from Tennessee (Mr. BAKER) and the Senator from Kansas (Mr. DOLE) did not sign it. I did not sign it for the reasons I am giving today. Other Senators can speak for themselves.

Mr. SPARKMAN. I notice the Senator placed in the RECORD the new rule of the House. I would be interested in having a copy of the rule.

Mr. COOPER. I would be glad to give the Senator a copy of House rule XXVIII, clause 3, as recently revised by the Legislative Reorganization Act of 1970. The Senate agreed to that entire act. We did not give any consideration at the time to the result of this modification of the House rules, but now we know what the result is. We are faced with it here.

Mr. SPARKMAN. I now have a copy of the rule. The Senator from New Mexico has just given me one.

Mr. COOPER. This rule was held up to us as a rule to which the House would adhere, backed up by prior decisions of their Parliamentarian, who evidently was passing upon legislation before it came to the House of Representatives itself.

I might say for myself that I, of course, continue to fight and work for the Appalachian Regional Development Act. The Senator from West Virginia (Mr. RANDOLPH) and I introduced it originally. I have supported it in every way, and I continue to support it vigorously. I continue my support for the Economic Development Act, in which my good friend from New Mexico (Mr. MONTOYA) is so interested. I told him in the Chamber that I would help him to strengthen it in every way I could. He knows that is correct.

I do not think I have to make any defensive statement about that, or about my interest in the development of eastern Kentucky or any area of my State.

Perhaps it would be immodest of me to do so, but I am tempted to place in the RECORD some of the programs I have initiated in eastern Kentucky. I remember when I came to the Senate in 1947—and I was here for 2 years at that time—I found that despite water resource development all over this country, nothing had ever been done for Kentucky except the Kentucky Lake, built by the TVA, and Wolf Creek Dam, which is now called Cumberland Lake, and Dewey Lake. I had the opportunity to initiate the work which has since proceeded in every major river basin in Kentucky.

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

Mr. COOPER. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 additional minutes.

Mr. COOPER. Mr. President, I supported the Appalachian Regional Development Act, the Economic Development Act, the aid to education acts, and many others—including the OEO, even later when I had doubts about its wisdom—because I wanted to see the people in the eastern part of our State and on the fringes of our State, where I live, afforded an equal opportunity in life. I supported all those programs and those acts.

But I know with such judgment as I have, that there is no necessity to take precipitate action adopting this conference report today, because we can change the situation in 2 or 3 weeks. If we do so, we will be locking ourselves into the hands of the House of Representatives on all future legislation.

Mr. President, that is my judgment. I intend to vote against the conference report and I hope Senators will support my position.

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

Mr. COOPER. I yield 15 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. BAKER. Mr. President, I join the distinguished Senator from Kentucky (Mr. COOPER) in recommending against adoption of the conference report. That is a fairly remarkable thing for me to say, I expect, because with the possible exceptions of Kentucky and West Virginia, my State is benefited by the Appalachian program more than any others.

I have long been a devotee of the original principle. I argued in the Republican National Convention, on the floor of the Senate, and in other places for the concept of regionalism.

I think the Appalachian program has done a magnificent job and will continue to do a magnificent job in the future, but the program is being held hostage now to an unwise legislative maneuver. I think we are being asked to pay an enormously high price for a continuation of this program and those patterned after it.

It is fair to say the Appalachian program has spawned the so-called title V regions which permit the concept of regionalism to be applied in other sections of the country so that specialized attention can be given them according to their needs, the dictates of their geography, and the problems that confront them.

I have always felt that regionalism was the wave of the future and that sooner or later this country might have wall-to-wall regions so that we could try to pattern our legislative activity to the requirements of areas instead of artificial boundaries of States or other artificial boundaries of areas of the country.

Appalachia started this approach, and the Senator from West Virginia (Mr. RANDOLPH), the chairman of the Committee on Public Works, and the Senator from Kentucky (Mr. COOPER), the ranking Republican on the committee, are to be commended for having championed this cause initially and having provided the element of success that made Appalachia the pattern after which other commissions have been molded.

But that whole effort over these years is being held hostage, in my humble judgment, to a rule of procedure of Congress that derives from the Legislative Reorganization Act of 1970. This rule of procedure has produced a situation which, according to the House Parliamentarian, will, in effect, impose an inflexible rule of germaneness to future conferences.

I doubt that any Senator will challenge me when I say the Senate did not so intend when it passed the Legislative Reorganization Act of 1970. I very much doubt any of us was aware that the 1970 act would permit the House Parliamentarian to say to us that Senate conferees cannot seek changes in language appearing only in the House-passed bill. I doubt that any of us anticipated that, but that is the situation with which we are confronted today. The Appalachia program, the title V commission, and EDA programs are being held hostage to that rule.

I think it is an unwise rule, and it is improvident for us to even consider perpetuating it by passing this report. That is exactly what we will do if we adopt the conference report.

I caution my colleagues that if we do adopt this conference report, this precedent will not only extend to the future of the Public Works Committee, certainly not only to the future of the Economic Development Subcommittee, but to every standing committee of the Sen-

ate of the United States that reports legislation to the floor of the Senate for action and on which we act and transmit that action to the House of Representatives. If there is additional material added by the House of Representatives and we agree to a conference, we are bound by the House's interpretation of germaneness.

I reiterate that I doubt that was intended when we passed the Legislative Reorganization Act of 1970, but, I submit, we are being held hostage to that interpretation.

But that is not all we are being held hostage to. I think we are being held hostage to the idea that the Appalachian Regional Development Act is such a good program that no one is able to resist the blandishments to accept it, notwithstanding the fact that it contains public works acceleration program, which was resurrected from 1962, and which, I respectfully submit, was a failure then, and I do feel it will be a failure now, to the tune of $2 billion, if we go ahead.

After the House added title I, all of us took a look at it and said, "Surely, we can do something better than that." As it happened, the subcommittee chairman, the Senator from New Mexico (Mr. MONTOYA), who chaired the subcommittee hearings with such great distinction and care and under difficult circumstances, conducted additional hearings, and we called Gov. Daniel Evans of the State of Washington, who had testified during the field hearings at Seattle, to come to Washington and explain to us what I thought was a very unique concept that could be useful to the United States in its unemployment problem.

Governor Evans had said in Seattle that he had always felt the United States had done well in the matter of natural disaster relief. What about economic disaster relief? What about an arsenal of Federal tools to grant economic assistance to areas suffering from precipitous economic and unemployment catastrophe in the Pacific Northwest, such as in the aerospace industry.

I do not think any of us thought that what Governor Evans testified in Seattle would be so relevant so soon, but we of the full committee felt, after hearing the testimony at Seattle, that perhaps it would be a good idea to hear Governor Evans, and we invited him to come and testify on the elaboration of his idea of putting together a range of Federal assistance for the extension of relief for unemployment, low-cost loans, guaranteed loans, assistance for people put out of work, patterned after the Natural Disaster Relief Act and concentrating in those areas where it is actually needed, rather than blanketing the whole country and having a little bit for everybody, for the purpose of having a pork barrel in order to build courthouses and city halls for every community in the United States.

The chairman of the full committee, the Senator from West Virginia (Mr. RANDOLPH), is entirely right when he says the Public Works Committee is sensitive to being called the pork barrel committee, because it is entirely unjustified and inaccurate. He knows, because he and I have discussed it, that perhaps there should be a change in the name of the committee to more accurately reflect the jurisdiction it has in environmental matters, air and water, and other such jurisdiction. But it is an important committee.

I submit to you, my colleagues, that APW is pork barrel, and APW is calculated to cost $2 billion. If we can go by the experience we had in 1962, it will produce very few jobs too late, at a cost of approximately $20,000 per job.

I seriously doubt that APW would help the unemployed aerospace workers in Seattle or other areas of acute unemployment distress in this country. I wonder how many aeronautical engineers, how many machine tool operators, or riveters, or the like are going to be affected by building courthouses and city halls all over the United States.

I have nothing against courthouses and city halls. If we pass this conference report, I will be in line trying to get my share for Tennessee. But, my friends, that is the wrong way to do it. We need to concentrate our resources on the great needs, where people are crying out in distress, where there is and has been dramatic unemployment, and there are areas like that where we can help at the Federal level, where the cost-effectiveness is better than $20,000 for each job, which was our experience in 1962.

So, not only do I feel that we are being held hostage to a procedural dilemma advanced by the House of Representatives, but I think we are being held hostage to an unwise effort to spread courthouses and city halls all through the landscape without regard to the needs.

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

Mr. BAKER. I am pleased to yield.

Mr. JAVITS. Mr. President, I am the ranking Republican member of the Committee on Labor and Public Welfare and joined in managing S. 31, which is a 2-year bill for public service jobs and would provide 150,000 jobs the first year in public service and 200,000 in the second year.

The House has seen fit to pass an even broader public service bill, and we will get to conference on it late this week, I believe.

For people like myself, the problem is, What will $2 billion produce according to title I of this bill, S. 575? The figure in the labor field is 170,000 jobs. That sounds very good. The difficulty with it is that when we last had this program at its peak, in 1964, it produced only 45,500 jobs for a total Federal and other expenditure of $1.7 billion.

We have $2 billion of Federal money here, so that the relationship looks like about 1 to 3 in terms of the utilization of that money.

In addition, the Senator has properly pointed out that the locus of the jobs will be extended throughout the country, needed or not, and whether they are piled on an already full employment situation in construction, for example; whereas, with public service jobs, we have the opportunity to be selective.

In view of the fact that this may not be the final stage of legislation either in this field or in the public service jobs field, I would think we ought to keep our powder dry, both the committee and we ourselves, before approving this conference report. I am deeply concerned that the conference procedure and the House rule will exclude what we have already passed and undermine the ability of the Senate to change House modifications of Senate bills.

Mr. BAKER. I thank the Senator.

Mr. JAVITS. I think it is very important to point out that the cost of the public service jobs program is not very much different from the cost which is contemplated here, but the per job cost is very much lower.

Mr. BAKER. I thank the Senator from New York, who has done such marvelous work in this field and has such a keen understanding of putting the money where the need is.

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

Mr. BAKER. I yield.

Mr. COOPER. I have already pointed this out, but is it not correct that in our Committee on Public Works and among the Senate conferees, both the Republican side and the Democratic side were agreed that the approach of the Senator from Tennessee was superior to title I of the House substitute bill?

Mr. BAKER. It is my understanding that there was no objection on the part of the Republicans or Democrats of the Senate conferees, nor in the Senate Public Works Committee, to the use of the substitute proposal for the House-passed title I.

Mr. COOPER. Is it not true that if we succeed in defeating the conference report and take the bill back to the Committee on Public Works, we will have an opportunity to consider and adopt the proposal which the Senator put forward, which had the support of both sides and which would go far toward solving this problem?

Mr. BAKER. The Senator is correct. As a matter of fact, from the procedural standpoint, I am led to believe that the only way the Senate can work its will on the House-passed title I is to reject the conference report and refer this bill to the Public Works Committee. Would the Senator from Kentucky agree?

I see our distinguished chairman on his feet. Would it not be accurate also to say that the Senate conferees, Republicans and Democrats alike, are chagrined and in disagreement with the House interpretation of the procedural rule, and did not agree to that position, although under the parliamentary situation as it existed in conference. I wonder if the distinguished chairman of the committee would care to comment on that point.

Mr. RANDOLPH. Mr. President, before responding to the specific inquiry of my colleague, I express my genuine appreciation for the references he felt it appropriate to make as we have worked together on the programs of the Appalachian and related subject matters. I am very grateful, as he knows.

The Senator from Tennessee argues eloquently in reference to the matter of procedure. Prior to my yielding following the Senator from Tennessee, who actually has the floor, to the chairman of our subcommittee (Mr. MONTOYA) to go into these matters which have been raised, I

must state a very clear-cut disagreement which I have with the Senator from Tennessee on the matter of accelerated public works. He holds to a viewpoint that such programs are pork barrel in nature. I hold to an opposite view, that they are programs which help people and help communities and lower the unemployment rate in this country to a considerable degree. These matters will be discussed by the Senator from New Mexico.

The figure of $20,000 I do not believe is a correct figure.

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

Mr. BAKER. Mr. President, will the Senator from Kentucky yield me another 5 minutes, so that we may continue this colloquy?

Mr. COOPER. I yield 5 additional minutes.

Mr. RANDOLPH. I repeat that I do not believe that $20,000 is an accurate figure. It should be, I believe, more nearly in the area of $8,000 or $9,000. That will be developed by the subcommittee chairman.

But it is also important to comment on what the able senior Senator from New York has said in reference to job creation. He forgot that he was talking only about on-site jobs. He did not bring in the related jobs which are a part of any accelerated public works program. I felt I wanted to have the chairman of our subcommittee develop what we believe to be the facts in connection with this situation.

Mr. BAKER. Mr. President, I thank the chairman. I understand that our time is growing short, and I would like to conclude with these remarks:

First, it would have been my hope that we could take care of the extension of the Appalachian program on its own. No one wants to see the program extended more than I do, and the success and example it affords certainly entitle it to the right to be considered on its own.

But, Mr. President, we find ourselves now in a situation made by our colleagues in the other body, where, in effect, not only are we bound by their rules of germaneness in conference, but we are proceeding now, today, on the floor, at this moment, under what is effectively a closed rule, notwithstanding the fact that there is no such procedure in the Senate of the United States.

Under this technique, the House of Representatives goes to conference with a bill saying, "Take it or leave it, complete with title I and all the rest; you cannot change it in conference and you cannot do a thing about it on the floor of the Senate except vote it up or down."

So the Senate, in its wisdom and judgment, has managed to get itself into a position where the House has imposed on us a closed rule and a rule of germaneness. I seriously doubt that that is a precedent the Senate wants to live with.

I hope that if this conference report is rejected, the bill will be placed before the full Committee on Public Works. The Senate then would have an opportunity to work its will in the matter, for the first time. I hope, barring that, the Senate will vote against the conference report and, if it fails, we can get together and have bipartisan support for a continuing resolution for Appalachia and the title V commissions. They must not be permitted to die. But I would hope we will not have to pay $2 billion plus a rule change and the imposition of the House rule of germaneness and a closed rule in order to get title I passed.

I would hope there would be a greater effort at accommodation than we found on the part of the House conferees in conference, who would not budge an inch. As the Senator from Kentucky (Mr. COOPER) has suggested, it would be no more than fair to go back to the House side and attempt to get their Parliamentarian to rule it is germane.

I would hope that we are not seeing the demise and death of the conference system, because our only defense is to decline to go to conference. I hope that wiser and cooler heads will prevail. But I think in order for them to prevail, we need to refuse this effort to make a precedent, and making the Appalachian program and the title V commissions hostage to imprudent, unnecessary, expensive "pork-barrel" legislation that is threatening the life of the fine program championed by the chairman of the committee and the ranking minority member, which I thoroughly support.

So, Mr. President, I join with Senator COOPER in recommending against the adoption of the conference report on S. 575. The genesis of our opposition to this report is the prevention of Senate conferees from having an opportunity to review, examine, or modify title I due to the House Parliamentarian's strict interpretation of rule XXVIII, 3, of the House rules. As a result of this ruling by the House Parliamentarian, title I now comes to the Senate floor unaffected by action of the Senate conferees.

The accelerated public works program proposed to be authorized for appropriation 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, S. 732, which would have substantially the same effect as title I. In 1962, a public works acceleration bill was passed as a separate and distinct program. Only in S. 575 has such a bill been appended to nonemergency economic measures.

By severely limiting the ability of the Senate conferees to deal with title I and by sending that title to the Senate floor appended to other important measures, the House will have effectively precluded the Senate from reviewing this piece of legislation if the conference report is approved. And title I would be, for all practical purposes, a House enactment, having escaped the legislative influence of the Senate.

It has been suggested by some that this is an inappropriate time to raise a purely procedural point—that by doing so we endanger the Appalachian regional development program and the economic development program in which so many people have a great interest.

Mr. President, there is no Member of this Senate who has greater concern over the fate of Appalachia and EDA than either Senator COOPER or myself. Both of these programs serve large areas of our States. We have both agonized over the dilemma that title I has placed us in.

This unexamined piece of legislation—this $2 billion dollar grab bag for new buildings—has been appended to two of the most important economic development programs that have been produced by this body, in order to give it weight and attractiveness; but there are grave and serious questions which remain even to be asked with regard to the APW program. Still, the temptation is great to avoid the confrontation because, as some say, it endangers these other important programs.

Mr. President, if we disapprove the conference report on S. 575, this bill as passed by the House of Representatives will come immediately before the Senate for such action as this body deems appropriate. Senator COOPER has carefully outlined our prerogatives with regard to the bill which would then be before us. If we pass the buck on this matter to the President, I feel that we will have delayed making a decision which could have been made today and which should have been made today—that is, to examine this APW program and to review and discuss it and to improve it out of the knowledge we have gleaned from hearings held all over the country regarding the problem of high unemployment. If we procrastinate in what is our clear duty, we will then have gravely endangered the Appalachian program and EDA. And further, we will have endangered and impugned the integrity and dignity of this body by enacting a piece of legislation upon which the Senate has never exercised its power of review.

Perhaps there are those who would think me a purist, but I am sincerely and deeply offended by the prospect of passage of an unexamined, unreviewed piece of legislation. And if this conference report is approved and S. 575 as amended by the House, passed by the Senate, the House will have effectively passed legislation on its own—without the Senate having had any real opportunity to debate, modify or review the measure.

Mr. President, even if there were no serious question as to the efficacy and desirability of the bill in dispute, this would be a most grave situation.

The Senate Public Works Subcommittee on Economic Development has held hearings at great expense all over the United States. These hearings have yielded a great fund of knowledge on the problems of unemployment across this Nation and this knowledge in turn has produced some definite and quite imaginative ideas on how to deal with these problems. This knowledge and these ideas remain unused and untapped because the House has precluded our involvement in the development of this legislation. And now, it is suggested that we wait until after this bill is passed to proceed to consider our ideas. Act now and consider later is a rather questionable method of operation.

Title I is basically a resurrection of the 1962 Public Works Acceleration Act. It would allocate its $2 billion across the Nation in approximately 1,100 eligible areas. The bill makes no effort to con-

centrate funds allocated under it on areas of sudden rise or critical unemployment, but would rather duplicate assistance under the public works provisions of the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act.

From the experience of the early 1960's, it is clear that a public works acceleration program is of questionable impact as an unemployment countermeasure. The bill would increase the inflationary price rises in the construction industry, would take 18 months to 3 years to provide jobs for a substantial number of unemployed persons, would have minimal impact on the high number of unemployed aerospace workers in Seattle, Wash., Wichita, Kans., and several other area of the Nation.

The 1962 act, according to a report of the Department of Commerce in January of 1965, had generated 1,046,000 man-months of onsite employment. Additionally it was estimated that 1.4 man-months of employment offsite had been provided for each man-month onsite. The Commerce Department report indicated that 7,711 projects had been approved at a total cost of $1,721,000,000, of which the public works acceleration share was $843,000,000. Based on these statistics, it had cost approximately $20,000 to provide 1 man-year of onsite employment.

During the peak months of employment under the Accelerated Public Works Act of 1962, which was 21 months after its enactment, 46,000 people were put to work. That is, approximately 30 percent of the number of unemployed in Seattle, Wash., alone as of May 1971. And the accelerated public works bill would spread this meager impact across the Nation in more than 1,100 eligible areas.

Clearly, several substantial and significant questions remain to be answered with regard to the desirability of an accelerated public works program. Questions which, due to the procedural dilemma produced by the House Parliamentarian's interpretation of rule XXVIII, 3, have never been asked nor answered by the Senate.

Measures will have to be taken to end the intolerable restrictions placed on Senate-House conferees by House rule XXVIII, 3. I am confident that disapproval of this conference report will encourage action to restore the effectiveness of the conference procedure and to eliminate the threat to the dignity of this body.

It should be further noted that disapproval of the report would immediately put before the Senate the bill as passed by the House, thus enabling this body to establish a dialog on title I which was frustrated and pretermitted in conference. It would be possible at that time to take such action on title I, and on the Public Works and Economic Development Act, and on Appalachian Regional Development Act extensions, as this body deems required.

For these reasons, I urge that the Senate disapprove the conference report on S. 575.

Mr. MONTOYA. Mr. President, I have listened to the arguments presented by the distinguished Senator from Kentucky and the distinguished Senator from Tennessee on the procedural question involved in this presentation, and I am in full sympathy with their viewpoint. I am in full sympathy with their alarm and concern that what the House has done with respect to its rules in foreclosing the Senate is indeed something about which we should do something.

I believe that the approach they have taken is not very well taken, for this reason: At stake here is something more important than whether or not the Senate's dignity is assaulted. I think the proper approach should be to have the Rules Committee recommend an amendment to the Reorganization Act, and confer with the leaders of the House of Representatives with respect to this rule which has been foisted upon us without our having a voice in its enactment except for the authorizing legislation, or part of the legislation contained in the Reorganization Act of 1970.

I might say that this rule, if the situation were reversed, would be availed of by the Senate to do the same thing to the House of Representatives that the House is doing to us. But that is also not at issue with respect to what is important or most important, I should say, as far as this legislation is concerned.

Mr. RANDOLPH. Mr. President, will the Senator yield for just a moment?

Mr. MONTOYA. I yield.

Mr. RANDOLPH. I think it is important, when we consider the action of the House conferees in conference, to remember that though we did not wish to proceed as proposed by the House, and rather reluctantly came to the agreement that there might be such a conference report, regardless of the side that we take on this issue, that title I, which is the accelerated public works portion of this bill, was passed by a rollcall vote in the House of Representatives by more than 2 to 1—262 Members voting in the House for title I, and 128 voting against it.

So when we speak of the House conferees being adamant, we have to understand what a situation we would find ourselves in if we went to a conference and we had such a vote on a certain portion of legislation which was to be considered in conference with the other body.

Mr. MONTOYA. I might add at this point that there was another vote on a similar question. It was a division vote in the House to reject title I or to delete it, and the vote was 118 to sustain it and 37 against.

Mr. COOPER. Mr. President, will the Senator yield to me for 10 seconds, on my time?

Mr. MONTOYA. I yield.

Mr. COOPER. I should like to comment on both statements that does not change the legal situation. We are still faced with the same situation here.

Mr. MONTOYA. I fully appreciate this.

I might say that, in view of the expressions voiced by the conferees, in view of the interest manifested in the House of Representatives for title I of this legislation, I doubt very seriously whether we would accomplish anything by going to the Committee on Public Works and amending or reducing title I to where it might be acceptable on both sides of the aisle here today. What we would be doing would be inviting a longer conference on a matter to which I feel the House of Representatives is eternally wedded; namely, the present content of title I.

So I say that we must weigh here, with respect to whether or not we reject or adopt this conference report, the need that exists in this country for positive action to begin reducing the painfully high unemployment levels that grow with every passing month.

I listened to the figures that were presented by the Senator from Tennessee and the Senator from New York—that $16,000 per job was the rule under the accelerated public works of 1962, and some mention was made of $20,000.

I have the figures here: $880 million was approved by way of funding under the Public Works Act of 1962 and 7,800 projects were approved; 110,000 jobs were created, for an average of $8,000 per job. This is what that means.

Important projects were constructed under this program, approved in 1962: 1,500 waste treatment plants, 1,250 water supply projects, 300 hospitals, 240 recreational facilities, and other minor public works.

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

Mr. MONTOYA. I yield.

Mr. RANDOLPH. The burden of comment here by our able colleague, the Senator from Tennessee, was that courthouses were constructed.

Mr. MONTOYA. Yes.

Mr. RANDOLPH. But this was a very small item in the total, as indicated.

Mr. MONTOYA. That is correct.

The point I want to make by reciting these public works is not that the jobs that these public works created cost $8,000 but that the jobs that were generated by this $800 million amounted to 110,000; and the hardware and capital outlay in America still exist: 1,500 waste treatment plants, 1,250 water supply projects, 300 hospitals, 240 recreational facilities, and so forth.

It is in the best interests of the country, weighing everything together today, to adopt the conference report, because this measure is vitally needed today, not 2 weeks from now.

Mr. President, in our opening statements, both Senator RANDOLPH and I referred to difficulty encountered in the House-Senate conference as a result of House inclusion of title I in S. 575. This difficulty was fully described in the letter of June 3, 1971 from Senator JOHN SHERMAN COOPER to all Members of the Senate and by the response of June 7 from Senators RANDOLPH, MUSKIE, EAGLETON and myself.

In its simplest terms, the issue is whether the Senate should attempt to effect a change in rules of the House of Representatives by rejecting a perfectly good bill because of a procedural problem, or whether we should approach this problem in a different manner and accept the conference report which directly attacks the critical unemployment situation in the United States.

The need is for positive action to begin reducing the painfully high unemployment levels that grow with every passing month. For nearly 2½ years the administration has talked about setting our economic house in order, but we continue to be faced with high levels of unemployment and increasing numbers of our people suffer deprivation and hardships resulting from prolonged joblessness. Only last month the Department of Labor reported that 5.2 million people were unemployed. This is 6.2 percent of our total labor force. This appallingly high rate equals the 9-year high of 6.2 percent which was established only last December. We continue to see the burden of unemployment fall most heavily upon our minority populations, as reflected in a 10.5 percent unemployment rate among Negroes, highest since 1963.

Between January 1970 and January 1971, 57 major labor markets in 26 States experienced a 50-percent increase in unemployment. The current 6.2-percent rate means this terrible situation continues. Such unemployment will result in destruction of community life in the affected areas.

At the same time that ranks of the jobless have swollen, numbers of those who are unemployed for increasingly longer periods of time have also grown. The number of persons who were unemployed 27 weeks or more rose during May by 150,000 to a seasonally adjusted total of 580,000. Again, this was a record-breaking total for recent years; highest since May 1963. The average duration of joblessness reached 11.5 weeks in May, nearly 2 weeks longer than in December 1970.

It is vital to bear in mind that many of the jobless are out of sight and unregistered on the charts of statistics issued periodically by government agencies. For every four workers we know have no place on a payroll, there is at least one other who has given up the search for employment. Those who have exhausted their jobless benefits are no longer listed as unemployed on formal charts. Those participating in work-study programs fall into the same category.

And what of graduations from high school and college which daily spill hundreds of thousands of new workers into the job force? There is no place for most of them. None will register immediately on unemployment rolls, and therefore will not show up on the charts, yet all of them want work.

What of returning veterans, who already are contributing upward of 400,000 to jobless figures? Last year, the armed services discharged upward of 1,100,000 people.

These same armed forces are decreasing in size rather than growing. The usual half to three-quarters of a million new graduates who have been absorbed yearly by them in the past will not be enlisted now.

A major complaint against the Public Works Acceleration Act as an anti-unemployment device is its characterization as inflationary. This argument would have great weight if along with controlling inflation we were in a situation of declining unemployment. Yet that obviously is not the case. We cannot continue a program of fighting inflation which rests upon creation of unemployment. Inflation is only a problem to those who have income. For the 5.2 million Americans who have no jobs, the problem is food, shelter, and other basic necessities at any price.

The attack on unemployment incorporated in the Accelerated Public Works Act, title I of S. 575, has its most immediate impact within our construction industry, geared as it is to helping communities provide essential public works facilities. The construction industry continues to be one of the most severely affected by underutilization of manpower. The unemployment rate for construction workers reached 11.2 percent last month; an increase from 9.6 percent only 1 month earlier.

I remind my colleagues that this increase took place at the time of the year when there is normally an acceleration in construction activity. The picture is even more bleak for tens of thousands of general laborers who depend on construction for their livelihood. One of every four of them are now without gainful employment.

The contractors, especially those who are of modest size, are caught in a frightening bind. They are dependent upon fulfillment of contracts in order to survive. Construction is their business and life's blood. They provide jobs for construction workers. The construction industry desperately requires a shot in the arm of some sort, else it will deteriorate further. Massive investment in equipment and other tangibles will be lost. Thousands of these businesses will either go bankrupt or be crippled for years.

The history of the Accelerated Public Works Act after it was enacted in 1962 shows this legislation has the ability to swiftly alleviate unemployment in construction and make its impact felt throughout the economy. What does the record show on employment results for Accelerated Public Works? The 1962 act, for which $880 million was appropriated, resulted in 7,769 projects. They provided on-site employment by June 1964 of 45,519 workers.

For every on-site job created there were nearly 1½ off-site jobs brought into being, further expanding the impact of this program.

As a result of this investment, the economic bases of many communities were restored. The inventory of public facilities was increased by 296 hospitals and health facilities, 1,256 water supply and other public utilities, 1,505 waste treatment plants, and 241 recreational facilities. It is our intention that the 1971 version will provide more of such basic facilities necessary to give impetus for renewed, continuing community development. All of the approximately 1,100 communities which will be eligible for assistance under this new revitalized program presently have plans and programs to implement as soon as funds are available. At the end of 1970 there were approximately 3,000 applications for Federal funds for waste treatment plants, 800 applications for water and sewer facilities, and 1,900 applications for hospitals and public health centers. There are also hundreds of other State and local projects which have been planned, and which would benefit significantly from this program.

At the same time that our communities are being strengthened by development of such facilities, the Accelerated Public Works program would create 420,000 badly needed jobs within a year.

This program cannot stand alone in the battle against joblessness. We must secure release of the $12 billion currently being withheld by the administration in its anti-inflation program. The Emergency Employment Act of 1971 is now in conference. Together with the Public Works Acceleration Act, it is another vital tool in securing our most important goal—full employment.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD various tables pertaining to this matter.

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

APPALACHIA AND ACCELERATED PUBLIC WORKS

OLD ACCELERATED PUBLIC WORKS

(Enacted in 1962)

7,800 projects approved.

$880 million spent (average $8,000 per job created).

110,000 jobs created.

Kinds of projects: 1500 waste treatment plants, 1250 water supply projects, 300 hospitals, 240 recreational facilities (examples of the largest categories).

NEW ACCELERATED PUBLIC WORKS—PRESENT BILL

1100 areas in the country eligible.

3,800 waste treatment facility applications waiting for funds.

800 water and sewer facility applications waiting for funds.

1900 hospital and public health center applications waiting.

420,000 jobs will be created by this new program.

OTHER RELATED FACTS

6.2% unemployment nationally now.

11.2% unemployment in the construction industry now (up from 9.6% in Apr. '71).

11% unemployment in Seattle.

Nixon has frozen $12 billion.

Emergency Employment Act (you are a cosponsor) is now in conference, and is a good supplement to this act (it is not a substitute).

UNEMPLOYED PERSONS BY OCCUPATION OF LAST JOB
(NOT SEASONALLY ADJUSTED)

Occupation	Unemployment rates	
	January 1971	January 1970
White-collar workers	3.5	4.2
Professional and technical	2.5	1.4
Blue-collar workers	9.4	5.7
Construction craftsmen	12.7	6.8
Construction laborers	26.8	19.1
Service workers	6.8	4.8
Farmers and farm laborers	4.3	2.7

Source: "Employment and Earnings," vol. 17, No. 8, February 1971, U.S. Department of Labor, Bureau of Labor Statistics, p. 36.

UNEMPLOYED PERSONS BY INDUSTRY OF LAST JOB (NOT SEASONALLY ADJUSTED)

Industry	Unemployment rates	
	January 1971	January 1970
All industries	6.6	4.2
Mining	5.8	4.9
Construction	17.6	11.8
Manufacturing	7.8	4.3
Transportation, communications, and utilities	4.9	3.0
Trade	6.9	5.0
Finance, insurance and real estate	3.4	2.2
Services	5.7	3.5
Agricultural wage and salary workers	12.8	9.3

Source: "Employment and Earnings," vol. 17, No. 8, February 1971, U.S. Department of Labor, Bureau of Labor Statistics, p. 36.

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

The PRESIDING OFFICER. The Senator from Kentucky has 6 minutes remaining.

Mr. COOPER. I yield 4 minutes to the Senator from New York.

Mr. BUCKLEY. Mr. President, one of the more resilient myths of economic policy has been the notion that in times of unemployment, massive Federal expenditures on public works will achieve an early and substantial increase in employment.

There are, in fact, few areas where professional economists are in as much agreement as on the point that Federal public works expenditures are totally ineffective as a means of increasing employment quickly.

Dr. Arthur Okun, former chairman of the Council of Economic Advisers during the Kennedy-Johnson administrations, has pointed out that despite a diligent search in the early 1960's for a public works program which would quickly have an effect on reducing unemployment, none was found.

Despite an effort to begin the 1962 Accelerated Public Works program in 1962 with projects which could be started easily and completed within 1 or 2 years, it took almost 2 years just to get the program underway and to achieve its full impact; and even then, peak employment never exceeded 36,000 per month. This was the result of an $850 million program. The APW proposal before the Senate today is more than double the size of the 1962 program, but if the experience of 1962 is any guide, there would not be more than 100,000 employed by the program, and this total would not be achieved until 1973. This is but a miniscule fraction of the total employed, and the cost per job would be $20,000.

Furthermore, it is entirely possible that the accelerated public works program could be counterproductive, because the increase in demand for employment would come in the construction industry, the sector of the American economy with the most rapidly rising costs. Public works projects will compete with residential housing. And residential housing, which is only slowly recovering from the credit crunch of 1969, could be dealt a crippling blow by increases in wage costs resulting from accelerated public works, thus causing an actual decline in employment in the housing industry.

In May 1964, in a report to the Congress, the General Accounting Office found that the number of jobs actually created by accelerated public works was overestimated. In 1962, the overstatement was 128 percent despite the fact that the United States was in the midst of an unprecedented economic recovery from the recession of 1961–62. Moreover, the GAO reported that the entire effectiveness of accelerated public works had been overstated. Because of the fact that it takes years for there to be any visible economic effect from programs of the kind contemplated by title I, spending money for such activities would reduce the resources available for truly effective approach to the problem of unemployment.

Accelerated public works is unwise as a public policy measure for the relief of unemployment in the informed opinion of virtually every professional economist with competence in the field. This opinion is informed by a substantial body of research based upon actual experience with the 1962 accelerated public works program. Every scrap of evidence indicates that this approach should be rejected forthwith.

It is my hope, therefore, that the Senate will reject the bill imposed by the House conferees, both for the procedural reasons described by the Senator from Kentucky and because title I represents an ineffective and potentially dangerous approach to the problem of unemployment.

Mr. BAKER. Mr. President, I ask unanimous consent that there be printed in the RECORD a proposed substitute for title I, the Accelerated Assistance for Economic Emergency Areas Act.

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

PROPOSED SUBSTITUTE FOR TITLE I

TITLE I—ACCELERATED ASSISTANCE FOR ECONOMIC EMERGENCY AREAS ACT

SEC. 101. This title may be cited as the "Accelerated Assistance for Economic Emergency Areas Act of 1971."

DESIGNATION OF ECONOMIC EMERGENCY AREA

SEC. 102. Upon the application of the Governor of any State, the President may designate any area or community specified therein as an Economic Emergency Area eligible for assistance under this Act if he determines that the area or community meets the requirements of section 103 of this Act, is an identifiable area of impact which is suffering from high unemployment due to the loss of a major source or sources of employment and would be significantly benefitted by assistance under this Act.

SEC. 103. An area or community, without regard to political boundaries, shall be eligible for designation under this Act, if, due to the loss, removal, curtailing or closing of a major source or sources of employment, it has suffered a sudden and abrupt increase in unemployment which has caused, or threatens to cause within a short time, the unemployment rate of the community to exceed 6% and which additionally has either caused or threatens to cause

(a) the unemployment rate in the area to exceed by 50% the national average of unemployment for six months of any twelve-month period in which said application is made; or

(b) the unemployment rate of the area or community to increase 100% within a twelve-month period;

which unemployment will be more than temporary in duration.

STATE COORDINATING OFFICER

SEC. 104. The Governor shall at the time of making his application for assistance name and appoint a State Coordinating Officer, who shall:

(a) Assist the Federal Coordinating Officer in making an appraisal of the projects and programs which will have the most substantial and immediate impact upon the unemployment problem;

(b) Coordinate the administration of participation by State and local authorities and organization;

(c) Work with the Federal Coordinating Officer in the coordination of programs;

(d) Take such other action, consistent with authority delegated to him by the Governor, and consistent with the intent of this Act, as may be deemed necessary or appropriate in the implementation of the Act.

FEDERAL COORDINATING OFFICER

SEC. 105. Whenever the President designates an Economic Emergency Area, he shall appoint a Federal Coordinating Officer for such area. The Coordinating Officer, within the designated area, shall:

(a) Prepare within 60 days of his appointment an appraisal of programs and projects which will have the most immediate and substantial impact upon the unemployment problem of the area;

(b) Coordinate the administration of Federal employment development efforts in the area or community;

(c) Work with the State Coordinating Officer appointed by the Governor in the coordination of programs;

(d) Take such other action, consistent with authority delegated to him by the President and the provisions of this section, as he may deem necessary to assist local citizens and public officials in promptly obtaining assistance to which they are entitled.

EMERGENCY SUPPLEMENTAL FUNDS

SEC. 106. (a) In order to enable the people, state and local authorities, or any organization, authority, or association representing the economic emergency area or any portion thereof, to utilize Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which because of economic emergency they cannot immediately qualify, or for which there are insufficient funds available to meet the needs of the designated area under the Federal grant-in-aid Act authorizing such programs, the President is authorized to make available funds from the Economic Emergency Assistance Fund, established by this Act, to be used for all or any portion of the basic Federal contribution to projects under such Federal grant-in-aid Act, and for the purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. In the case of any program or project for which all or any portion of the basic Federal contribution to the project under a Federal grant-in-aid Act is proposed to be made under this section, no such Federal contribution shall be made until the responsible Federal official administering such Act certifies that such program or project meets the applicable requirements of such Act and could be approved for Federal contribution if funds were available under such Act. Funds provided pursuant to this

Act shall be available without regard to any limitation on areas eligible for assistance or authorizations for appropriation in any other Act. Any findings, report, certification or documentation required to be submitted to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of any Federal grant-in-aid program shall be accepted by the Federal Coordinator with respect to a supplemental grant for any project under such program.

(b) The Federal portion of such costs shall not be increased in excess of the percentages specified in section 110 of this Act.

(c) The term "Federal grant-in-aid programs" as used in this section means those Federal programs which will provide assistance in creating, maintaining or developing local employment, consistent with the appraisal of projects and programs made by the Federal Coordinator pursuant to section 105 of this Act, or which in the judgment of the Federal Coordinating Officer will provide support facilities necessary to such programs.

ACCELERATED PUBLIC WORKS

SEC. 107. Upon the application of any State, or political subdivision thereof, Indian tribe, or private or public non-profit organization or association representing all or any portion of the area designated under this Act, the Secretary of Commerce, upon the recommendation of the Federal Coordinating Officer is authorized—

(a) To make grants or direct loans from funds available in the Economic Emergency Assistance Fund for the Federal portion of the cost of the acquisition or development of land and improvements for public works, public service, or the acquisition, construction, rehabilitation, alteration, expansion or improvement of such facilities, including related machinery and equipment, within a designated economic emergency area, if the Officer finds:

(1) that such project is consistent with his appraisal of projects having most immediate and significant impact upon the unemployment problem; or

(2) that such project is a necessary support project for programs or projects instituted or to be instituted pursuant to this section; and

(3) that the project is approved by the State.

(b) The Federal portion of such costs shall not be increasd in excess of the percentages specified in section 110 of this Act.

LOAN GUARANTEES

SEC. 108 (a) In order to assist private profit-making corporations, firms or associations to carry out projects which are consistent with the appraisal of the Federal Coordinating Officer and which will create, maintain, or develop jobs in the designated area through the modernization, diversification, construction or improvement of facilities in the designated area, the Secretary of Commerce is authorized, upon the recommendation of the Federal Coordinating Officer, to guarantee to non-Federal lenders making loans to such entities for such projects, payment of principal of and interest on loans made by such lenders, which are approved under this section.

(b) Any loan guarantee under this section with respect to any project may apply only to so much of the principal amount thereof as, when added, to the amount of any other Federal grant or loan with respect to such project, does not exceed 90% of the cost of such project.

SEC. 109. (a) Grants under sections 106 and 107 of this Act shall not exceed 80 per centum of the cost of any such program, except that where the State and local government have exhausted their effective taxing and borrowing capacity for such purpose and therefore do not have economic and financial capability to assume the additional financial obligations required, the Federal contribution may be 100 per centum of the cost of any such program.

(b) Priority in employment created, maintained or developed by programs and projects assisted under this section shall be given to individuals eligible for assistance under this subsection.

SEC. 110. Any Federal agency charged with the administration of a Federal grant-in-aid program is authorized, upon request by the applicant State or local authority, or by the Federal Coordinating Officer, to modify or waive, for the duration of the designation of the area under this section, such administrative procedural conditions for assistance as would otherwise prevent or delay the giving of immediate assistance if the inability to meet such conditions is a result of the economic problems confronting the area or if in the discretion of the person or persons charged with the administration of the program such waiver is warranted in order to effectuate the intent of this section, which is to provide emergency employment assistance.

TECHNICAL ASSISTANCE

SEC. 111. The Secretary is directed to provide technical assistance in accordance with section 301 of the Public Works and Economic Development Act of 1965, as amended, to economic emergency areas designated under this Act, and to provide to the Federal Coordinating Officer technical assistance which would be useful in quickly developing, assessing and implementing job creation projects and job maintenance investments.

ECONOMIC EMERGENCY ASSISTANCE FUND

SEC. 112. There is hereby established in the Treasury of the United States, a revolving fund (to be known as the "Economic Emergency Assistance Fund"). There are authorized to be appropriated to said fund $750,000,000 and such sums as may be necessary to replenish the Fund to be available without further appropriation to the President, Secretary, Federal Coordinating Officer for the purposes of the Act.

SEC. 113. There are authorized to be appropriated to be available to the President and Secretary, such sums as may be necessary for loan guarantees under section 108 and technical assistance under section 111 of this section.

Mr. DOLE. Mr. President, on behalf of the Senator from Nebraska (Mr. HRUSKA) I ask unanimous consent to have printed in the RECORD a statement prepared by him on the Upper Missouri Regional Development Commission.

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

STATEMENT BY SENATOR HRUSKA

I am pleased that the Senate today is considering the continuation of Title V of the Public Works and Economic Development Act. This paves the way for the Secretary of Commerce to endorse the plan submitted last year by Nebraska, Montana, North and South Dakota, and Wyoming for an Upper Missouri Regional Development Commission. I urge the Secretary to approve the proposal.

All of the Senators of the five states, all of the Governors of the five states, and all of the Congressmen of the five states joined in petitioning for an Upper Missouri Basin Regional Economic Development Commission in the spring of 1970.

Subsequently, the Public Works Appropriations Subcommittee, of which I am a member, amended the Public Works Bill to include an item of $300,000 for first-year operations of the Upper Missouri Basin Commission. The same amount was allowed for the Midsouth Commission in the states of Tennessee, Arkansas, Mississippi and Louisiana.

The value of such regional commissions has been proven in Appalachia and in other areas where they have been in operation. They have proved to be useful tools for economic progress and development. Those of us in the states I have named naturally wish for our citizens the same opportunities which have been granted in these other areas.

Many of the other members of the Senate are fully aware of the benefits which result from the activities of such commissions. These benefits include new jobs, new industries, and improved standards of living for the residents.

We have seen the value of economic development programs in the cities. We must now turn our attention directly to another way the nation can help solve city problems. That is by embarking on an activist, effective program of rural development. Only when some population balance has been reestablished between rural and urban areas will our cities begin to make faster progress in solving urban problems.

On February 2, 1971, Senators of the five states in the potential Upper Missouri Region wrote the Secretary of Commerce and urged him to approve the proposal and release the $300,000 Congress had provided for the Commission. In the Secretary's reply to us of March 15, 1971, he pointed out that:

"In the event the regional commission program is continued beyond a relatively brief transition period, I would be happy to reconsider the proposal to establish the commission in accordance with the Governors' recommendations of last year and your endorsement."

Congress has now acted. I hope the Secretary will now act favorably and approve the Upper Missouri Commission.

Mr. DOLE. Mr. President, I served with Senators COOPER and BAKER as a Senate member of the conference committee on S. 575. I joined with them in refusing to sign the conference report and join with them now in opposing adoption of the report. I do so to make my position clear—that I oppose the strict interpretation of the House rule of germaneness which was followed by the House conferees.

IMPORTANCE OF ISSUE

I consider this question important to the entire Senate body. As this is the first such application of the House rules under the 1970 Reorganization Act, we must address ourselves to the issue now and the Senate displeasure made known clearly to the House of Representatives. I respect the right of each House to draft its own rules of procedure. However, in this instance of the House rules and their interpretation have a profound impact on the work of the Senate and its position vis-a-vis the House. I do not imply that this rule has been a conscious motive on the part of the House but the practical impact of the rule holds serious consequences for us.

The issue before us is clear.

As passed by the Senate, S. 575 contained an extension of two established programs, the Appalachia Regional Development Act and the Public Works and Economic Development Act of 1965. The House of Representatives 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.

SENATE SUBSTITUTE

I serve as a member of the Economic Development Subcommittee of the Sen-

ate Public Works Committee. During the past 4 months that subcommittee has conducted an extensive review of our Federal economic development laws as they relate not only to long-range economic development, but also to short-term economic readjustments. One of our hearings was held in Wichita, Kans. That hearing provided a valuable understanding of the economic development needs of a community that has been severely effected by defense cutbacks in the aerospace industry. As a result of our hearings in Wichita and throughout the country, the Senate conferees were in a position to offer a substitute in conference for House title I. We were of the opinion that our substitute would be much more effective in meeting the need for concentrated emergency assistance to areas of high unemployment.

The House conferees, however, would not consider the merits of our substitute or any other substantive modification of title I, as passed by the House. They did so on the advice of the House Parliamentarian. Because the House conferees remained adamant in their position, the Senate conferees receded.

The issue raised by the conference report on S. 575 may well affect all legislative matters initiated by the Senate. If the Senate acquiesces in the House rules, we will be precluded from making substantive changes in legislation initiated by the Senate and modified by the House. We will therefore be faced with two choices, either of which is unsatisfactory: Allow the House to originate all authorization bills or refuse to go to conference when the House had made substantial changes in a Senate bill. This would have the effect of destroying the Senate-House conference which has been a constructive means for compromising differences on legislation.

As the senior Senator from Kentucky has pointed out, if the House rules prevail and the Senate is to retain its power to act on legislation, we will find ourselves engaged in fruitless parliamentary maneuverings.

Rejection of this conference report will avoid a bad precedent, and further it will place the House bill before the Senate, allowing the Senate to work its will.

MERITS OF ACCELERATED PUBLIC WORKS

It must be clearly understood by the Senate that the accelerated public works provision authorizing $2 billion—more money than is authorized in either of the other two titles included in the bill—was added to the conference report with no consideration by either the Senate Committee on Public Works or the full Senate. This is a major piece of legislation, and if it can become law without full debate by this body then I feel we have abrogated our responsibility and our right, in this instance, to make law.

The questions raised by the proposed accelerated public works deserve serious consideration. If the conference report is voted down and the House bill comes before the Senate then we would have the opportunity to debate the merits of the accelerated public works approach to our unemployment problem.

Mr. MUSKIE. Mr. President, I wish to express my support for S. 575 and most particularly title I providing for an accelerated Public Works Act of 1971. Since most of S. 575 is similar to legislation already passed by the Senate, I wish to confine my remarks to title I which is a new section proposed by the House Committee on Public Works, passed by the House on April 22, and accepted by a majority of the Senate conferees. I consider this section a reasoned and needed response to the presently deteriorating economy.

Title I authorizes $2 billion immediately for public works projects in designated "redevelopment areas" and "economic development centers" or in areas with 6 percent unemployment. In the case of grant-in-aid for local public works projects involving a local cost share, the emergency grant can be made to cover up to 80 percent of the cost of the project. In addition, a 100 percent grant can be made in those areas where the State or local government have completely exhausted their respective taxing and borrowing capacity and cannot, therefore, meet the local matching grant requirement. The bill directs that "priority is to be given by the President to projects for assistance in the construction of basic public works—including work for the storage, treatment, purification, or distribution of water and sewage treatment and sewage facilities—and for which there is an urgent and vital public need."

Emphasis would be given to projects which can be completed within 1 year with the use of local contractors employing substantial amounts of local labor.

A cursory review of the present economy shows the need for this title. Unemployment is at the intolerable level of 6.1 percent for the entire work force. This is further refutation of the administration's overly optimistic projection of a $1,065 billion gross national product. Even this projection assumes an unacceptable unemployment rate of 5 percent. The American economy is now operating $70 billion below its full potential. Clearly, additional measures are needed to create jobs. The present deficit budget does not create these jobs. It is not expansive and does not provide necessary stimulus to our economy.

Title I is patterned after the Public Works Acceleration Act of 1962 and the accomplishments of that act suggest that this new bill will create the jobs and the income needed to stimulate the economy. The 1962 act created jobs and developed public facilities at low administrative cost. The 1962 act, in a little less than 2 years, provided $861 million for more than 7,700 public works projects. These projects were located in 1,000 counties in 50 States and three Territories. In less than 2 years, it has been estimated that the 1962 act generated approximately 210,000 man-years of on-site and off-site employment. By the end of the first year, 6,811 projects had been started or completed. The on-site employment rose steadily from 3,800 workers in November 1962 to 35,000 workers in June 1963 to a peak of 45,500 employed on-site in June 1964. Given the proper will, we can match these achievements in the next 2 years.

Title I has the dual purpose of increasing employment in areas of greatest need and providing communities with basic and long-neglected facilities, such as water and sewage works, hospital and road improvement, public buildings, and the like. It meets the needs of local citizens and, at the same time, paves the way for the future expansion of the economy. It will create about 170,000 or more badly needed jobs within the year. The overall impact of this title could increase employment by as much as 420,000 jobs.

These jobs will not be make-work or leaf-raking jobs. They are jobs that need to be done. For example, there is a backlog of applications involving nearly $6 billion in Federal funds from communities to help build over 6,000 waste treatment plants, water and sewage facilities, hospitals, nursing homes, and public health centers. In addition, there is a backlog of $3 billion in Federal projects ready for construction. These projects represent decisions of national and local officials of what is needed for local development.

The 1962 act was of particular benefit to rural areas. Over 50 percent of the projects were in areas designated as rural development areas.

Furthermore, the 1962 act allowed the construction of facilities greaty needed by this country. Forty-eight percent of all the types of facilities built were water treatment, water and sewage projects, and other public facilities. It can be safely said that, particularly in rural areas, many of these desperately needed water treatment and sewage facilities would not have been built except for the impetus and the additional funds provided by the 1962 act.

Maine's present total unemployment is 8.2 percent—the highest since 1960. A recent manpower study of the Lubeck area of Washington County in Maine shows unemployment in January of 22 percent. In the Lewiston-Arbor area, the unemployment rate in March was 10.5 percent. Many of these unemployed Maine citizens and citizens throughout this country would benefit from this bill.

Returning veterans from Vietnam would also benefit from this bill. Fifteen percent of all returning Vietnam veterans are now unemployed. These veterans need jobs now to lessen the hardship of a painful transition from Vietnam to a peacetime occupation at home.

Also, it should be admitted that the accelerated public works program is not and does not pretend to be a permanent solution to the unemployment problem. It does not offer returning veterans a permanent occupation. But it does offer a way of handling the problem until we get our economy going again and develop other measures necessary to solve our unemployment problem.

The accelerated public works program is not inflationary. It provides for wages instead of unemployment and welfare checks. Men at work add to this Nation's productivity. Men paid for work provide not only needed purchasing power, but also a multiplier effect for the whole economy.

The accelerated public works program is in stark contrast with the President's proposed depreciation changes. The President's proposals will cost almost $40 billion in the first decade of its operation. The President's proposal may create some jobs, but essentially it is a tax cut for big business with little benefit to the average American. Not only is Congress without a real voice in proposed economic policy involving substantial loss of Federal revenue, but the funds for its own initiative such as accelerated public works or the emergency employment act could easily be exhausted by the President's proposal.

Finally, some seem to have a monolithic concept of what constitutes public works. Many public works involve large construction, including long planning and construction leadtime, but many are not. For many public works projects, construction can start immediately, providing jobs for the unemployed.

Also, this bill focuses its funds where the area of need is greatest. It recognizes that unemployment is not spread evenly throughout the country.

The bill has merit. Given the proper administrative will, it can provide a useful answer to our present problems. This bill is not a cure-all, but it would be folly to fail to do something because we cannot do everything at once.

Mr. TOWER. Mr. President, I rise today to join with my distinguished colleague, the senior Senator from Kentucky (Mr. COOPER), in his efforts to prevent what I believe would be an extremely bad precedent for the Senate to make. I am not voting on the merits of the conference report; I supported S. 575 when it recently passed the Senate. I do believe that the Senate must not acquiesce and give up still more prerogatives to the House of Representatives.

It is contended by the House conferees that under rule XXVIII(3) of the House, they cannot consider any modification of a House addition to S. 575 that the full Senate had not actually considered. Thus, a new title I was added in the House after S. 575 passed the Senate, and the Senate conferees were not able to even suggest any modification. Such a procedure could greatly hinder the entire conference procedure and even, if expanded upon, work as an impediment to the Senate's initiating legislation. This is so because the House could make changes that the Senate could not modify; we would only have the option simply to accept or reject the changes as part of the entire bill.

The Senate must in all good conscience reject this conference report so that our conferees can return to the House and inform them that we will not accept this secondary role. The House already has constitutional authority to initiate revenue-raising measures and has long assumed the authority to initiate appropriations measures; if we give in on this matter, the duality of our legislative system will come into question.

It has been argued that the acceptance of this conference report will not set a precedent. I believe that it would. Acceptance will free the House of any pressure to change its rules and will lead them to believe that we will accept rule XXVIII as it is. To my knowledge, the House presently has no plans to change this rule. I believe that S. 575 is a good vehicle for making certain that the House acts soon on this most important matter. I thank the Senator from Kentucky for bringing this to the attention of the Senate. He has performed in his usual admirable manner.

Mr. GRAVEL. Mr. President, others have spoken in support of that part of the conference report on S. 575 dealing with the Appalachian Regional Development Act. I will confine my remarks to some comments on the Public Works and Economic Development Act and a statement on section 209 of the bill which treats the extension of the Federal field committee for development planning in Alaska.

Let me say first that I entirely concur in the holding action approach that we decided upon in the Public Works Committee. I participated in most of the hearings across the country and believe that we need some reasonable additional time to really prepare definitive follow-on legislation to these several programs in regional economic development.

We have learned a lot from the different mechanisms and approaches to revitalizing our lagging economic areas, and I am not one who says that experiments should go on endlessly with no calling to account. We now have over 5 years of experience behind us on the working out of the Public Works and Economic Development Act of 1965 and a similar length of time with the Alaska field committee. Indeed I think the administration has been slow in coming forward with a full and detailed evaluation of these particular programs. Still it does take time to sort out and assess what our experiences tell us and to translate this into a full-blown follow-on proposal.

What we have been trying to do under the Public Works Act is try to provide on the one hand the technical assistance and analytical input that would allow us to know what to do in rural areas that were lagging economically and suffering severe and persistant outmigration, and on the other hand make available grant and loan moneys to be used for facilities investment where lack of these can be demonstrated as a big part of the problem, despite the inevitable fund limitations for projects, I believe the real deficiency has been on the analytical and planning sides.

The Federal Field Committee for Development Planning in Alaska was happily spared the problem of projects against planning, because it was specifically created as only a planning activity with no programs to operate or grant moneys to administer. Simply put, its task was to do the analytical work on how Federal agencies—and the State agencies, too—should behave in Alaska in an investment and expenditure sense so as to best contribute to the longer-term development of the State.

Put another way, since government is such a large sector on the Alaska scene, how could it help bring Alaska into the Union economically as it had been brought in politically?

Occasionally it is proper to call for a return to fundamentals, and this is the present case when talking loosely about economic development. It is of great importance to avoid perpetuating myths that cloud into our thinking and to carefully concentrate effort in those few directions that are most useful to pursue.

Recall that whether the topic is underdeveloped countries or lagging regions in advanced economies, economic development means something fairly specific. Typically, it refers to the expansion of income-producing activity within the area involved. It means growth in output and in income and employment—a stepped-up pace of economic activity and a more equitable distribution of the fruits of that activity.

Next, the distinctions must be kept in mind between economic development and social development, between economic welfare and social welfare, between economic planning and physical planning.

Economic development—as distinguished from general social development—even when rather broadly conceived, focuses on upgrading employment and income. The legislative history of economic development programs makes it clear that the Congress was viewing reduced unemployment and underemployment as a major objective of economic development in lagging regions. Closely related to the employment objectives is the objective of rising incomes.

Another misconception to guard against is that economic development is about the same thing as promoting the general welfare. Welfare is a much broader concept, and can be construed to include practically any governmental activity. Also, because of the widespread poverty in Appalachia and the somewhat loose relationship between poverty and low incomes, we often confuse the objective of economic development with the objective of fighting poverty. Antipoverty benefits can flow from economic development, but dealing with poverty per se is not the same as pursuing the developmental objective. Whereas the economics maps indicate that unemployment and, to a lesser extent, low incomes are regional problems, poverty is a good deal more than a regional problem. It is in some respects an independent problem not entirely amenable to attack through economic development alone. Some unemployed workers—certainly not all—endure poverty; but the roots of poverty go much deeper than job scarcity.

The point of all this is that we do not yet have very well in mind what we are after—what the goals are. It may be that we have been defining the task too narrowly, maybe increasing the social welfare and quality of life is what these programs should be up to in rural America's lagging regions and not just looking to the economic aspect. Moreover we are not all that sure exactly how public investment in public works projects relates to economic growth and development.

Highways for the Ozarks and dams for Idaho may do some good. But it is still pretty hard to demonstrate specifically the relationship between these and re-

gional economic growth. Still more basically there are unresolved and frequently undiscussed questions about the assumptions on which our programs designed to help rural lagging regions are based. In our economic system, do not leading regions imply lagging regions? Is not economic activity quite naturally uneven from place to place as a result of differing factor endowments, as the economist calls them? Is it really the policy of the United States to fly in the face of market forces and redistribute economic activity? And suppose this means taking from one region and giving it to another?

What if you found that on straight economic grounds the greatest yields come from public investment in areas that are in trouble and withering? Answers to these questions would go a long way toward giving a solid rationale for whatever programs the Congress creates. I believe we can get those answers during a 2-year extension of these acts.

I see the Alaska Field Committee as another one of the organizational experiments in our search for useful mechanisms in Federal-State relations in the development field. It has functioned successfully in its duties—especially in the early years—and has been drawn on by the Congress in matters pertaining to Alaska. Field Committee inputs to the Public Works, Interior and Insular Affairs, Commerce, and even the Armed Services Committee come immediately to mind.

In the executive branch the Bureau of the Budget, Commerce, HUD, HEW, and other sister agencies have made extensive use of the Federal Field Committee and the unique interagency/intergovernmental vantage point from which it speaks. State and local governments, the private sector, and the academic community have frequently tapped the field committee's expertise and avenues of assistance.

In the face of all this it is hard for me to understand why the administration through the Bureau of the Budget has been so adamant on striking down the field committee—this little operation of about $250,000 annually. If the field committee helped straighten out or provide a fresh way of looking at just one problem annually, it would surely earn its keep. It almost seems that the smaller your budget the more examination you get in the whole process.

This is not to say, of course, that the field committee should go on forever and join that long string of agencies that gather momentum of their own and never really have to undergo a rigorous searching challenge to their existence, however out-of-touch and useless they may have become.

In fact I want the legislative record to be clear in S. 575 that we have in mind substantial changes for the field committee perhaps including a different follow on entity altogether. I, myself, introduced legislation last March which would establish a Federal-State Natural Resources and Land-Use Planning Commission for Alaska, and it may well be that this might prove the organization into which the field committee is folded. In any event it makes good sense to me that we should not lose the important base that the field committee provides. We all know that it is harder and more expensive to Government because of the startup costs to launch something from scratch than it is to build on a viable activity already in existence.

Mr. President, two of the most pressing issues confronting us today in the field of public administration are the problems of interagency coordination on the one hand and intergovernmental cooperation on the other. And while both are important, the second is more so, because it involves not money and efficiency alone but the success or failure of whole programs.

The field committee provides a mechanism for help in both these problems in Alaska and provides a model for the design of similar arrangements elsewhere. It should not be struck down, but be continued.

At this very moment probably the two biggest policy problems the Federal Government has in Alaska have to do with the oil pipeline permit and the settlement of Alaska Native claims. Interagency and intergovernmental relations are all wrapped up in both these problems to an incredible degree. The whole question of the future of State-Federal relations in Alaska will be affected for years to come by the outcome of these two major issues.

Clearly this is no time to do away with the kind of mechanisms that are working to foster smoother, more orderly, more effective Federal-State partnerships where neither is a junior partner.

I urge a vote in favor of the conference report, and I felt it would be useful to bring to the attention of my colleagues the facts surrounding one of the less well known parts of the pending legislation.

The PRESIDING OFFICER. Who yields time?

Mr. COOPER. I yield 1 minute to the distinguished Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SCOTT. Mr. President, I have never voted against Appalachia; I am not voting against Appalachia now. I was the author of one of the Appalachia bills before there ever was an Appalachia.

What disturbs me is this new theme of the other body that if any measure originates in this body, we are deprived of having it prevail in conference, provided the other body does not want to accept it. In other words, they are reserving to themselves the right now to initiate all new legislation, other than the right in us to increase or decrease certain figures or sums.

I think this is wrong. I think it is going to rise to haunt the Members of the Senate. Every Senator, at some point or other, is going to find out that he has been scarred by this. He is going to come in with a proposal; he is going to seek in that proposal to add some new matter to a bill. The conferees in the other body are going to say, "The Parliamentarian tell us we don't have to take anything you do."

If the Senate wants to hog-tie itself and become a slave of the other body, this is the way to do it.

Mr. COOPER. Mr. President, this is a vote, in my view, upon the procedural question. If the conference report is rejected, we can refer the bill, as amended by the House of Representatives, to the Senate Committee on Public Works. We can consider the House proposal there, make a recommendation to the Senate, and give the Senate a chance to act upon it.

Senators will be voting for their own rights and authority if they vote to reject this conference report. It would not bind them in any way as to what they might do later upon this proposal of the House.

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

The PRESIDING OFFICER. All remaining time has been yielded back. The question is on the adoption of the conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ELLENDER (after having voted in the negative). On this vote I have a pair with the distinguished junior Senator from South Carolina (Mr. HOLLINGS). If he were at liberty to vote, he would vote "yea"; if I were at liberty to vote, I would vote "nay". I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Oklahoma (Mr. HARRIS), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Montana (Mr. METCALF), and the Senator from Minnesota (Mr. MONDALE) are necessarily absent.

I further announce that the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUYE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Louisiana (Mr. LONG) are absent on official business.

I also announce that the Senator from South Dakota (Mr. MCGOVERN) is absent because of illness.

I further announce that, if present and voting, the Senator from South Dakota (Mr. MCGOVERN) and the Senator from Connecticut (Mr. RIBICOFF) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. FANNIN), the Senator from Wyoming (Mr. HANSEN), the Senator from Nebraska (Mr. HRUSKA), and the Senator from North Dakota (Mr. YOUNG), are absent on official business.

The Senator from Nebraska (Mr. CURTIS) is absent because of death in his family.

The Senator from Maryland (Mr. MATHIAS) is necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Oklahoma (Mr. BELLMON) is detained on official business.

If present and voting, the Senator from South Dakota (Mr. MUNDT) would vote "nay."

The result was announced—yeas 45, nays 33, as follows:

[No. 84 Leg.]

YEAS—45

Allen	Gambrell	Muskie
Anderson	Gravel	Nelson
Bayh	Hart	Pastore
Bentsen	Hughes	Pell
Bible	Humphrey	Randolph
Burdick	Jackson	Schweiker
Byrd, Va.	Jordan, N.C.	Sparkman
Byrd, W. Va.	Kennedy	Spong
Case	Magnuson	Stennis
Chiles	Mansfield	Stevens
Church	McClellan	Stevenson
Cranston	McGee	Symington
Eagleton	McIntyre	Talmadge
Eastland	Montoya	Tunney
Ervin	Moss	Williams

NAYS—33

Allott	Dominick	Percy
Baker	Fong	Prouty
Beall	Goldwater	Proxmire
Boggs	Griffin	Roth
Brock	Gurney	Saxbe
Brooke	Hatfield	Scott
Buckley	Javits	Smith
Cook	Jordan, Idaho	Taft
Cooper	Miller	Thurmond
Cotton	Packwood	Tower
Dole	Pearson	Weicker

PRESENT AND GIVING A LIVE PAIR AS PREVIOUSLY RECORDED—1

Ellender, against.

NOT VOTING—21

Aiken	Hansen	Mathias
Bellmon	Harris	McGovern
Bennett	Hartke	Metcalf
Cannon	Hollings	Mondale
Curtis	Hruska	Mundt
Fannin	Inouye	Ribicoff
Fulbright	Long	Young

So the conference report was agreed to.

Mr. RANDOLPH. Mr. President, this vote is an affirmation of the Senate's confidence in our efforts to reduce unemployment. The chairman of our Subcommittee on Economic Development, Senator MONTOYA, has worked with great energy and dedication on this legislation. Senator MUSKIE and Senator EAGLETON were extremely helpful in our conference deliberations. And although we had honest differences about procedures, the minority conferees of the Senate, Senator COOPER, Senator BAKER, and Senator DOLE, approached their work in a serious effort to find the best solutions to the problems of unemployment. These members of the committee are all conscientious and able Senators, and I am appreciative of their work on this important legislation.

The majority and minority staff have once again displayed their ability to help the members of the committee to come to grips with difficult legislative problems. I commend all of them for their efforts and especially single out M. Barry Mega, chief counsel; Bailey Guard, minority clerk; Phillip Cummings, John Yago, David Sandoval, Judy Parente, and Richard Herod, professional staff members.

Mr. MONTOYA. Mr. President, I thank the chairman of the full committee for his generous remarks. I join him in giving well-earned recognition to the contributions of our Senate colleagues in the conference. Each of them played an important role in bringing the conference to a successful conclusion, and I must pay tribute to the continued strong leadership and inspiration of Senator RANDOLPH as we work to develop legislation to help the people of our country.

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 PRESIDING OFFICER (Mr. WEICKER). The question now recurs on the amendment of the Senator from Colorado (Mr. ALLOTT), with an additional 20 minutes of debate, the time to be equally divided.

Mr. STENNIS. Mr. President, how much time is allotted to each side?

The PRESIDING OFFICER. Ten minutes is allotted to each side.

Mr. ALLOTT. Mr. President, the distinguished chairman of the committee and I have agreed that he would open the debate and I would utilize the last few minutes on behalf of the amendment.

Mr. President, I ask for the yeas and nays at this time.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, I yield myself 10 minutes or so much thereof as I may use.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, we will now vote on this amendment within 20 minutes. I wish to call to the attention of Senators that this amendment is almost identical with another amendment which we rejected last week in connection with an increase in pay. That was the Hughes amendment which was rejected by a vote of 42 to 31. The amendments are almost identical in amount except that this amendment, the Allott amendment, carries $39 million more than the Hughes amendment, which was rejected.

Mr. President, I do not care much about having order if we can just have quiet.

Mr. President, may we have quiet in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

Mr. STENNIS. I believe the membership would be interested in the facts as they will come from the Senator from Colorado and I hope also as they come from me.

Mr. President, reviewing the facts, in January we increased the military pay by $1.2 billion under operation of law. The bill as presented here by the committee to the Senate makes another increase of $1 billion, effective 1 month after this bill becomes law. Then, next January, by operation of law there will be another increase of $1.2 billion. That would be a total of over $3.2 billion within a span of 13 months.

This amendment would add another $1.75 billion for a total of $5.1 billion increase for the military within a brief span of 13 months. That is the proposal in round numbers. This is not recommended by the Bureau of the Budget. It is not recommended by the President although he is the father of the so-called Volunteer Army. It is not recommended by the Secretary of Defense. It is opposed by the Secretary of Defense and by the President. It is opposed by the Joint Chiefs of Staff, the Chief of Staff of the Army, the Navy, the Air Force and the Marines.

Last week we had a letter signed by these gentlemen stating they opposed this increase at this time. I do not believe it would be best for the military program as a whole. I have the letter before me.

That is not all, Mr. President. Talking about the military as a whole, and the necessary military program, we have pending a very respectable amendment. I respect the authors of it. It proposes to reduce the total military spending for fiscal year 1972 down to some $68 billion. My official figures here show that it is now proposed by the Defense Department to be $75 billion. The Proxmire amendment proposes to reduce that amount to $68 billion. However, this amendment would add $1.7 billion to that amount. We would be going in both directions at the same time.

I submit to those who want to make these reductions that this amendment is serious business. It is beyond the budget and has no recommendation except the honest judgment of those who sponsor it. Where are we going? Furthermore, these deficits are piling up. I have a responsible estimate that the deficit for fiscal year 1971–72 is in the neighborhood of $40 billion. So we do not have the money to pay for this increase. Where are we going to get the money? The distinguished Senator from Louisiana (Mr. LONG) said we would have to pay it out of the deficit. There is no provision for new taxes to take care of this burden to get the money. It will only run up the deficit. That means it would contribute to another round of inflation.

Mr. President, we cannot ignore the facts of life. It looks as if we are on our way to another round of inflation.

The plea that comes in time after time in these speeches makes reference to the poverty level of these men. We have checked into that. We have already increased these sums and we have money in the committee bill that will increase the pay for these lower echelon men which, leaving out their commissary and PX rights, will bring their income into the neighborhood of what it is on the outside for younger men in those age groups. Nothing can be exact, but under the committee bill, with the increase, the average fellow coming in will draw $3,979 for a year. After his basic training, if he makes the grade, he is increased to $4,244. At the end of 2 years with normal promotions he will be getting $5,851. On the outside the average income for 18- and 19-year-olds in 1968 was $3,200. For the 20- and 21-year-old group in 1968 the figure was $5,000. If there is added a 20-percent increase for the younger ones, the man in the military is going to be getting $5,851, which is above the amount those on the outside get and in addition he will receive commissary and PX rights and other fringe benefits if he stays in the service. In addition, he will be on his

way to one of the finest retirement systems in the world, to which he does not have to contribute. Those are the hard facts of life.

As I said last week, this debate cannot be won on the poverty issue because the facts do not support it. I have an estimate here that with pay increases in the committee bill there will be only 778 military families at the most, out of over 1.4 million, below the so-called poverty level adopted by the President in connection with one of his official programs. That is about 5 out of 10,000 families. The lack of promotions, and being reduced in grade after they get their promotions is part of the cause for the conditions of those 778 families. Out of all of the over 1.4 million families, that is reducing it to the infinitesimal.

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

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. STENNIS. Well, what new facts are there now? What new facts are there to change the situation one iota from what we had here less than a week ago, when we passed on this huge proposal, for even less money, and it was rejected by the judgment of the Senate by a vote of 42 to 31?

I know that if this voluntary army gets in motion, there will be plenty of time to consider any recommendation the President or the Department of Defense would make, and add that money so as to make it go; but let us not get the cart before the horse and jump in with the money and increase the salaries and find out later, if it does not work, that we will be stuck with salary increases that cannot be reduced. I submit this to the judgment of the Senate.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

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

Mr. ALLOTT. I yield to the Senator from Tennessee.

Mr. BROCK. Mr. President, every Member of this body is aware of the suffering, alienation, and deep national devisions that have been caused by the draft. Often overlooked is the impact of the draft on the military. No organization can function effectively with a retention rate of less than 7 percent, the figure for today's draftees. This problem is compounded by the fact that many GI's must lose valuable training time by performing nonmilitary functions—last week it was learned that 95,000 men in the Army are engaged in nonessential and nonmilitary chores. Military efficiency is further reduced by the widespread practice of moonlighting by service men—there is simply no way that a GI can be at peak performance if he is out all night pumping gas.

I shall not dwell on the problems caused by conscription, for they were cataloged in great detail last week by the Senator from Oregon and the Senator from Pennsylvania. If we are to unite our country, and create a more professional and yet voluntary armed force, there can be no delay in our efforts to end the draft.

I am convinced that President Nixon is fully committed to making the all-volunteer force a reality. It is imperative that we in the Senate give him all the help possible, because he is faced with the massive job of removing a multitude of wasteful habits brought about through the prolonged use of a compulsory system. Therefore, last week I voted for the 1-year extension in order to take all steps necessary to achieve the President's goal of a zero draft.

By a narrow margin, this body has decided against the 1-year limitation. But I would remind my colleagues that the 2-year extension is permissive, not obligatory. Although we may extend the authority to draft for 2 more years, it is incumbent that we provide the President with the tools needed to end the draft far ahead of that deadline.

Modernizing regulations, improving base housing, and civilianizing nonmilitary functions are all part of the program. But there can be no doubt that the most important step we can take is to create a competitive pay scale.

Today, thousands of GI's depend upon public welfare and food stamps for survival. Recognizing this problem, the committee bill provides pay increases which will preclude all but 1,000 servicemen from qualifying for the President's family assistance plan. This is an important step, and the committee is to be commended for its attention to the problem of poverty in the military—but the committee bill should be viewed merely as an act of decency, with little connection to the equitable wage scale that is the key to an end to the draft.

During the draft hearings in the House, the Joint Chiefs testified in favor of competitive pay schedule, and Assistant Secretary of Defense Roger Kelley declared:

> Even if the goal of zero draft was not at stake, it is unfair to use the power of the draft to enforce inordinately low pay levels.

The other body followed this perceptive advice, and adopted the DOD's full pay standard. The Senate Armed Services Committee, however, provided a recruit with a starting salary of only $3,978, over $1,000 below what he could earn in the civil service entry grade. How can we end the draft if we are going to ask our young men to accept such a large financial penalty for serving their country?

At a time when the Secretary of Defense and the Chairman of the Joint Chiefs have underscored the importance of respecting the military, do we in the Congress show them respect by offering wages that are a fraction of those earned by their civilian counterparts? Will they feel honored when they learn that their new pay scale elevates them to a step just above the poverty level?

The answers to these questions are self-evident. We will not be able to establish the image of military service as an honorable profession until we discontinue the practice of paying our servicemen dishonorable wages. By creating a competitive pay scale, the Allott amendment provides the necessary remedy. And I would add that particularly when we are drafting young men to fight and die for their country, it is intolerable that we would pay them $1,000 less than their civilian counterparts are earning. By starting recruits at $5,328 a year, the Allott amendment, which implements the pay schedule recommended by the Gates Commission, invests military service with the dignity it deserves, and provides the incentives for a volunteer force.

On May 19, 1971, I requested that an article by Representative WILLIAM STEIGER, entitled "Welfare, Extra Jobs Sustain GI Families," be printed in the RECORD. As I mentioned at that time, Mr. STEIGER has worked unceasingly to promote the dignity of the military by speaking out for improvements in armed services compensation. Recently Congressman STEIGER was interviewed by Mike Keller of the Honolulu Advertiser in which he points out that proponents of military pay raises beyond the level authorized in the committee bill cannot be described as opponents of the President's draft proposals. I ask unanimous consent that the interview be printed in the RECORD.

Further, the Honolulu Advertiser recently documented the deplorable treatment of low-ranking enlisted men in a series of articles by Richard Hoyt. I believe that the group of four articles is particularly pertinent to our discussion here today and accordingly would ask unanimous consent that they appear in the RECORD following my statement.

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

[From the Honolulu Advertiser, May 28, 1971]

EM TREATED "DEPLORABLY"

(By Mike Keller)

One of the nation's leading spokesmen for improved conditions for military enlisted men yesterday said, "The armed forces must do a better job of providing housing for servicemen stationed in Hawaii."

Rep. William Steiger, R-Wis., here for a series of House hearings, said, "It is absolutely essential for the Department of Defense to expand its on-base housing program."

Steiger, an advocate of an all-volunteer army, said the treatment rendered enlisted men is "deplorable and has to cease.

"If we are going to have an all-volunteer army, we have to change lingering attitudes in high levels that the enlisted men, the guy on the bottom rung, isn't worthy of better treatment," the Congressman said.

Steiger was a prime mover for a bill, killed Wednesday by the Senate, that would have doubled the salary paid to men in the lowest pay grades. A private E-1 now earns $134 a month.

The bill now goes to a House-Senate conference committee and Steiger feels the pay raise "may still stand a chance" this congressional session.

Steiger and his colleagues have been described as "opponents of the President's draft proposals," but the Congressman said yesterday, "That's just not so."

"The only way to deal with the Department of Defense on this issue is to pressure the hell out of them. We support the President's proposals, only we want them passed this year, not a year from now or two years from now."

Steiger, the author of a Washington Post article on the GI's plight, said he was pleased that The Honolulu Advertiser followed up his article and localized it. The series by reporter Richard Hoyt, currently appearing in The Advertiser, will be entered into the Congressional Record, Steiger said.

He emphasized that "tremendous changes in attitude" have to precede the creation of an all-volunteer army.

As an example of the inequity of military life, Steiger said men in the lower pay grades went without pay raises from 1954–1964. But there were substantial pay raises for men in the higher ranks, he said.

"And the last military pay raise, about two years ago, increased a colonel's salary by $134 a month while an E–1 received $5 more a month," he said.

In addition to the pay raise bill, Steiger said the Congress is now considering the Department of Defense budget for the coming fiscal year which includes "substantial increases for on-base housing."

[From the Honolulu Advertiser, May 27, 1971]

BELOW THE POVERTY LEVEL—MILITARY IGNORES WIVES OF FIRST-TERMERS

(By Richard Hoyt)

(NOTE.—The U.S. Senate yesterday turned down a proposed military pay raise. The move was bad news for young married soldiers, sailors, marines and airmen. The military services do not want first-term servicemen to be married, but 23 per cent of them are. The military reserves such costly amenities as housing and moving expenses for those who plan military careers.

The resulting hardships are severe on young servicemen, especially those who bring their wives to high-priced, housing-short Oahu.

Advertiser reporter Richard Hoyt last week talked to young servicemen to see how they are getting along here. The answer: barely. This is his first report).

If the military services wanted a first-term serviceman to have a wife they would presumably issue him one with neatly stencil letters on her forehead: Spouse, Female, One Each.

The serviceman would carry on from there.

In basic training he would be herded onto a bleachers with 50 others in his plight for a one hour block of instruction, by a bachelor NCO, on wife maintenance.

But Federal regulations do not authorize wives for first-term servicemen. The results for these "non-command sponsored" families, as they are called, are not only very unfunny, they are tragic.

Roughly 33,000 American servicemen on their first tour of duty, 23 per cent of all active duty soldiers, sailors, airmen and marines are married.

Probably most of these men were either drafted or forced by the draft to enlist in a system that does not acknowledge the need to support the families of the four lowest enlisted ranks.

The result has been described by Rep. William A. Steiger, Republican of Wisconsin, as a virtual "poverty cycle" for low ranking enlisted men.

"The draft survives as a last vestige of the ancient custom whereby the rich and powerful forced the poor and weak to provide services at subsistence wages," Steiger concluded after a recent tour of Mainland military bases.

"Conscription has been justified by the Supreme Court as a valid power of the state in times of 'grave emergency or national peril.' But the recent legislative history of military pay makes it plain that the primary function of conscription has been to depress military compensation to a point where a disenfranchised minority of the citizenry has been compelled to bear a grossly disproportionate share of the costs of defense."

What would Steiger have said had he toured Oahu where the cost of living is 20 per cent higher than on the Mainland? The housing pinch is also tougher on Oahu which last year accommodated 42,000 officers and enlisted men plus another 15,700 aboard ships homeported at Pearl Harbor.

The military discourages the first-termer from bringing his family with him to Hawaii. Lacking appropriate regulations, the services cannot prohibit "non-command sponsored" families.

The Federal regulation that all services must follow is simple: "A member in pay grade E–4 (less than four years of service), E–3, E–2, or E–1 is considered at all times to be without dependents."

A married recruit with two children assigned to a Mainland post, according to Steiger, receives $3,500 per year including allowances for quarters, subsistence, child support and tax advantages.

The Federal poverty line for the same size family is $3,900 per year.

First-termers assigned on Oahu are eligible for cost of living allowances intended to help with the cost of living here, but Federal regulations deny them these benefits which are allowed the career soldier:

Free travel of dependents.

Transportation of household effects.

Dislocation allowance.

Family separation allowance.

Such non-command sponsored families, with the exception of one block of military housing at Schofield Barracks, are denied on post housing.

Hawaii, second to Alaska in cost of living, is one of 29 states that do not allow welfare payments to service families.

Government standards for low income budgets allow a family of four a minimum of $1,905 a year for an adequate diet. On the basis of interviews conducted by The Advertiser it appears that some non-command families here may not have that much to spend after rent and transportation.

Servicemen are eligible for food stamps here. But a married serviceman with a family of four, according to Steiger's statistics, is allowed subsistence payments of only $554 a year. He is eligible for $846 a year in food stamps.

He is eligible for commissary purchases, which the military estimates carries a 20 per cent savings, but commissaries are located on military reservations.

Virtually all non-sponsored servicemen on Oahu live "on the economy," which means in off-post housing.

Higher rents near the posts force them away from the commissaries.

A 1970 Defense Department survey revealed that more than one half the wives of first-termers worked to supplement their incomes.

The necessity of having a working wife may be no news to an Island man. But look at what the serviceman faces:

There are fewer jobs available to the service wife because of City and State residency requirements which discriminate against those new to the Island.

He is not eligible for the $30 a month separation allowance should he leave his wife at home to live with her parents or her mother-in-law. Of course she doesn't want that.

She wants to come to Hawaii. She does but is forced to live under poverty conditions. She feels unwanted and complains about the State which doesn't bring much aloha from local residents.

Next: A look at Army enlisted men here.

[From the Honolulu Advertiser, May 28, 1971]

FOR SOME GI's, "IT'S TOUGH" HERE

(By Richard Hoyt)

If a soldier is 19 years old, married, and on his first tour of duty, life in Hawaii is no paradise. It's an unending round of high rent, food bills and telephone bills.

There are approximately 568 such soldiers on Oahu—of pay rate E–4 or below and with less than four years of service—trying to buck the high cost of living with a family.

The Army calls them "non-command sponsored" families. That term has nothing to do with the preferences of local commanders. It is a service-wide term for first tour servicemen who have yet to commit themselves to a career in the military.

It is a product of a system which relies on the draft to provide an adequate supply of soldiers.

If a married young enlisted man cannot wangle an assignment near his home town he can get into trouble. It is especially bad to be assigned to Oahu—2,500 miles from the Mainland.

Maj. George D. Bennet, commander of Headquarters Company Troop Command, Schofield Barracks, has had to counsel a number of these men in assignments both here and on the Mainland.

Bennet said it is usually the volunteers rather than the draftees who get into trouble.

He described draftees as older and more mature. Those who enlist, he said, tend to be younger and less stable.

"In many cases the individual is just immature. He can't handle his finances," Bennet said.

"These girls (the wives) are 18 or 19, many of them, and this is their first trip from home.

"It's the first term RA's (regular Army) usually. The draftees are usually older.

"Some of these girls run up phone bills of $300 to $400," he said.

In the mid-1960s, Bennet was a company commander at Ft. Carson, Colo. "It wasn't too much of a problem over there.

"Over here I can appreciate the fact that they want their families with them. It isn't easy to visit home like it is on the Mainland.

"But they have to pay for them. When they first get here trying to find an apartment, why, it's tough. It's hard finding one they can afford."

A recent survey by Tom Zoller, chief of family housing and billeting at Schofield, found an approximate total of 568 non-command sponsored Army families on Oahu.

Some 149 of those families enjoy the rare privilege—for them—of on post housing.

Spec. 4 Gary L. Lindsay and his wife live in one of the units in the GG Housing Area at Schofield.

Lindsay's one-bedroom apartment at GG is neat, clean and comfortable.

"I can do anything with the place I want to but I have to do it myself," said Lindsay. "They will give me two gallons of paint and a brush and say have at it.

"The paint, incidentally, is white, so you have to tint it. But that only costs 50 cents. For an inexpensive place to live in Hawaii, I'm willing to do a little painting."

The quartermaster at Schofield will issue furniture to residents of GG or to servicemen "living on the economy" (renting an apartment in Wahlawa or elsewhere).

Lindsay has a good deal but it could come to an end both for him and the other non-sponsored families if the Army should experience a sudden influx of troops. Command sponsored families would have preference for GG apartments.

There is at least one G.I. rumor that GG will soon be closed to non-sponsored families. It may not be true but it fosters an insecurity which is unnerving.

And some young servicemen, including Spec. 4 Jerome Rogers, feels even living in GG has its drawbacks. If you live in GG your rent of $65 a month is deducted from your paycheck and you lose your housing allowance.

"If I could find an apartment on the outside at $130 or $140 a month, I'd come out even," said Rogers.

Spec. 4 Russ Stanford agreed but added, "Most of the places in Wahlawa are $160 or more. If you get a place for $130 it's a rat hole."

GG is good by Wahlawa standards. "If I was to find something like that on the out-

side it would cost me $160 a month," said Rogers.

Stanford had his wife and child with him once before but could not support her. She returned to the Mainland but will be coming back soon.

"Getting started here is what's hard," he said. "But I couldn't make it out here another year without my family."

Spec. 4 Brian Davitt, a photographer with the Signal Corps, unlike Rogers and Stanford, was drafted.

Davitt also is a sculptor; his wife is a potter. She made their dishes and found work in a pottery shop. He made their furniture and some of their cookware.

"We've had a pretty good time of it," Davitt said. "I can't complain at all. We like it out here."

Davitt, in fact, would like to stay in Hawaii and is looking for a job here as a photographer.

The big difference between a non-sponsored and a sponsored family is that the non-sponsored families are ineligible for on post housing and they cannot travel or have their household goods shipped at government expense.

Lt. Col. William L. Nichols, chief of the military personnel division at Schofield, feels some servicemen exaggerate the disadvantage they suffer at not having all the their household goods shipped at government expense. He said they are allowed a shipment of 250 pounds.

"He can bring lots of things with 250 pounds. This is in addition to the 66 pounds he brought with him on the airplane."

Also, Nichols said, the non-sponsored servicemen know in advance they cannot support a wife here.

"Normally they come alone and then they have their wives follow. So they usually have an idea of what the problems are before they bring their wives with them."

Furthermore the Red Cross and the Army Emergency Relief Fund, supported by servicemen's donations, stand ready to help them should they get into trouble, he said.

The Red Cross will offer a loan first and then a grant if necessary, he said.

Next: The Air Force Enlisted Man.

[From The Honolulu Advertiser, May 29, 1971]

IT'S A 42-MONTH WAIT FOR HOUSING AT HICKAM

(By Richard Hoyt)

The G.I.'s say life in the military is always hurry up and wait. If you're an Air Force sergeant (pay rate E–4) committed to a six-year tour of duty you have to wait 42 months for on-post housing at Hickam Field.

At first blush, it looks like such a sergeant might get to live on post the last six months of his 48-month tour here—if he's lucky.

Of course not all enlisted men have to wait that long. Senior enlisted men and those with long service in the Air Force are moved to the top of the list.

There are 1,300 currently on the list.

The enlisted men who most need on-post housing are not eligible for the list. Some 500 of these men, pay rate E–1 through E–4, are thrown with their families onto the murderous Oahu housing market.

The local Air Force command doesn't like the situation. The commanders here try to be as fair as they can. But there is a limited number of housing units available.

Air Force officers don't like the low pay scales for the bottom four enlisted ranks either. And that isn't their fault. Congress writes the paycheck.

Also, people are too quick to compare military paychecks with civilian paychecks. Such comparisons are rarely fair to the military.

They almost never take into account the hidden but real benefits of such things as PX privileges and free medical and dental care. But you have to enjoy life segregated on a military base to enjoy all those services.

And it doesn't help the very real plight of the married man trying to live on E–3 or E–4 pay. If he is assigned to Oahu, his wife will have to work in order for his family to subsist.

If he has a child or his wife can't work, he has to have a lot of imagination to keep his family together.

"I pay $200 a month out in Waipahu and I have to come in and out every day," said Sgt. (E–4) Carl Barone.

"If my wife didn't work I'd be stuck. The transportation costs money but I can't get any closer to base. The closer you are to base, the higher the rents are."

Barone said he has a sergeant friend who was lucky enough to get into housing leased by the government. He said the sergeant had to give up $195 a month in housing and other benefits to live in the apartment which was far smaller than his Waipahu unit.

"You don't win in that case, really," he said.

Sgt. Randy Sharpe agreed.

"Most of the places I can afford to live in are sub-par. You can't afford anything better.

"My wife works so I can afford a $200 apartment. But I had a hell of a time finding it."

Barone said Oahu landlords keep a close eye on military pay hikes.

"As soon as the landlord finds we get a raise they raise our rent. It's happened to us twice, once for $15, once for $10."

Barone said he has been tempted to send his bride of six months to the Mainland so he can save money.

"We are planning on going home in September. To do that means cutting back to zero and you can't live on zero."

He said life on the housing list is terribly frustrating for the low ranking enlisted man.

"The guy (on the list) is going to think about going AWOL, divorcing his old lady or killing himself. He can't live here on what he's getting."

Airman 1.C. Stephen Bennett, said his situation is "very discouraging.

"After I get through with the rent and bills, I don't have anything left. I really have to scrape to make it.

"I can't afford the rent I'm paying now and I've got two years to go."

Barone re-enlisted recently; he received a $3,000 re-up bonus.

"Yeah. $3,000 and bang! Just gone. The $3,000 paid all my bills and now I'm back into the same rut."

Sharpe said, "You can't get enough money in the bank to meet emergencies. You have to go down to the loan company and pay those interest rates."

"Unless they do something to increase the benefits, I'm getting out. They will have to pay me more money or I'm shipping out," said Barone.

Sgt. Carl Jones agree: "That's it."

Jones, married and with a seven-month-old child, pays $235 a month rent for an apartment.

"The young airman says 'it will take me forever to make it to base (housing). I'm not going to wait that long.' You can't get the guy to re-enlist under those conditions," Barone said.

The airmen The Advertiser interviewed didn't like Oahu or life on it. Similar feelings were expressed by 14 of 17 soldiers and sailors interviewed.

A frequent complaint was that local firms won't extend credit to enlisted men. And some alleged that prices in local stores go up for servicemen.

"As soon as they find out you're military, everything goes up," said Barone.

Bennett claimed a local policeman discriminated against him in the investigation of an automobile accident.

He said a car driven by a local man forced him to the side of the road by cutting sharply in front of him. Bennett's bumper struck the other man's rear fender.

"The policeman took the other guy aside. He didn't even talk to me. He came back and asked me if I would like to pay for the damage out of court."

Next: The Navy's P-Line.

[From The Honolulu Advertiser, May 31, 1971]

THE MILITARY'S TOP SECRET IS—HOW EMS MAKE ENDS MEET

(By Richard Holt)

An enlisted sailor struggling up through the bottom four levels of pay is not married when he arrives for duty at Pearl Harbor. From the Navy's point of view it doesn't matter if he happens to have a wife or not.

He is not married because the military services do not consider marriage appropriate for low ranking enlisted men. Proper support for these families would be expensive. And for those who stick with the Navy, life becomes better.

The Navy discourages—but cannot prohibit—a seaman from bringing his wife with him to Oahu.

But the seaman must pay for his wife's air fare and support her on pay intended for a single man and modified only slightly to accommodate his new circumstance.

He is not eligible for Navy housing. Neither is he eligible for a number of other benefits intended to help the married sailor who has made it past what is known in Navy slang as the "P-Line" (peon line). The P-Line is a four-year enlistment term.

In order to qualify for government-paid shipment of his household belongings and for Navy housing he must achieve an E–4 pay scale (Petty Officer Third Class) with at least four years of service or he must have enlisted for a six-year term.

"Otherwise you are just words," said PO 3.C. Vincent J. Dostaler.

Dostaler is lucky. His wife, a registered nurse, is employed at Queen's Medical Center.

"If my wife wasn't working I'd be living by the skin of my teeth, from pay day to pay day. Others aren't so lucky as me. They have to scrimp like hell to buy a $3 case of beer once a month."

Young sailors are warned before they leave the Mainland—and after they arrive here—not to bring their wives to Hawaii.

But it's asking a lot of a young wife for her not to see what Hawaii is all about.

Navy Chaplain Charles Shaw would agree with Dostaler. "I know you may say this is easy for me to say (Shaw is a commander) but I think a man and a wife ought to be together.

"I think we're suffering from antiquated thinking that has been gathering dust for years."

And it's not that the married men have all the problems. Even a single sailor in Hawaii is hard-pressed to afford basic amenities he enjoyed as a civilian.

Seaman Apprentice (E–2) Robert Hill, a young South Carolinian, has one disastrous vice for a man of his rank—he makes car payments of $73 per month. He said as a civilian such payments would be within his means.

But with the $113 a month remaining, "even getting stuff like shaving cream and razor blades at the PX is a hassle," he said.

Of the $113, he sends $30 or $40 home to help his mother. "Once, after I got the allotment sealed in the envelope, I didn't have enough money for stamps."

If Hill resents his situation, look at the cases of two pretty young WAVES, Seaman (E–4) Michele F. Preston and Seaman Terry

L. DeWeese. Miss Preston is engaged to be married to a sailor. Mrs. DeWeese is married to a sailor serving in Vietnam.

If Mrs. DeWeese was not a WAVE, say if she waited tables in a Pearl City restaurant, her husband could receive an allotment for her support and a quarters allowance—a total sum of about $190 a month.

"I can't get any of the benefits a dependent wife can get. We even had to fight for separation pay because he's in Vietnam.

"They say he has a place to sleep—on the ship—and I have a room—in the barracks. But I can't live on ship and he can't live in the barracks."

Miss Preston said her fiance is shore-stationed, yet the Navy won't consider her a dependent after she is married, "simply because I'm in the Navy."

So both women are forced to live in a crowded barracks.

The Navy does not deliberately persecute its enlisted personnel. Pay and allowances for all services are set by the same Department of Defense scale.

Senior Chief Petty Officer (E–8) D. L. Kramer, a personnel specialist at Pearl Harbor, said it is Navy policy that an enlisted man below the P-Line "is not considered to have dependents even if he does."

A married sailor must have shore duty to qualify for a housing allowance and then must get the command's permission.

"The base pay (for E–1 through E–4) is so low we have to run very fast just to stand still," said M. L. Ornelles, director of the finance center.

Ornelles said recent across-the-board pay raises did nothing to close the gap between high and low ranking enlisted men.

A Navy family is not eligible for welfare because the State assumes that it is cared for by the military—even though the family income may fall below the poverty line.

Navy families are eligible for public housing supported by Federal money—such as the Hawaii Housing Authority. But they are frequently on the bottom of long waiting lists.

Furthermore, Navy families who do make it into public housing such as Kuhio Park Terrace are likely to encounter resentment from those who feel such housing should be reserved for local people.

Also young wives with talents they could have sold on the Mainland labor market must buck City and State residency requirements of up to three years before they can be hired.

Those are just some of the obstacles. Yet young sailors still want to have their wives with them.

Dostaler is working hard to make E–5 before he leaves so his household belongings may be moved at government expense.

P.O. 3.C. Peter G. Menihan, married and with a B.A. in psychology, drives a truck for the Navy. He had to go to Wabiawa to find an apartment he could afford.

* * * * *

Mr. CHILES. Mr. President, I support the Allott amendment to the Military Selective Service Act as a means of relieving the economic strain on our military personnel that is causing many of them to seek welfare to get help for themselves and their families. The present level of pay is totally inadequate to meet the needs of our military personnel, and we cannot allow this to continue.

Senator ALLOTT's amendment in effect concentrates increased pay benefits on junior personnel, primarily enlisted men. It substitutes the pay provisions of the Gates Commission report for the provisions contained in the bill out of the Senate Armed Services Committee.

I am compelled to vote for this amendment in an effort to alleviate the unconscionable conditions under which many of our military people must live.

Some feel this pay increase of $1.7 billion would help bring about an all-volunteer army. I still have grave reservations about the desirability of a volunteer army in times of mobilization and crisis, but I do not believe this amendment's funding provisions will lead to a mercenary army. Instead, it would relieve the economic strain on the troops.

Mr. ALLOTT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD two statements with respect to this subject matter, one entitled "We Can Afford Equitable Military Pay and a Stronger Defense Capability," and the other relating to the claim that this is a $5.1 billion increase.

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

WE CAN AFFORD EQUITABLE MILITARY PAY AND A STRONG DEFENSE CAPABILITY

Mr. President, the military pay increase proposed by the amendment I have introduced does cost money. As a result, some Senators are concerned lest the pay raise proposed by my amendment would result in a crippling cut-back in spending for other vital defense programs.

In this regard, their concern may have been aggravated by a letter sent by the Deputy Secretary of Defense, Mr. David Packard, to the distinguished Chairman of the Armed Services Committee, Senator Stennis.

In this letter Mr. Packard was arguing against the Senate adoption of the House-passed pay schedule. Because this pay schedule involves approximately the same amount of money as the Gates Commission schedule, his argument deserves consideration in connection with this pending amendment.

The crux of Mr. Packard's letter rests on the assertion that such a pay increase will involve a net rise of $1.7 billion over anticipated spending levels, and that this will be very undesirable for reasons contained in these sentences from his letter:

If we had to accommodate such an increase within a fixed spending total, it would have an extremely serious impact upon our national security. If the cut were to be applied proportionally among manpower and other areas of the budget, it would involve (a) reductions of over 250,000 military and civilian personnel below authorized levels for June 1972 and (b) a cut of over $2 billion in budget authority outside the pay area, requiring a 6% cut in contracts planned for the FY 1972 program. This would lead to major base reductions and realignment actions and serious economic dislocations.

Mr. President, I want to make three points by way of refutation of Deputy Secretary Packard's argument.

(1) The bill that would result from my amendment would not be $1.7 billion more expensive than the bill for which the Administration anticipated. There would be no such departure from what the Administration anticipated. True, my proposal would increase manpower pay spending. But that is not the whole story of this bill or of foreseeable developments in defense spending.

The Administration favors substantial pay increases in the very near future. It favors a two-step, two-year increase of approximately $2.7 billion. It favors an increase of approximately $1 billion this year. What the amendment I am proposing does is spend $2.667 billion in basic pay increases *this year*. It does this with one simple replacement: it replaces that provision of the bill which would provide $908 million for basic pay increases. Thus the amendment I am proposing accelerates by one year the Administration's military pay spending program and it does this by adding $1.759 billion.

Fortunately, prudent and judicious action taken by the Senate Armed Services Committee with regard to reducing overall manpower will yield some substantial unanticipated savings. These reductions will total 56,000 "average strength" (Army: 50,000; Navy: 3,000; Air Force: 3,000) and 112,000 "end strength." (Senators who wish to refresh themselves on the meaning of these terms can consult page 35 of the committee report.) If we use the widely accepted figure of a $10,000 saving per unit of manpower reduction, we see that by the end of Fiscal Year '72 the level of manpower spending will be reduced by over a billion dollars as a result of the manpower reductions.

This means that the proposed $1.756 billion increase in spending for manpower will not have anything like the alarming impact on total defense spending that Deputy Secretary Packard mentions.

Therefore, Mr. President, the first point of refutation is that when Deputy Secretary Packard speaks of the problem of accommodating a net increase of $1.7 billion within a fixed spending total, he is dealing with an improper figure.

(2) The second point to note concerns the examples of economies which Deputy Secretary Packard says would be forced upon the DOD by an increase which he wrongly assumes will be a net of $1.7 billion.

Just to take one example, he says that it would force layoffs of 250,000 military and civilian personnel. This is an implausible figure. Even if we were to figure only an $8,000 cost reduction for each person cut from the civilian or Defense Department payroll, that would reduce costs by $2 billion, or $300 million more than the $1.7 billion which the Deputy Secretary mistakenly assumes would have to be saved to avoid a net increase in unanticipated costs. And that $1.7 billion is very much more than the real increase in unanticipated net spending.

With emphasis on just this one example, I do not think it is necessary to belabor the point by refuting the other suggestions of crippling hardships that would strike DOD if pay is increased in the amount herein suggested.

(3) Deputy Secretary Packard uses two hypothetical constructions to introduce the list of allegedly impending hardships. He says, "if we have to accommodate such an increase within a fixed spending total, it would have an extremely serious impact upon our national security. If the cut were to be applied proportionally among manpower and other areas of the budget, it would involve . . ."—and then Deputy Secretary Packard lists the hardships he foresees. Mr. President, I respectfully disagree with the implications of the Deputy Secretary's hypotheses. They seem to imply that the Congress will legislate irresponsibly. The Deputy Secretary's fear would only be realized in the unlikely event that Congress were to administer something as clumsy and irresponsible as a deep across-the-board slash of defense spending. But I can not believe that the Congress would behave in this way. Certainly the Senate, which is undergoing a re-birth of interest in the details of foreign and military policies, is not apt to abdicate its duty to judge each proposed expenditure on its merits. Thus I think the Deputy Secretary's fears are unfounded.

Mr. President, I am not persuaded by the computations or inferences advanced by the Deputy Secretary in opposition to a military pay increase of the size contemplated by the amendment under consideration. I am more persuaded by some other remarks by my friend, the Deputy Secretary.

These remarks were made by him at a press conference on March 23 of this year. At that

press conference he was asked for his opinion of the idea of combining DOD's two-year two-step pay increase into a one-year increase of the size contemplated by the amendment I am proposing.

In answering, Mr. Packard said this:

"We felt that it would be wise not to take the full step at this time and if the Congress wants to move faster and will give us the money to move faster, I would see nothing wrong with this.

"I think in equity it would be a good thing. These fellows are not getting paid what they ought to be paid.

"The only problem we have is that, to the extent that pay comes out of our hide otherwise, we'll have less funds to do some of the things that we're already low on. We have already been pinched on these things.

Mr. President, I yield to no man in any affection and admiration for Mr. Packard. His record of service in the Defense Department stands as a luminous model for all government officials.

In addition, Mr. President, I yield to no man in offering continuing support for a high-level R & D effort.

I am content to let Senators judge by my past record whether I am apt to undertake an action that will involve reckless spending or a hazard to the strength of our defense capability. The record of the senior Senator from Colorado is unambiguous on these matters.

I have carefully considered the DOD contention that it cannot live in FY '72 with a pay expenditure almost exactly equal in size to the pay expenditure anticipated for FY '73. I am convinced that, with our help, they can live with them, and indeed they will benefit from them in many ways.

FROM THE OFFICE OF SENATOR GORDON ALLOTT (R–COLO.)

I want to take note of, and refute, the suggestion that a vote at this time to increase basic pay by $1.7 billion over the Administration proposal will cause $5.1 billion to be spent on military pay increases. That is not a sensible suggestion. In order to arrive at that figure, one must take the basic pay increase that I propose (a $1.759 billion increase over the Administration proposal of $908 million increase—$2.667 billion) and *then* sweep together two other sums that are not related to any vote we take here.

The first sum is approximately $1.2 billion resulting from the 7.9 percent cost-of-living increase made effective for military pay January 1, 1971. The second sum that must be added is the $1.2 billion resulting from the 7.4 percent cost-of-living increase planned to become effective January 1, 1972.

In short, one can only construct a $5.1 billion figure if one takes the Administration's proposed increase; and the $1.7 billion improvement to that proposed by this amendment; and then add on the cost-of-living increase made effective six months ago; and finally add on the cost-of-living increase planned for six months from now.

But this is really beside the point. The real point is that cost-of-living increases are entirely extraneous to our consideration here and it is important to understand why they are extraneous.

The objective of cost-of-living increases is to maintain pay for federal employees in what ever relation exists at a given time with regard to rising pay in the private sector during a period in which the cost of living is rising. But this mechanism for maintaining the *status quo* does nothing to *close* the deplorable gap between military pay and pay for similar skills and employment in the private sector.

The cost-of-living increases are necessary to prevent a further *deterioration* of existing *deplorable* conditions. The purpose of my amendment is to *improve* the conditions. It is obvious that the cost-of-living increases are mere *holding actions* on behalf of hard pressed people. Of the $1.2 billion involved in the January 1, 1971, cost-of-living increase, those in grade E–1 get a mere $16.2 million and those in grade E–2 get only $31 million. (The figures for both grades will be about the same for the planned January 1, 1972, cost-of-living increase—$16.4 million for grade E–1 and $31.3 million for grade E–2.) Thus these two low grades receive less than $50 million per year from a sum of $1.2 billion. This is not surprising when one considers what is involved in (say) a 7.9 increase in an E–1's pay or a 7.4 percent increase in an E–2's pay under present schedules.

Mr. ALLOTT. Mr. President, the matter we are discussing today has been brought to my attention not by people who are self interested. Rather, it has come to the attention of the Senator from Colorado over a number of years because of the dramatic question of equity.

I am informed that the present committee bill would still leave 1,008 military families eligible for the welfare rolls. With regard to inadequate pay, consider the following statement which was extracted from the statement of Air Force Time Editor Bob Schweitz in the February 3, 1971, Air Force Times, in which he says:

From 1952 to 1965 there were no pay raises for enlisted men with fewer than two years of service. The raises for all other grades since 1952 have more than doubled those for the "under two's".

Overall, the military force has received a cumulative pay hike of 154.3 percent since 1952, while the junior enlisted men have received only 86%, including the raise effective January 1, 1970. . . .

This points out exactly what the Allott amendment is designed to do in adopting the pay scale of the Gates Commission.

I go back to his statement:

The problem is more than one of percentages. It is also one of cold cash differences spelled out by the percentages.

For example, the January 1 raise was 7.9 percent across the board in basic pay. At the E–1 recruit level, it meant a $9.90 monthly increase. For an 0–6 with 26 years, the same 7.9 percent meant a $132 raise. Thus the raise of the 0–6 alone totaled almost as much as an E–1's present basic pay of $134.40.

Then he went on and said:

The "spread" in monthly basic pay between the recruit's mere $134.40, the supergrader's roughly $750–975, the colonel's $1800, and the four star general's nearly $3000 appears entirely out of line and totally unrealistic. Yet officialdom in recent years has allowed it to take place with apparently little concern or protest.

I cannot help but be reminded in a situation like this of the old song of many years ago which had a line in it which went, "The rich get richer and the poor have children." Certainly with regard to military pay raises, the people at the low end of the pay scale have not gotten justice—let alone riches.

Under present pay scales, the average recruit earns only $2,750, including basic pay and allowances for quarters and subsistence. Under any comparison, this wage rate is clearly inadequate, because the average minimum wage annualizes to $3,300.

The Senate bill would raise the E–1 to $3,978, as the Senator from Mississippi has said, while this amendment would raise the E–1 to $5,328.

It should be noted that in 1968—the last year an age cohort comparison was made—the Census Bureau found the average income for a full-time working high school graduate, age 20–21, was $5,000. Over 70 percent of the accessions are high school graduates, and the median age of induction is 20.4 years. Thus, if we compare the committee pay proposal and the Gates Commission proposal, as regards 20-year-olds, we see that the Gates Commission proposal is clearly superior.

There is also the question of equity between Federal employees. DOD studies have established a linkage between E–3 and GS–3, in terms of similarity of job responsibility and standards of performance, and have set the desirable pay for an E–3 at approximately $5,700. The committee proposal falls far below this, at $4,509 for an E–3, while the Gates' proposal would pay him $5,646.

Mr. President, sure, there are plans for a 7.4-percent cost-of-living increase for January 1, 1972. But what will that do for the soldiers who need help the most? The raise of last January and the raise of this coming January are only raises to keep them even—holding actions—as far as inflation in this country is concerned. Under the 7.4 cost-of-living increase planned for January 1, 1972.

A major general would receive a monthly increase of $204.71, but E–4's, corporals with over 4 years' service, would get only $26.40.

Where is there any justice in a situation like that? New recruits would get a paltry $9.94 monthly increase as a result of the 7.4-percent cost-of-living increase.

Clearly, cost-of-living increases do little for those who need help the most, and we can only help them by adjusting their pay schedules, as my amendment does.

Secretary Laird, before the Senate Armed Services Committee, has said that even considering cost-of-living increases, the military services are in poor competitive position compared to civilian professons and occupations which are open to young men entering the job market.

The administration's pay proposal will not change that. Only the amendment under consideration will change that and will make these services truly competitive.

We must remember that, as regards military pay, the word "noncompetitive" is a polite way of saying "unjust."

The pending amendment will make military pay competitive and just and, Mr. President, that is exactly my reason for offering it.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from Colorado has 1 minute.

Mr. ALLOTT. One final point. At a press conference on March 23 of this year, the Deputy Secretary of Defense, David Packard, answered some questions, and here is what he said:

We felt that it would be wise not to take the full step at this time, and if the Congress wants to move faster and will give us the money to move faster, I would see nothing wrong with this. I think in equity it would be a good thing. These fellows are not getting paid what they ought to be paid. The only problem we have is that to the extent that the pay comes out of our hide otherwise, we will have less funds to do some of the things we are already low on. We have already been pinched on these things.

I must say I am in full accord with his last statement. I do not think they should have to take this pay raise out of the other programs which they have, and I shall work to support every one of them.

But I would think it is high time that we adopted some of the principles that the Senator from Arizona (Mr. GOLDWATER) has talked about for so long, as have many others.

Whether we are for a volunteer army or not, either way, the Allott amendment makes good sense in doing justice to the men who are drafted and to the men who volunteer.

The PRESIDING OFFICER (Mr. WEICKER). The time of the Senator from Colorado has expired. All time having expired, the question is on agreeing to the amendment (No. 115) of the Senator from Colorado. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. GOLDWATER (when his name was called). On this vote I have a pair with the distinguished Senator from Nebraska (Mr. HRUSKA). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. STEVENSON (after having voted in the negative). On this vote I have a pair with the distinguished Senator from South Dakota (Mr. MUNDT). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. TUNNEY (after having voted in the negative). On this vote I have a pair with the distinguished Senator from South Carolina (Mr. HOLLINGS). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Oklahoma (Mr. HARRIS), the Senator from Minnesota (Mr. MONDALE), and the Senator from South Carolina (Mr. HOLLINGS) are necessarily absent.

I further announce that the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUYE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Louisiana (Mr. LONG) are absent on official business.

I also announce that the Senator from South Dakota (Mr. MCGOVERN) is absent because of illness.

I further announce that, if present and voting, the Senator from South Dakota (Mr. MCGOVERN) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. FANNIN), the Senator from Wyoming (Mr. HANSEN), the Senator from Nebraska (Mr. HRUSKA), and the Senator from North Dakota (Mr. YOUNG) are absent on official business.

The Senator from Nebraska (Mr. CURTIS) is absent because of death in his family.

The Senator from Maryland (Mr. MATHIAS) is necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

On this vote, the Senator from Nebraska (Mr. CURTIS) would vote "nay."

The respective pairs of the Senator from Nebraska (Mr. HRUSKA) and that of the Senator from South Dakota (Mr. MUNDT) have been previously announced.

The result was announced—yeas 51, nays 27, as follows:

[No. 85 Leg.]

YEAS—51

Allott	Dominick	Montoya
Anderson	Fong	Moss
Baker	Gravel	Muskie
Bayh	Gurney	Nelson
Beall	Hart	Packwood
Bellmon	Hatfield	Pastore
Brock	Hughes	Pearson
Brooke	Humphrey	Pell
Buckley	Jackson	Percy
Burdick	Javits	Prouty
Byrd, W. Va.	Jordan, N.C.	Proxmire
Case	Jordan, Idaho	Randolph
Chiles	Magnuson	Schweiker
Church	Mansfield	Stevens
Cook	McGee	Symington
Cooper	McIntyre	Taft
Cranston	Metcalf	Williams

NAYS—27

Allen	Ellender	Scott
Bentsen	Ervin	Smith
Bible	Gambrell	Sparkman
Boggs	Griffin	Spong
Byrd, Va.	Kennedy	Stennis
Cotton	McClellan	Talmadge
Dole	Miller	Thurmond
Eagleton	Roth	Tower
Eastland	Saxbe	Weicker

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Goldwater, for.
Stevenson, against.
Tunney, against.

NOT VOTING—19

Aiken	Harris	McGovern
Bennett	Hartke	Mondale
Cannon	Hollings	Mundt
Curtis	Hruska	Ribicoff
Fannin	Inouye	Young
Fulbright	Long	
Hansen	Mathias	

So Mr. ALLOTT's amendment (No. 115) was agreed to.

Mr. ALLOTT. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. GRAVEL and Mr. JAVITS moved to lay the motion on the table.

The motion was agreed to.

AMENDMENT NO. 122

The PRESIDING OFFICER. The Senate will now return to amendment No. 122 of the Senator from Alaska (Mr. GRAVEL).

Mr. GRAVEL. This is a simple amendment and I am hoping that the chairman of the committee——

The PRESIDING OFFICER. The Senate will please be in order.

Mr. GRAVEL. I should like to bring the amendment to a head quite rapidly, if the chairman——

Mr. STENNIS. Mr. President, if the Senator from Alaska will yield briefly, will the Chair announce the time remaining on the amendment?

The PRESIDING OFFICER. Twenty minutes have been allocated to the question. Ten minutes on each side.

Mr. GRAVEL. Mr. President, obviously, if the chairman of the committee will accept the amendment, I am prepared for a voice vote and will not detain the Senate.

The amendment is simple. The committee raised the statute of limitations from 5 years to 13 years for those who violate the law in not registering on their 18th birthday. All other facets of the Selective Service System are subject to a 5-year statute of limitations. I, therefore, find it unusual that we should be so punitive with those who break the law in this regard, because if a person chooses not to show up for induction so as to break the law, he has a 5-year not a 13-year statute of limitations against him.

In view of the fact that we have the youth of this Nation totally disenchanted with the policy of Government, to my mind, it would strike a poor chord—rather than continuing the present statute of limitations—to strike out in a punitive way at the youth of this Nation in such a discriminatory way by raising the statute of limitations in this particular area.

It is interesting that a person can fail to pay his income tax and he undergoes a 6-year statute of limitations but a young man failing to register for the draft on his 18th birthday is subject to an unusual liability in this regard.

Justice Black has made the position clear. It is no more complex than that.

I would be happy to yield the floor to the chairman of the committee to state his position.

Mr. STENNIS. Mr. President, I have not had a chance to talk to the Senator from Alaska but, in my judgment, I could not accept the Senator's modification.

Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 5 minutes.

Mr. STENNIS. These young men are under obligation of law to register for possible induction at 18 years of age. They are supposed to come in within 5 days. They are liable for that service until they have reached their 26th birthday. Deferments are in addition, but we do not have to go into that.

Here are two young men living on opposite sides of the street. They become 18 years of age on the same day. One goes down to the proper place and registers according to law. He responds to his draft board and does everything they tell him to do. If he is sent to Vietnam, he goes.

The young man on the other side of the street decides not to register, and does not do so in the intervening 8 years until he is 26 years old. He disappears somewhere, in some way. He does not obey anything. He does not take any chance on registering with the liability that goes with it. He chooses the other path.

That is what we call in law a continuing offense. He continues to be liable to register, but the statute of limitations barring prosecution will not begin to run until his 26th birthday. It runs 5 years further.

I cannot reconcile myself to saying that is all right, even though he did not register at all and did not do anything. That is a liability, a responsibility, under the draft and under the law, for failure to register on his 18th birthday, in the same way the young man on the other side of the street did comply with the law and register.

I cannot reconcile myself to that, and I will oppose the amendment.

I am told by the selective service that there interpretation of the law is that the fellow who did not register would not be liable for service after his 26th birthday. There is something in the law that says, unless he is deferred, why he is not liable. But the man, having absconded with the idea of not being deferred, he just did nothing, he has no status except evading the law, I am not willing to forgive him when he is 26 years old, and I do not believe that the law should forgive him either, as compared to the young man across the street from him who did comply with the law. He absconded. Therefore, let the 8 years pass and I do not think we should let him off. It is as simple as that. I would say that he should be liable for prosecution for at least 5 more years, if the Government sees fit.

Now, if it is a case of mercy or discretion, or they do not want to prosecute, that is all right with me, but I would not discriminate in his favor as against the young fellow who did his duty and did not evade the law.

I hope that the Senate will reject the amendment of the Senator from Alaska in the name of justice and commonsense.

Mr. GRAVEL. Mr. President, how much time is left to me?

The PRESIDING OFFICER (Mr. WEICKER). Six minutes remain to the Senator from Alaska.

Mr. GRAVEL. How much time does the Senator from Mississippi have left?

The PRESIDING OFFICER. He also has 6 minutes remaining.

Mr. GRAVEL. I thank the Chair.

Can we have the yeas and nays on this amendment——

Mr. BYRD of West Virginia. They have already been ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. GRAVEL. I thank the Chair.

Mr. President, addressing myself briefly to the points raised by my colleague from Mississippi, there is a slight discrepancy that does exist under present law, because if a young man waits 5 years without registering and he becomes 23 years of age, if he is apprehended at that time, the statute of limitations has expired and he is not subject to prosecution and, for that matter, he is not subject to registration.

Even so, the law should be corrected with respect to the problem of registration and also with respect to the problem of deferment. A person who has a deferment is liable up to the age of 35.

What they could have done would have been to offer an amendment. If my amendment passes, I will, in order to correct the situation, offer an amendment that would correct it. That would make a person at least as liable as a person who has a deferment. In that case we would not reward a draft dodger in that respect.

Mr. President, for the benefit of those who were not here before, my colloquy was with reference to the colloquy had with the Senator from New Hampshire yesterday. That concerned the fact that if a person left the country, it is my interpretation—and I am not a lawyer, and I can be corrected if I am wrong—that if he is out of the country, during the time when he is out of the country, the statute of limitations does not run against him. For instance, if a person is in Canada for 10 years, when he comes back the statute of limitations begins to run again. So, the person would not be subject to the statute of limitations during the time he is outside of the country.

Mr. President, let me stress again another facet of the Selective Service System. We have a 5-year limitation. If a person fails to file an income tax, we have a 6-year statute of limitations. When that time expires, he is liable to pay his tax, but he is not prosecuted for failing to file his report. So obviously, if it is good for the tax evader, it should be no more punitive for the person who fails to register.

There will be one interpretation only put on this matter, and that is that this is a capricious and punitive act on the part of Congress toward young people.

I would hope that the Senate would follow the interpretation of Justice Black in the case of Toussie against United States. I read from that opinion:

> We are not convinced that limiting prosecution to a period of 5 years following the initial failure to register will significantly impair either the essential function of raising an army or the prosecution of those who fail to register. We do feel that the threat of criminal punishment and the 5-year statute of limitations is a sufficient incentive to encourage compliance with the registration requirements.

Therefore, we need not impose an additional period of time to make it a 13-year statute of limitations.

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

The PRESIDING OFFICER (Mr. HART). The Senator from Mississippi has 6 minutes remaining.

Mr. DOMINICK. Mr. President, will the Senator yield me 1 minute?

Mr. STENNIS. The Senator from South Carolina has asked me for 2 minutes. I will then yield 1 minute to the Senator from Colorado. I yield 2 minutes at this time to the Senator from South Carolina.

The PRESIDING OFFICER (Mr. HUMPHREY). The Senator from South Carolina is recognized for 2 minutes.

Mr. THURMOND. Mr. President, the pending amendment, offered by the distinguished Senator from Alaska (Mr. GRAVEL), would perpetuate an inequity currently in effect as a result of a decision by the Supreme Court last year.

In his amendment, Senator GRAVEL proposes that the statute of limitations for failure to register with the Selective Service System begin to run at age 18 instead of age 26.

The provision that such statute of limitations begin at age 26 was proposed by the Selective Service System in the present legislation and has been approved by the House of Representatives and recommended by the Senate Armed Services Committee.

The Supreme Court in *Toussie v. United States*, 397 U.S. 112 (1970) interpreted congressional intent as being that failure to register is a single act. Consequently, the Court ruled that prosecution could not take place once a registrant reached the age of 23 years, 5 days. Mr. GRAVEL's amendment would uphold the Court's reading of congressional intent and would perpetuate the inequity created by it.

Mr. President, this would be so because if a young man does not register with the draft when he is 18 and remains unnoticed until after his 23d birthday, he would no longer be subject to prosecution for this violation of the Selective Service Act. And if he has not registered, he certainly could not be inducted into the Armed Forces.

On the other hand, the individual who complies with the law by registering at the appointed time is liable for induction until age 26.

Amendment No. 122 would only continue to perpetuate this inequity which the committee bill seeks to end. The committee bill, in effect, declares that an individual has a continuing responsibility to register with selective service until age 26.

Thus, if at age 26 the young man has failed to fulfill his responsibility to register, the 5-year statute of limitations would begin to run and the registrant would be liable for prosecution until age 31.

Mr. President, this amendment discriminates against the young man who follows the law and registers to serve his country. Therefore, I urge the Senate to vote it down.

Mr. STENNIS. Mr. President, I yield 1 minute to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 1 minute.

Mr. DOMINICK. Mr. President, I want to make one comment with respect to the analogy of the Senator from Alaska.

In the situation involving a deferment, a person is already under the Registration Act, having already registered. Under the law he has been given a deferment and therefore is not in violation of any registration act.

What we are dealing with here is a criminal act of failing to register. It seems to me that since the person is liable for service until the age of 26, the statute of limitations should start from that time and not from the age of 18.

Mr. STENNIS. Mr. President, I yield myself the remaining time.

Mr. President, I heartily agree with the analysis of the Senator from Colorado. If a fellow fails to register and absconds and keeps himself concealed until after he is 23, he would not be subject to prosecution for what he has done. He would go scot free as far as that is concerned. However, he is still liable for the draft. But if he dodges it until he is 26, he is then free of everything.

Mr. President, if Senators believe that is right, they should vote for the amendment. However, there will be one vote against it, and that will be mine. I hope there will be many more.

It is unthinkable to me that this should be so. This principle of a continuing crime is basic law. The matter of a deferment has nothing to do with it.

The Supreme Court decision said that the congressional intent was not clear. Therefore, it said he could not be prosecuted after 5 years. We want to make congressional intent clear to the effect that he is not going to be relieved from being punished 5 years after his 18th birthday.

I hope the amendment will be rejected.

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

The PRESIDING OFFICER. The Senator from Alaska has 2 minutes remaining.

Mr. GRAVEL. Mr. President, in response to the Senator from Colorado, it is very true that there is inequity under the present law. But we are not directing ourselves at the inequity at hand by adopting a punitive measure. I will offer an amendment that will take up the slack of those 3 years. If a fellow fails to register for the draft and he is caught after he has reached 23 years of age, he does not have to go to jail, but he does have to go into the service. That is true for 3 years. However, it does not solve the problem by making him liable until he is 31 years old. We solve that problem in another way. We do not do it by adding on another 8-year statute of limitations.

Here is one interpretation that can be placed on this. We do not decide to solve the problem by adding an additional punitive measure. I think that would exacerbate the situation that exists today. We would be better advised to agree to my amendment. My amendment leaves the law the way it is. I will offer an amendment to correct the situation in the way it should be corrected and not in the punitive fashion adopted by the committee.

The PRESIDING OFFICER. Does the Senator yield back his time?

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

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Alaska. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Louisiana (Mr. ELLENDER), the Senator from Oklahoma (Mr. HARRIS), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Minnesota (Mr. MONDALE) are necessarily absent.

I further announce that the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUYE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Louisiana (Mr. LONG) are absent on official business.

I also announce that the Senator from South Dakota (Mr. MCGOVERN) is absent because of illness.

I further announce that, if present and voting, the Senator from South Dakota (Mr. MCGOVERN), the Senator from Arkansas (Mr. FULBRIGHT) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. FANNIN), the Senator from Wyoming (Mr. HANSEN), the Senator from Nebraska (Mr. HRUSKA) and the Senator from North Dakota (Mr. YOUNG) are absent on official business.

The Senator from Nebraska (Mr. CURTIS) is absent because of death in his family.

The Senator from Massachusetts (Mr. BROOKE) and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Illinois (Mr. PERCY) is detained on official business.

On this vote, the Senator from Massachusetts (Mr. BROOKE), the Senator from Nebraska (Mr. CURTIS), and the Senator from South Dakota (Mr. MUNDT) would each vote "nay."

The result was announced—yeas 15, nays 63, as follows:

[No. 86 Leg.]

YEAS—15

Bayh	Hart	Packwood
Church	Humphrey	Pearson
Cranston	Kennedy	Stevenson
Eagleton	Metcalf	Tunney
Gravel	Nelson	Williams

NAYS—63

Allen	Eastland	Muskie
Allott	Ervin	Pastore
Anderson	Fong	Pell
Baker	Gambrell	Prouty
Beall	Goldwater	Proxmire
Bellmon	Griffin	Randolph
Bentsen	Gurney	Roth
Bible	Hatfield	Saxbe
Boggs	Hughes	Schweiker
Brock	Jackson	Scott
Buckley	Javits	Smith
Burdick	Jordan, N.C.	Sparkman
Byrd, Va.	Jordan, Idaho	Spong
Byrd, W. Va.	Magnuson	Stennis
Case	Mansfield	Stevens
Chiles	McClellan	Symington
Cook	McGee	Taft
Cooper	McIntyre	Talmadge
Cotton	Miller	Thurmond
Dole	Montoya	Tower
Dominick	Moss	Weicker

NOT VOTING—22

Aiken	Hansen	McGovern
Bennett	Harris	Mondale
Brooke	Hartke	Mundt
Cannon	Hollings	Percy
Curtis	Hruska	Ribicoff
Ellender	Inouye	Young
Fannin	Long	
Fulbright	Mathias	

So Mr. GRAVEL's amendment (No. 122) was rejected.

Mr. STENNIS. I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 113

The PRESIDING OFFICER. Under the previous order, the Senate will now return to the consideration of the amendment (No. 113) of the Senator from Missouri (Mr. EAGLETON). There are 56 minutes remaining, 26 to the Senator from Missouri and 30 to the Senator from Mississippi.

Mr. MANSFIELD. Mr. President, will the Senator yield me 1 minute? If I may have the attention of the manager of the bill, the distinguished Senator from Mississippi, would the Senator from Mississippi consider the possibility of one-half hour on the pending amendment, instead of the remaining 56 minutes, the time to be equally divided on the same basis as before?

Mr. STENNIS. May we have a short quorum call, so we can talk this over?

Mr. MANSFIELD. Yes. Mr. President, I suggest the absence of a quorum, with the time to be taken out of neither side.

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, and that the time previously not taken out of either side be taken out of both sides.

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

Mr. STENNIS. Mr. President, I yield myself 1 minute.

The majority leader requested that we yield back all time except 15 minutes.

Mr. MANSFIELD. Apiece.

Mr. STENNIS. Yes. In response to the leader's suggestion, this is a rather complicated amendment, and affects the registration laws of the 50 States. It touches, in a way, upon the State elections, but mainly on the Federal elections, and even though it gives the Governor the power to veto, yet, at the same time, it creates quite a precedent here concerning the registration of the 18-year-olds, when the amendment has not even been adopted yet.

I think 15 minutes is not enough to try to explain the thing for the proponents, much less those who are in opposition. I think the Senate should be more interested in it than 15 minutes on each side.

Mr. MANSFIELD. Will the Senator yield me 1 minute?

Mr. EAGLETON. I yield 1 minute.

Mr. MANSFIELD. Mr. President, for the information of the Senate, about 6:30 tonight, or thereabouts, there will be a rollcall vote on the pending amendment, because the yeas and nays have been ordered.

When the Eagleton amendment has been disposed of, the Senate will take up the Hart amendment. There are 2 hours allocated to the Hart amendment. I am not at all certain that those 2 hours will be used, but if they are, that would bring us close to 9 o'clock. I would hope that we could get a vote closer to 8 o'clock than 9 o'clock, and I think the prospects are good. That will be a rollcall vote also.

It will be followed by the Kennedy amendment, which will be laid before the Senate and made the pending business for tomorrow, and there will be 3 hours on that amendment, to be followed by the Taft amendment on which there will be 3 hours also, and then there is a possibility that one or two drug amendments

will be brought up in the middle of the afternoon tomorrow, as well as other amendments which will be considered.

So we will have a busy day tomorrow, a rollcall day, and then on Thursday we will take up the McGovern-Hatfield amendment, and, for the benefit of those who have not been informed or are not aware, a vote will occur on Wednesday, the 16th, on that amendment, at not later than 5 o'clock in the afternoon.

I think I also ought to call to the attention of the Senate the possibility that if a void occurs, and there is time available, the education bill, which was reported by the Appropriations Committee this morning, may be taken up. I do not know when, but I would hope that if a hiatus in the time occurs which will allow us to do so, we can, and hopefully on a time limitation basis.

Again, there will be no meeting of the Senate this Saturday, in view of the arrangement made covering the McGovern-Hatfield amendment.

I hope the time was running on the amendment of the Senator from Missouri.

The PRESIDING OFFICER. That is the understanding of the Chair.

Mr. EAGLETON. The Senator from Missouri is most grateful to the Senator from Montana for his inquiry about the time. How much time do I have remaining on the pending amendment?

The PRESIDING OFFICER. The Senator from Missouri now has 21 precious minutes.

Mr. EAGLETON. I thank the Chair.

Mr. President, Congress last year accepted the essential justice of the proposition that, if you are old enough to fight in a war, you are old enough to vote to elect those people who make the decision as to whether you fight.

The PRESIDING OFFICER. The Senator has only 21 minutes, and deserves attention. The Senate will be in order.

Mr. EAGLETON. Mr. President, the Voting Rights Act Amendments of 1970 acknowledged that prohibiting 18-year-olds from voting was, in the words of the amendment, "particularly unfair treatment of such citizens in view of the national defense responsibilities imposed upon such citizens."

That quotation is from title III of last year's act.

The amendment now before the Senate to amend the Military Selective Service Act of 1970 would make the right to vote a reality for every potential serviceman. It would provide Federal assistance to States which want to help 18-year-olds to register to vote when they register for the draft, before they leave home and go to far-off places, and before many of them in fact may go to war.

It is true that the Department of Defense has directed that Federal postcard applications be delivered to all qualified servicemen "in hand" during Federal election years. However, the great variety of State registration procedures often make voting difficult under that 1955 law. For example, during the 1970 elections in the State of Texas, some servicemen received their Federal postcard applications in the summer of 1970, although Texas registration had already closed in January of 1970.

I could not assert that all servicemen who wanted to register in my own State of Missouri were even able to do so. The States are entitled to their differences, and my amendment accommodates the differences between the States. But people in the service of their country are also entitled to vote, Mr. President, and we have a responsibility to insure that no future serviceman is denied this precious right, a right he is in uniform, really, to defend.

My amendment provides that when any person registers with the Selective Service System, and under the law you must register within 10 days of your 18th birthday, that individual, that 18-year old, will be informed of his right also to register to vote in all Federal elections at the same time. It also provides—and, I think, this is very important, Mr. President—a State option provision which allows the Governor of any State who does not like this particular method, who thinks it is inimical to the public interest of his State, to veto, as it were, to decline such assistance by writing to the Director of Selective Service within 30 days of the enactment. That is, in any State, if this amendment is passed and becomes part of the final law signed by the President, within 30 days of the enactment of the statute, if the Governor of a given State says, "I think this procedure is unwieldy," or "I think it is improper for my State," he sends a letter to the Director of Selective Service, and that State is not covered by the amendment, as a result of the one act by the Governor.

Under my amendment, registration is not mandatory, it is an option available to the draftee. As he goes in to register for the draft, he is informed of his right to register to vote in Federal elections. He does not have to avail himself of the opportunity if he is not so inclined, and it would simply be a convenient way of registering 18 year olds.

The amendment was drafted in the spirit of Federal-State cooperation to insure that States' rights are not infringed upon by the Federal Government. It would save the States money by avoiding dual verification of age. It would be an easy, convenient, and inexpensive way to help 18-year-olds to register to vote at the same time they register to fight.

Mr. President, much of the debate we had last year about the right of 18-year-olds to vote was centered on the fact that if one is old enough to fight for his country, he ought to be able to participate in the electoral process. We have various State laws. Some are rather simple and convenient, providing for mobile registration, going house to house. In my State, I am sad to say, it is not an easy matter to register. One must go downtown, as it were, to the Board of Election Commissioners, and register to vote.

Why should we make voter registration difficult? Contrariwise, why should we not make it as convenient as possible? Here is an 18-year-old who, under the law, must go to the draft board. He must sign on the dotted line within 10 days of his 18th birthday. Why should he not have the opportunity, if he so desires, to register to vote at the same time, if that is compatible with the desires of the Governor of the particular State in which he is resident?

There is one other State option in my bill to which I have not referred—to wit, the State legislature of any State can add to this bill by making the registration required for the Federal election compatible with State elections as well. However, that is not superimposed upon the State. That is a local option given to the State legislature in a bill signed by the Governor. If they desire to effectuate this insofar as all elections are concerned in the State in question, they are given that authority under section 3, at the bottom of page 2 of my amendment.

Mr. President, I reserve the remainder of my time.

Mr. STENNIS. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 29 minutes.

Mr. STENNIS. I yield myself 5 minutes.

Mr. President, although the Senator from Missouri, as always, has worked on this matter—and he is excellent when he sets his hand to a task—we, nevertheless, have here an amendment to the Selective Service Act that goes right into the sanctity of all the States as to their registration laws. It is a very complicated subject, especially in some of the larger States and cities.

A principle is involved here, also. I do not see how we could pick up an amendment on the floor of the Senate, with no hearings, with no reaction from the legislative groups of the States. They have not had a chance; it has not been publicized. It has not been put before the public, except within the last few days. It was submitted on May 25. There is very little response here. I believe the Senator said he has heard from two Governors. There has been little response from the Governors, although the Senator does have a section that permits a Governor to veto it for his State, insofar as the Federal election is concerned, and the State election, also. That shows what a jumped-up affair it is. I do not think a Governor should be put on the defense, to a degree, to have to veto a measure of this kind.

This is a cooperative action, as the Senator has said; but the States have not been given a chance to cooperate or to be heard. The reason why I would not readily yield back my time was that I wanted other Senators to have a chance to express themselves on this question. I think this goes to the very vitals of the matter.

I recommended that my State approve the proposed constitutional amendment. I had held out for the States to have the right to pass on it. So I am not holding back on that account; not a bit. But it is going a long way to set up in the Selective Service Act a registration law for 50 States, without consulting them, without getting the benefit of their advice and counsel, and without giving them a chance to propose some other

phases of such an amendment if they were in favor of it.

With no hearings on this matter, if we were to take it to conference with the House conferees, it would be a very difficult situation.

The Senator has a right to present the matter, but I do not think we should adopt the amendment tonight, on such short notice.

Mr. President, the Senator from New Hampshire has indicated an interest in this matter. I yield 5 minutes on the amendment to the Senator from New Hampshire.

Mr. COTTON. Mr. President, one of the Members of the Senate whom I like best and see most often, because he is a neighbor, is the distinguished Senator from Missouri. Yet, time after time, I find myself at loggerheads with him on legislation.

In the first place, there is a fundamental principle that I think is not recognized in this country and should be. All through the years when the question was being agitated as to whether 18-year-olds should be given the ballot, it was the popular and natural thing for people to say that if a man is old enough to offer his life to his country, he is old enough to vote. I have always supported the vote for 18-year-olds, though it was not based on that principle; because a person may be equipped to exercise the rights of citizenship and to bear the burdens of citizenship—some of them—and not equipped for others.

Just because a man is old enough to fight for his country does not make him eligible to sit in Congress. We have an age limit. It does not necessarily make him eligible to serve on a jury. It does not necessarily make him eligible in many States to be appointed to a court.

The reason why I always supported the vote for 18-year-olds is that I believe that an 18-year-old today, with the advantages 18-year-olds have, is better informed and knows more and has a deeper interest in public matters than in my day. When I compare what 18-year-olds know today and have seen today and have experienced today with what my experience was many years ago, when I was that age, I think they are entitled to the vote, because they are equipped for it.

Mr. President, the Army sometimes rejects those who are drafted, rejects them because of mental or physical disabilities, many times because of illiteracy. It is by no means certain, when a man is drafted, that he is acceptable for military service. This provision would make him automatically acceptable to both.

It is true that because of the emergency this country faced in dealing with the racial problem and in according to the black race rights that had been denied them, we in Congress removed the literacy test for voters. I did not oppose it. But I also felt very strongly and hoped—and still hope—that it would be a temporary measure, because I foresee that if we have relinquished forever a literacy test for those who cast the vote, there may be dark days ahead for this Republic; because the intelligence and the literacy and the opportunity of an individual voter to understand the issues of campaigns, to read about them and to understand them, are vital. It was Madison, I believe, at the time of the framing of the Constitution at the Constitutional Convention, who predicted that this Republic would rise or fall ultimately on the intelligence, education, and capabilities of the average American voter.

If we unite the draft for military service with registration to vote, it is a marriage that I believe to be unsound and unsound for the future.

My State of New Hampshire has made it absolutely easy for every person in the armed services to register. We have provided that they can register wherever they are by mail. They can vote by mail whether they are in Germany, in Vietnam, or wherever they may be stationed. Many other States have the same. It is a perfectly simple matter for the State to do that. If it were a situation where a person would be registered at 18 to be drafted and finds himself in some foreign country and loses the right to register, I would certainly support this amendment. But that is a matter that the State can provide for and I would hope the State would provide for. Mine always has and does at the present time.

I certainly want every consideration given to the young men who register. I am firmly of the opinion that registering and voting should be handled by the States. I am also firmly of the opinion that examining the fitness of the young man to serve in the Army, Navy, or Air Force, and his fitness to vote, are an entirely different test. He can vote now, whether literate or not, but the time may come when he cannot and that time should be foreseen.

My own State appealed to the Supreme Court, because we have always taken very seriously our literacy test, but that was because we did not have certain problems that other States have.

For those reasons, Mr. President, although this is an amendment with the best of possible motives and is desirable at first sight, I dislike to see us unite in marriage registration for military service and registration to cast the ballot. I think it will be unprecedented if we do that and, therefore, I must vote against the pending amendment.

Mr. STENNIS. Mr. President, I yield 5 minutes to the distinguished Senator from Georgia (Mr. TALMADGE).

The PRESIDING OFFICER (Mr. HUMPHREY). The Senator from Georgia is recognized for 5 minutes.

Mr. TALMADGE. Mr. President, the State of Georgia was the first State in the Union to have an 18-year-old voting law. We have had that privilege for our young men and women for some 29 years now, and it has been exceedingly successful. I recommend it to all other States.

Since I have been a Member of the Senate, I have cosponsored several constitutional amendments to give the right to vote to people who are 18 years of age.

When I first scanned the amendment of the Senator from Missouri and heard a report on it, I thought it was something that I could support.

But, on investigating it very carefully, I find that it is repugnant to what I think the Senate should do.

It would transgress the voting laws of every State in the Union. It would make a Federal agent of those with whom people register for the draft—in effect making them a voter registrar for every State in the Union—regardless of the intent of the legislature of the State and regardless of the laws of that particular State.

I do not believe it is the duty and the responsibility of the Senate to substitute its judgment, to substitute Federal agents or voting registrars for the judgment of the 50 sovereign States which have their own agents, vested by State law, to register people to vote.

In addition to that, it does not necessarily follow that if one is old enough to register for the draft and old enough to fight he is old enough or qualified to vote, under present and existing laws of the various States.

People will be registering merely because they have become 18 years of age. The overwhelming majority of them will never be called up to serve their country. They will never wear the uniform of their country. But they will have been registered for the draft, and they will have been given the right to register to vote.

Let us see how far it would go.

Every male American who becomes 18 years of age must register for the Selective Service. Some of these men, unfortunately, are drug addicts. If one is a drug addict, he could be registered to vote under the Senator's amendment. Unfortunately, some of them could also be convicted felons. But if they are 18 years of age, unfortunately, they could be registered to vote under the Senator's amendment.

Some of these people will also flee the country and go to Canada in order to avoid the draft. Under the Senator's amendment they could be registered to vote regardless of that fact.

That seems to me to be going too far, indeed, when we offer an amendment in this Chamber to say that merely because a man is 18 years old, we will register him to vote, whether he ever wore the uniform of his country for a single day, or regardless of the moral turpitude of that particular fellow. Thus, it seems to me that this is going far afield to consider an amendment of this purpose.

I think an amendment of this nature should be considered by the committee having appropriate jurisdiction. I also think that Governors of the States should have the opportunity to testify, as well as members of the State legislatures. This question should be considered in great detail. It should be refined to the point to insure that people who are convicted felons, drug addicts, or draft dodgers, or persons otherwise unqualified, would not be permitted to vote in the 50 States in Federal elections.

I, therefore, hope that the Senate will reject the amendment. Mr. President, I reserve the remainder of my time.

Mr. EAGLETON. Mr. President, I shall be brief, and yield myself such time as I may require.

In succinct response to both the Senator from New Hampshire and the Sen-

ator from Georgia, yes, as the Senator from New Hampshire points out, some men will later be declared to be 4–F after they have registered for the draft, but I know of no case where a fellow 18 years of age goes in to register for the draft where the draft board will refuse to register him. He has got to register. He has got to be exposed to the draft and run the risk of what the draft involves. It may even be death. It may happen that later, some will turn out to have a trick knee, and so forth, but they are exposed to the draft. They sign up on the dotted line.

I see no reason why we should not make it as convenient as possible for an 18-year-old to vote. I will not redebate the old debate on the literacy test. That was decided on and ruled on by the courts last year.

With respect to the comments of the Senator from Georgia, I beg to differ that this transgresses Federal law, that this transgresses the laws of every State. We have also crossed that hurdle.

Last year, in the Voting Rights Act of 1970, we set up by Federal law certain requirements for voting in Federal elections as to residency and the absentee ballot; and those requirements have been approved by the Supreme Court. They are in effect and binding today.

One need only be a resident of a State for 30 days in order to register for a Federal election in every State in the Union—North, South, East, West—all the 50 States.

The question of dope addicts and ne'er-do-wells, derelicts, and so forth, I do not think is really appropriate to this debate.

Let us take the same 18-year-old that the Senator from Georgia does not want to be registered at the draft board, and let us say it is 10 o'clock in the morning.

He walks into the draft board and registers for the draft. He can then walk to the corner, if the registration place is there, and can register to vote.

As the Senator from Georgia pointed out, for many years the 18-year-olds have been permitted to vote in State elections. He then goes into a dark alley and loads up with dope. This is a dope addict that has just registered in the draft. He takes on a lot of narcotics. He robs a bank and he burns a barn. He is still registered to vote in the State of Georgia until he is convicted and loses his right to vote because of that conviction.

This idea that a person who walks in and registers for the draft should not be permitted to register to vote at the same time presumes that if the 18-year-olds can do that, can walk in and register for the draft and for the right to vote, we will be registering a lot of dope addicts. Is that what we are presuming?

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

Mr. EAGLETON. I yield.

Mr. TALMADGE. Mr. President, I did not say they are all dope addicts. I said if we register them all, some of them would be dope addicts and some of them would be convicted.

Mr. President, would the Senator yield further for a question?

Mr. EAGLETON. I yield.

Mr. TALMADGE. Mr. President, assuming the amendment is agreed to, would it not be a fact that anyone registering for the draft would be eligible to vote in the 50 States of the Union?

Mr. EAGLETON. If they are residents of the State for 30 days, in accordance with the Voting Rights Act, if such persons are otherwise qualified to vote in the State in which they are being registered for Selective Service purposes. That is in my amendment.

Mr. TALMADGE. Mr. President, assuming that this person did not want to serve his country and fled to Canada and was evading the draft and violating the Federal law, would he still not be eligible to vote?

Mr. EAGLETON. He would still be as eligible as the person in my hypothetical argument. He would be eligible for all offices in Georgia including the governorship of Georgia. He would still be eligible until he had been prosecuted and convicted. He would still be eligible in the State of Georgia.

Mr. TALMADGE. The Federal official would be making the determination.

Mr. EAGLETON. Even under my hypothetical case, under the present law it would be a State or Federal official. This ne'er-do-well who absconded to Canada would still be eligible. Under my amendment he would be eligible to vote in Federal elections, and if the Governor of Georgia finds that this is not proper, he can veto it.

Mr. TALMADGE. Mr. President, does the Senator not believe that the Governor is better qualified to decide this than is the Senate?

Mr. EAGLETON. No. I think we demonstrated that previously with the Voting Rights Act. I have heard many speeches in the Senate as to how wise the Governnors are. We had the Murphy amendment. The Murphy amendment came very close to passage. Perhaps it did pass one time. The effect of that amendment was that we should let each Governor decide whether his State should have the program. Under the Murphy amendment, if the Governor thinks this program is out of place in his State, it is out.

Mr. TALMADGE. I have no hesitancy whatever in urging the vote for the 18-year-olds. However, I am reluctant to deny the States the authority and to let it be seized by the Federal Government and then authorize the Federal agent to register these people in all 50 States regardless of the qualifications of the individuals concerned.

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

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

Mr. EAGLETON. Mr. President, I want to emphasize one point because I think it is very vital. Insofar as the inquiry of the Senator from Georgia, under subsection (1) of my amendment, it says:

> Persons who elect to register for voting in federal elections under this section shall be so registered in accordance with such procedures as may be prescribed by the President if such persons are otherwise qualified to register for voting in federal elections in the State in which they are being registered for Selective Service purposes.

The State still has something to say insofar as "otherwise qualified" is concerned.

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

Mr. EAGLETON. I yield.

Mr. KENNEDY. Do I not understand that the Senate of the United States went on record in an amendment to the Voting Rights Act of 1970 as finding that there was invidious discrimination against letting people vote in this country if they were between the age of 18 and 21, and that they made the determination that that invidious discrimination should be eliminated?

Mr. EAGLETON. Absolutely.

Mr. KENNEDY. Was not this issue brought before the Federal district court and before the Supreme Court, and did not the Supreme Court uphold the right of 18-year-olds to participate in voting in Federal elections?

Mr. EAGLETON. Absolutely.

Mr. KENNEDY. Mr. President, do I correctly understand that there are 32 States which have ratified the constitutional amendment to permit 18-year-olds to vote in State elections?

Mr. EAGLETON. The Senator is correct. We will await six more, and then it will be a binding constitutional amendment in all States.

Mr. KENNEDY. Mr. President, I understand that the State of Missouri is contemplating the ratification of the amendment.

Mr. EAGLETON. They are contemplating it in Missouri.

Mr. KENNEDY. Is it not the judgment of the Senator that in a matter of a few weeks this constitutional amendment will be ratified?

Mr. EAGLETON. I should expect that it will be ratified within 4 weeks.

Mr. KENNEDY. Would the Senator not agree with me that the step he is now taking is putting the Senate once again in a leadership role and putting the Senate on record as doing everything is can to encourage the 18-year-olds to participate in the democratic process rather than trying to raise barriers to exclude them?

Mr. EAGLETON. I could not agree more.

Mr. KENNEDY. I commend the Senator from Missouri on his amendment and indicate my support of it.

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

Mr. EAGLETON. I yield.

Mr. HUMPHREY. Mr. President, I rise first of all to associate myself with the effort of the Senator from Missouri and the cosponsors of the amendment. Second, I commend the Senator for his foresight in what I am sure will be successful.

It is what we ought to do. If we do not do it, we will be under severe criticism. Here we are with the 18-year-old vote assured in the Federal elections by the Federal court, as indicated by the dialog here and by the rulings of the court and also by the constitutional amendment.

I am privileged to say that my State was, I believe, the first or the second State to ratify this amendment.

Everyone knows it is just and right. It is not only right that they should vote and be registered, but a person cannot vote unless he is registered. We know that it is right. If we can simplify the registration procedure, we ought to do it.

Quite frankly, we ought to have universal registration in this country. In the election of 1968, 12 million Americans were denied the right to vote under State election laws simply because of residency, simply because of a kind of horse and buggy attitude in our thinking.

It was thought that people would remain within walking distance of the courthouse. Mr. President, we have a mobile society where people move frequently from one part of the country to another and lose their voting rights because of the nature of our system.

I would hope that we would seize this opportunity at least to assure these men who register for the military at the direction of their Government—and if they do not, they are subject to the penalty of the law—that they may also register to vote. I would hope that we would use the same personnel. What is wrong with that? We would have the saving of a few dollars, and that should be a point in its favor. It saves time. It saves money. It saves inconvenience in getting these people registered to vote in the elections in their States.

The Senator of Missouri has carefully provided that if this is in any way obnoxious to their State heritage background or even if it prejudices the State—which I consider to be a weak point of the amendment—that at least the Governor can veto it. If the State legislature wishes to include all other elections or other provisions, they can add such provisions. All this really provides is that when you call a man up under the laws of the Congress of the United States to register for the draft, you give him the privilege, if he wants it, to use the same clerk, paid for out of the Federal Treasury, to register him to vote. We do not compel him to vote or to register. We simply say, "Mr. Citizen, we are going to make it convenient for you if you want to register."

How anyone could oppose that on the basis of violation of the rights of a citizen in this country is beyond me.

We have already established the fact that States cannot deny the right to vote to persons who are 18 years of age. It has been established by a ruling of the Supreme Court that they can vote at the age of 18. Congress has said that they can vote in all elections if the action of Congress is ratified by the States, and I hope it will not be long before the States accomplish that.

Mr. President, I urge that the Senate agree to the amendment. This may be one thing in this Selective Service law that will, in a sense, make it more palatable to a large number of young Americans who are quite unhappy with Selective Service.

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

Mr. EAGLETON. I reserve the 4 seconds I have remaining.

Mr. STENNIS. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Mississippi has 16 minutes remaining.

Mr. STENNIS. How much time is remaining for the Senator from Missouri?

The PRESIDING OFFICER. The Senator from Missouri has no time remaining, not even the 4 seconds.

Mr. STENNIS. Mr. President, I yield 4 minutes to the Senator from Alabama.

Mr. ALLEN. Mr. President, I do not feel the amendment offered by the distinguished Senator from Missouri (Mr. EAGLETON) is sound. In the first place, one of the effects of the Supreme Court decision that 18-year-olds can vote in Federal elections but not in State elections was to require the State registration boards to maintain two lists—those who can vote in State elections and those who can vote in Federal elections. Now it appears that 32 States having ratified the constitutional amendment providing for 18-year-old voting in all elections, before many weeks pass the States will be able to have only one list of registered voters.

The effect of the amendment of the Senator from Missouri would be to require the States once again to have two separate lists—those who have registered with the State registration boards and those who have registered through the Selective Service System.

Mr. President, I submit that this amendment provides second-class voter registration for registrants under the Selective Service Act because all they would be entitled to do would be to vote in Federal elections; but if they went down the street to the courthouse they could register to vote in State and in Federal elections. So, far from giving special consideration to selective service registrants, they are being given only one-half a loaf because they would be allowed to vote only in Federal elections.

In the matter of making Federal registration boards out of the 4,000 draft boards, or providing separate registration boards to work with the draft boards, and that is another matter, the chances are that should registration boards be set up we would have one registrar, and another registrar to watch that registrar, and another registrar to look after those two registrars; so before long we would have three registrars for each of the 4,000 boards. It would require States to maintain more than two lists. It would lull the selective service registrant into feeling he had registered to vote in all elections when it would be only Federal elections. When he presented himself to vote in State elections he would find he could not vote.

This amendment does not confer any special privilege on a selective service registrant. Far from that, it gives him only a half loaf or half as much as he could get if he went down the street and registered at the State voter registration office.

I submit that the amendment offered by the distinguished Senator from Missouri should be rejected.

Mr. STENNIS. Mr. President, if the Senator from Montana wishes to be recognized I yield to him.

Mr. MANSFIELD. Will the Senator yield to me for 1 minute?

Mr. STENNIS. I yield 3 minutes to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Senator from Missouri for offering the amendment which is now pending before the Senate. I think it is a natural follow-up to the Kennedy amendment which was passed in this body in connection with the 18-year-old vote, and the constitutional amendment which was based on the Supreme Court ruling of last December which stated that 18-year-olds were allowed to vote in Federal elections. In pursuance of the Supreme Court ruling a constitutional amendment was agreed to by two-thirds of the Members of each House and is now on the way to being agreed to by three-fourths of the States, at which time is would become the law of the land, applicable not only to Federal elections but to State and local elections as well.

The proposal of the Senator from Missouri is not a special privilege but a recognition of the fact that these young people are called upon to do certain things, and with it go obligations and certain responsibilities.

Mr. President, I am delighted to commend the distinguished Senator from Missouri. I support his proposal without question. I hope his amendment is agreed to and, at least so far as the Senate is concerned, it will indicate that we are interested in this up and coming generation; that while there may be a chronology gap between many of us and them, there will be an understanding between us based on other factors, among them credibility and recognition of what they have done for the country and must do for it in the future.

Mr. STENNIS. Does the Senator desire additional time?

Mr. MANSFIELD. No. I thank the Senator.

Mr. STENNIS. Mr. President, this matter is important, as I said at the beginning. At the first reading of the amendment it has some appeal. I do not say this to be critical, but the only real congressional consideration this amendment is going to have before it is voted on in a matter of minutes, is this slight debate we have had with 16 or 17 Senators present.

It just shows how a matter can get worked up from an emotional standpoint even though it is remote from the committee handling the bill and its jurisdiction, and even though it has not been to the committee of our body that would have jurisdiction. Even though there have been no hearings on the amendment, it could be adopted. It is a serious thing to leave the State Legislatures out of consideration on such matters. They do have responsibilities and prerogatives in these fields especially. I do not think it is the final word to say that the Government can act in this matter.

I think if hearings were held and something was worked out that we could get up a solid piece of legislation that could be made to fit in, but I do not think this does and it should be rejected for that purpose.

I have the highest regard for the Senator from Missouri. I want to make clear that he works hard and I admire him for it. But this amendment, even though there is some germaneness in a way, except for the emotional part, it is barely connected with the subject matter of this legislation, and for that reason I think the matter ought to be defeated for the time being.

I would agree to some kind of modification that if the States requested these draft boards to send over certified copies of these registrants, and everything else, the boards would receive them. But I would not be favorable at all to anointing them here, with such light consideration, as registration clerks and officials for all the States of our Nation.

I hope the amendment will be defeated. I expect it to be adopted overwhelmingly. Whatever the Senate's will is will be my will, but I warn you that there ought to be more facts before the amendment is adopted.

Mr. President, I yield 5 minutes to the Senator from South Carolina (Mr. THURMOND).

Mr. THURMOND. Mr. President, all of us in the Senate share the wish to see that the opportunity to register to vote in Federal elections is accorded 18-year-olds as soon as the remaining necessary numbers of State legislatures take action in this matter.

The distinguished junior Senator from Missouri (Mr. EAGLETON) is proposing in this amendment that a big step be taken toward this goal by permitting 18-year-olds to register to vote at the same time they register for the draft.

On the surface this is an appealing amendment, but in my view it would be administratively difficult and expensive.

First, most States open the voter registration books only at certain times. All of us in politics know voter registration certificates deserve careful control. If this amendment is passed, I would presume that each of the over 4,000 draft boards in the country would be required to have a voter registration worker on hand at all times.

The Senate must remember that young men come in to register at their leisure, not on any certain day or at any certain time. Therefore, it seems to me a great deal of money and time would be spent in setting up registration facilities which would be used very little.

Second, the question arises as to whether the State or the Federal Government would pay for this extra expense. Presently the States are paying the cost of voter registration, but if this amendment is passed, the Federal Government would certainly be expected to bear some or all of the cost. Once Federal money goes to voter registration, then Federal control will follow.

Third, Selective Service uses volunteer registrars to register young men for the draft. Such persons are school teachers, guidance counselors, policemen, firemen, and other such persons who register young men for the draft at places other than the local board. The vast majority of States have some volunteer registrars, and some States depend on these individuals to take care of over 50 percent of the registrations. If this amendment were passed, this important program of community participation in the operation of the Federal Government would be seriously jeopardized because these people could not assume the voter registration responsibility.

Fourth, registrants away from their permanent address at the time of their 18th birthday may register at the nearest local board with the understanding that this registration will be forwarded to the board governing the location of his permanent address. If local boards were required to offer young men registering for the draft the opportunity for registering to vote, local boards would have to be aware of the voting requirements of each of the 50 States in order to properly register a young man from another State to vote in his home State.

Fifth, what would happen if the voter registration of an 18-year-old was challenged? Would the draft board clerk become involved in this challenge? That is an important question which I do not believe the author of the amendment has addressed.

Another point, Mr. President. As each Member of the Senate knows, the information given by a draft registrant, even his address, is considered confidential information by the Selective Service System. How could the disclosure regulations be adhered to when draft boards are operating in this dual capacity?

To answer some of these questions the Senator from Missouri has provided in his amendment that the Governor of the State could refuse this plan if he so chooses. Thus, the Nation would have a Federal agency service for 18-year-olds in one State but not in another.

Also, the Senate would be making a mistake to overlook the point that this amendment would do nothing toward registering the millions of young ladies who reach age 18. Some young women may consider the pending proposal discriminatory toward them.

In conclusion, it appears to me that next we may be faced with an amendment to permit the poor or ill to register to vote when they apply for welfare. Certainly there are large numbers of older citizens who have not registered and should be on the voter rolls.

Mr. President, for these reasons I believe the Senate should refuse this amendment. I am confident that our young people do not wish to be treated as special citizens. They have enough initiative and intelligence to obtain their voter registration certificate as other citizens do and not as a privileged group.

Mr. KENNEDY. Mr. President, I rise to express support to the amendment offered by the distinguished Senator from Missouri, which I have cosponsored, to smooth the way for a greater number of 18-year-olds to exercise their right to vote in Federal elections.

The amendment simply would facilitate the registration process, permitting 18-year-olds to register for the vote as they are registered for the draft. This provision in no way encroaches on the prerogatives of State governments since it permits the Governor of any State to reject the registration process.

However, I believe most Governors will strongly support this effort to encourage young men to meet their obligation as citizens.

The amendment will mean that 2 million young men each year will find the process of registering to vote simplified.

This also would continue the Senate in its role as a leader in the efforts to ensure the enfranchisement of 18- to 21-year-olds in all elections.

The congressional decision, affirmed by the Supreme Court last December, to lower the voting age in Federal elections to 18 was a historic step to halt the alienation of our youth.

It is especially important today that we open new avenues of peaceful change for youth and encourage young persons to take their protest and dissent into the voting booth.

The amendment now before us would aid in that process by easing the registration process.

It surely is in keeping with the moral leadership and constitutional judgment previously expressed by the Congress.

The PRESIDING OFFICER. The Senator from Mississippi has 1 minute remaining.

Mr. STENNIS. Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator yields back his time.

All time has been used or yielded back.

The question is on agreeing to the amendment of the Senator from Missouri. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Oklahoma (Mr. HARRIS), the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Minnesota (Mr. MONDALE) are necessarily absent.

I further announce that the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUYE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Louisiana (Mr. LONG), are absent on official business.

I also announce that the Senator from South Dakota (Mr. MCGOVERN) is absent because of illness.

I further announce that, if present and voting, the Senator from South Dakota (Mr. MCGOVERN) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. FANNIN), the Senator from Wyoming (Mr. HANSEN), the Senator from Nebraska (Mr. HRUSKA) and the Senator from North Dakota (Mr. YOUNG) are absent on official business.

The Senator from Nebraska (Mr. CURTIS) is absent because of death in his family.

The Senators from Maryland (Mr. BEALL and Mr. MATHIAS) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

Also, the Senator from Massachusetts (Mr. BROOKE) and the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

On this vote, the Senator from South Dakota (Mr. MUNDT) would vote "nay."

On this vote, the Senator from Massachusetts (Mr. BROOKE) is paired with the Senator from Nebraska (Mr. CURTIS). If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Nebraska would vote "nay."

The result was announced—yeas 47, nays 31, as follows:

[No. 87 Leg.]

YEAS—47

Bayh	Hughes	Pearson
Bentsen	Humphrey	Pell
Bible	Jackson	Percy
Brock	Javits	Prouty
Burdick	Kennedy	Proxmire
Byrd, W. Va.	Magnuson	Randolph
Case	Mansfield	Roth
Chiles	McClellan	Schweiker
Church	McGee	Scott
Cooper	McIntyre	Spong
Cranston	Metcalf	Stevens
Eagleton	Montoya	Stevenson
Gambrell	Moss	Symington
Gravel	Muskie	Tunney
Griffin	Nelson	Williams
Hart	Pastore	

NAYS—31

Allen	Dominick	Packwood
Allott	Eastland	Saxbe
Anderson	Ellender	Smith
Baker	Ervin	Sparkman
Bellmon	Fong	Stennis
Boggs	Goldwater	Taft
Buckley	Gurney	Talmadge
Byrd, Va.	Hatfield	Thurmond
Cook	Jordan, N.C.	Tower
Cotton	Jordan, Idaho	
Dole	Miller	

NOT VOTING—22

Aiken	Hansen	McGovern
Beall	Harris	Mondale
Bennett	Hartke	Mundt
Brooke	Hollings	Ribicoff
Cannon	Hruska	Weicker
Curtis	Inouye	Young
Fannin	Long	
Fulbright	Mathias	

So Mr. EAGLETON's amendment (No. 113) was agreed to.

Mr. EAGLETON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

AMENDMENT NO. 92

Mr. HART. Mr. President, I call up amendment No. 92.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. HART. Mr. President, I ask unanimous consent the further reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. EAGLETON). Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 27, strike out lines 22, 23, and 24, and insert in lieu thereof the following:

"(21) Section 6(j) is amended—

"(A) by inserting '(1)' immediately after '(j)';

"(B) by striking out in the first sentence 'in war in any form' and inserting in lieu thereof 'in any form in all wars or a particular war; and

"(C) by adding a new paragraph as follows:".

Mr. BYRD of West Virginia. Mr. President, will the Senator ask for the yeas and nays on his amendment at this time?

Mr. HART. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the debate will be limited to 2 hours, to be controlled equally by the Senator from Michigan and the Senator from Mississippi.

Mr. HART. I yield myself 5 minutes.

Mr. President, we are concerned about the time. The able Senator from Mississippi and I have discussed this. We anticipate that we will consume a very small portion of those 2 hours. The only reason we are reluctant to suggest at this moment a discussion of 15 minutes to a side is that we are unsure as to whether other Senators may feel compelled to join in the discussion. But, absent that, I think Senators could anticipate a vote rather quickly.

Is that a fair statement?

Mr. STENNIS. Mr. President, I think this debate may take some time, and I do not think we should yield the time back now. Let us see how many Senators want to speak.

Mr. HART. Very well.

Mr. President, this amendment is to permit a conscientious objector classification to be accorded to one who objects in conscience to a particular war. Existing law requires that the objection in conscience be based on participation in war, all war, the traditional pacifist theory.

Anticipating the likelihood that we would approach a vote on this amendment late in the day, and realizing the desire of the leadership—and I think all of us—to make progress on the bill, I sent to my colleagues a letter, much too long under normal circumstances, dated June 4. In the letter, I explain the reasons that I would hope would persuade the Senate to accept this amendment. In view of the fact that each of us has been advised in rather full detail the reasons that persuade me to offer the amendment, I ask unanimous consent to have printed in the RECORD in full the text of my letter of June 4, and I will briefly summarize the points made in the letter.

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

U.S. SENATE,
June 4, 1971.

Selective conscientious objection amendment to selective service.

DEAR COLLEAGUE: On Tuesday, I plan to call up my amendment to the Selective Service Act (No. 92) to authorize bona fide conscientious objection to military service in a particular war. This amendment would change the Committee language on the section involved in only one specific limited instance. The first sentence of Section 6(j), which now requires opposition to participating "in war in any form" would be changed to include objection to participation "in any form in all wars *or* a particular war." The full text of the amendment is attached.

Having consented to a rather limited time agreement on the amendment, I hope you will excuse this long letter of explanation and argument in support.

As you know, the Supreme Court has recently held that Congress intended only to exempt total pacifists, i.e., those opposed to all war as inherently immoral. So far, we have not extended the exemption to those who have moral scruples against serving in some, but not all, wars.

The Court found that this policy did not violate the First Amendment. Some may differ with this decision and find persuasive the claim that such a law favors certain beliefs of conscience over others in violation of the First Amendment. But the Supreme Court has spoken and my present effort accepts the constitutionality of the existing law.

Nevertheless, I believe it is now time to reexamine our own consciences and grant selective conscientious objectors the same protection as the total pacifist, providing the former's objection is based on sincerely held moral conviction central to his personal beliefs.

Historically, American political leaders have focused on the organized advocacy of the so-called "peace churches" such as the Quakers and Jehovah's Witnesses; this may have limited our perception of conscientious objection. Because these churches, which led the way in calling attention to this imperative of conscience, were pacifist, we tend to assume that men with deep moral scruples about soldiering should be absolute pacifists. If they are not, there seems something "phony" about their claims. This approach is shortsighted and unfair.

For many young men of Catholic, Protestant and Jewish faith, and for others whose guiding moral beliefs, flow from less traditional "religious" sources, their moral scruples against fighting particular wars are just as much a matter of the deepest conviction. Many religious groups, including a majority of Christian communions, adhere to the "just war" tradition which requires the individual to make an ethical evaluation of the particular war in which he is required to participate. The determination of what is a just war must be made by the individual in obedience to his personal perception and his own conscience. (I am enclosing a joint letter to me from the United States Catholic Conference, the National Council of Churches and the Synagogue Council of America expressing the support of each of these organizations for my amendment.)

One proud element of our free society is the willingness to recognize individual conscience as worthy of respect by the Government and, where possible, to permit fulfillment of social duty in ways which do not offend it.

I cannot accept the implication of present law that inferior ethical considerations are at stake when "just war" adherents, or their humanist counterparts, reach profound moral conclusions about a particular war—that these are less genuine or intensely held that when a Quaker decides he cannot fight in any war or when a Jehovah's Witness professes he can fight only a "theocratic" war ordained by God. To suggest that the selective objector has only an expedient desire to "pick and choose" his war is an unthinking caricature of the most painful moral dilemma: killing against one's conscience. Is it not disingenuous to ask a young man to conjure up all past wars and all imaginable wars of the future and determine if he would oppose participation in all of them? It is the concrete moral dilemma

posed by the war in which he is asked to serve that confronts his conscience and threatens its violation.

It has also been argued that selective objection requires specific judgment about the international situation in question and that this factual inquiry somehow taints the ultimate conviction.

Do we really believe that conscience should operate oblivious to everyday facts in arriving at conclusions—that an effort to apply ideals to the real world in order to make moral judgments is somehow less worthy than being guided only by disembodied abstractions? One could argue that selective objection may reflect a more discriminating study of the ethical problem, a more sensitive probing conscience and a deeper spiritual understanding. I do not, of course, impugn anyone's conviction, but merely urge equal treatment for all genuine moral scruples against military service.

A related objection is that selective conscience is really nothing more than political judgment about matters which must ultimately be left to our elected representatives. But the Supreme Court itself has made clear in the Welsh case that political considerations may be a valid component of conscientious objection to participation in war. As the Court said:

"We certainly *do not think that* [Section] 6(j)'s exclusion of those persons with 'essentially political, sociological, or philosophical views of a merely personal moral code' should be read to exclude those who hold strong beliefs about our domestic and foreign affairs *or even those whose conscientious objection to participation in all wars is founded to a substantial extent upon considerations of public policy.*" 398 U.S. at 342. (Emphasis added.)

The other main reason given for denying such exemption is the alleged difficulty of detecting false claims and a predicted flood of claims. *In determining the bona fides of any objector's claim,* the Selective Service *must ultimately weigh the sincerity of his beliefs and their centrality to his character.* These criteria are not appreciably easier, nor harder, to apply to a man objecting to fighting a particular war than they are to apply to one who claims complete pacifism. In *United States* v. *Sisson,* Judge Wyzanski observed:

"The suggestion that courts cannot tell a sincere from an insincere objector underestimates what the judicial process performs every day . . . each day courts have applied laws, criminal and civil, which make sincerity the test of liability." 297 F. Supp. at 909–910.

In short, I am confident that the Selective Service System can devise equitable procedures to evaluate the integrity and intensity of selective objection claims. If local boards feel incompetent to judge these claims, perhaps an independent review board of lay and clerical experts could provide an auxiliary screening at regional levels. A certain risk of error would be involved—just as it is in the present situation of judging pacifist claims. But such a risk would be minimal compared to the vast pool of manpower available for the draft, particularly now with student deferments abolished. The Government also claims an expansion of the exemption would cause a severe loss of manpower. It made the small dire threat in opposition to the Supreme Court's liberalizing decisions in the Seeger and Welsh cases, but no floodgates opened. The number of objectors remains quite small. These are risks which a free society can tolerate, as England did during World War II when selective concientious objectors were exempted from military service without the need to establish complete pacifism. Finally, as a practical matter, intensely objecting men do not make good soldiers or enhance military morale.

Nor would the selective objection status lead to a disrespect for law in our society. The conscientious objector exemption has a long tradition in America and constitutes very specific relief from the general operation of the law. Alternative burdens have generally been imposed on those requesting that status. There has never existed any similar tradition of exemption from taxes or other duties of citizenship.

While there is no absolute right for any man to be exempt from the demands of the law, the moral issues in war are so grave that it behooves a government as committed to the dignity of the individual as that of the United States to lead in this area of respect for the conscience of man.

Again, my apology for the length of this letter. At seems to me, given the situation for all of us on the floor and the leadership's desire to avoid unnecessary delay, that considerations bearing on the action you may take on this amendment best can be outlined here I hope upon consideration it justifies your support.

Sincerely,

PHILIP A. HART.

Mr. HART. Mr. President, ours is a society that genuinely seeks to respect the individual and, most importantly, seeks to respect the conscience of the individual. It is difficult, given our size and composition, always to deliver on that promise, but it is our stated objective and it is an honorable goal.

Here tonight, in this amendment, we are attempting to respect the conscience of the individual who has a deep conviction central to his personal belief that a particular war is, for him, morally wrong to engage in.

There are many objections to it and I think the overriding one is that it can be fate that allows a young man to die—a tough one. Well, I am not suggesting that the burden of proof on that young man will be light or easily carried, but I am pleading that, if he can carry it, if he can prove that, to him, this is an unjust war, that we respect his conscience and not confront him with the incredible dilemma of doing what his conscience tells him to be wrong, to flee the country, or to violate the selective service law.

With respect to the burden of proof, if I walk into my draft board and say, "I have been reared in a religious atmosphere that tells me all war is wrong. I would not fight in any war. I would not have fought in World War I or World War II or in the current involvement in Indochina. My moral conscience and my religious scruples compel me to insist that I shall oppose all war."

The draft board will listen to me, and then the next man will come in and say, "I believe that I would have fought in World War II and I would have fought in World War I, but I will not fight to save Formosa and I will not fight under the circumstances of today in Indochina."

It may be tougher for the board to decide who is speaking the truth, but, if both are speaking the truth, let us make sure that each in conscience is protected.

Remember, too, that, when a board finds that a man is, in fact, a conscientious objector, he is not rewarded with a trip around the world or a vacation in Bermuda. There is some alternative service involved.

What the amendment boils down to is, whether we will tell a young man who may or may not be a radical, who may or may not be a violent, wild protester, but who is a deeply moral and conscientious man, that he must kill against the firmest dictates of his conscience because his scruples are not derived from the truth within a religious framework, which we find it convenient, largely out of history, to respect, we are telling him that, since he is not a total pacifist, his claim, no matter how deeply felt, is, somehow, phony, somehow tainted.

I hope that we do not do that tonight. We are a big country and a powerful one and we can afford to show tolerance for individual conscience consistent with our national security. Nothing in this amendment will jeopardize our national security, nor will it breed disrespect for law or for the political decisions of our elected leaders.

Again, let me emphasize, as I close, that this is an area recognized—before the Constitution was written—as a special one. We recognize that asking a man to participate in the killing of other human beings against the dictates of his conscience is the harshest demand society can impose on anyone.

So, although we have no exemption for conscientious objectors in other areas—pay your taxes, like it or not—go to school, like it or not—we do, in the case of service in the Armed Forces. It is a well recognized and heretofore limited exception.

Applying this exception fairly to all whose conscience generally may be violated by forced service, will not undermine the general social requirement of respect for the decision of the majority. It will, however, illumine our commitment to a free and uncoercive society, when matters of conscience in the most profound area are at stake.

I hope very much, Mr. President, that we will adopt the amendment.

Mr. NELSON. Mr. President, will the Senator from Michigan yield?

Mr. HART. I yield.

Mr. NELSON. I should like to ask the Senator a question or two. I wish to say to the distinguished Senator from Michigan that I have long agreed philosophically with the position taken by the Senator from Michigan as spelled out in his amendment.

The only thing that troubled me at all—maybe it should not—was the question of approval.

As the Senator knows better than anyone else, historically, the test has been religious conscientious objection. The Supreme Court struck that down.

Now the Senator's amendment proposes that one may assert conscientious objection to a specific war. I just wish to say to the Senator that I think all of us know a substantial number of young people in this country who are not general conscientious objectors to all wars but are conscientious objectors to, for example, this particular involvement in Vietnam.

I take it that the position of the Senator is that one who is, in fact, a conscientious objector to a single war should

have the same right to prove his case as one who is a religious conscientious objector, or an objector on nonreligious grounds, to all wars.

Mr. HART. I am very grateful to the Senator from Wisconsin for raising in pointed fashion this question.

The answer is "Yes."

The burden of proof on that young man who is, as the label now would attach, a selective conscientious objector is probably going to be very much more difficult to carry than the one who comes out of a Quaker background or a Seventh Day Adventist background. But we seek to establish the proposition that if a man can demonstrate that it offends his moral convictions, soundly formed, to engage in a particular war, but he is not prepared to say that he would feel similarly with respect to all and any wars, that individual conscience should be respected. If I may add, the ultimate test both with respect to the Quaker who comes in or—may I speak of my denomination, which is certainly not Quaker oriented—the Roman Catholic, the question would be one of sincerity and a profession of moral conviction. No more, no less than a selective objector. In neither case does an objector walk into a draft board and say, "Look, fellows, I can't take it."

There must be far more evidence than that. It must involve, as we have evolved, this system from the people who know him well and other indications, if there are any, of the depth and convictions of his views and of the depth of his moral convictions. Is he prepared to go to jail rather than violate his moral scruples with respect to this particular war?

Mr. NELSON. Mr. President, just so that it is perfectly clear for the record, I understand the Senator to be saying that it is the obligation of one who asserts that he is a conscientious objector to this particular war, rather than to war in general, and it is upon him to produce a satisfactory burden of proof that he is in fact a conscientious objector to that war.

Mr. HART. Yes.

Mr. NELSON. Mr. President, I thank the Senator.

Mr. HART. Mr. President, I reserve the remainder of my time.

Mr. STENNIS. Mr. President, I yield myself 8 minutes.

Mr. President, I think the issue, even though it is greatly involved, is simple. I will try to explain first—because this ought to be in the RECORD, I think—the committee approach to this difficult and sensitive question and what we did about it.

The present law was reflected in the statute passed in 1967. And I read briefly from the present law:

> Conscientious objectors. Nothing contained in this title shall be construed to require any person to be subjected to combative training and service in the Armed Forces of the United States who by reason of religious training and belief is conscientiously opposed to participating in war in any form. As used in this subsection, the term "religious training and belief" does not include essentially political, sociological, and philosophical views of a clearly personal moral code.

That is the present law, and that was interpreted by the Supreme Court of the United States in this way, that these words in quotation marks in the statute—religious training or belief—includes, the Court said, moral and ethical beliefs as long as strongly held with the strength of religious beliefs.

Now, whether that is an actual quotation, I do not know, but I am sure it is the substance of what the Court held.

In bringing forth the pending bill the committee did not do anything to the present law which does continue and which does not expire, but it is general administrative law. We do not do anything to that law as written. So, it just continues as it has been all of the time. We did not do anything to the Supreme Court decision. We did not try to define it and say what it meant. We did not try to adopt it. We did not try to modify it. We just left it like it is.

So this is just more of the same. That is all the committee recommends. Here is a law that is not going to last over 2 years. The language in it already has the words that have been interpreted by the Supreme Court of the United States.

We strongly recommend that we leave it as it is. I think we are justified in giving them an exemption under these time tried and tested honest and religious beliefs. But when we go to talking about any particular war or this war that we are confronted with now, we not only open the door to the individual on a basis on which there is no way to really test him, but we also open the doors to what could eventually be a situation where the Nation really could not defend itself.

It would take more than 2 years to get an adjudication of what the language means. It would take at least that long.

With great deference to the Senator from Michigan—I remember his own illustrious war record in World War II, and it was outstanding—I just believe that the Senator would open the door. He inserts the words, "In any form in all wars or a particular war."

In other words, there is the selective war. There is the personal choice war. As the Senator says, of course, that is a matter of intention and honesty, but how are we going to judge it? It leaves the door wide open. It is virtually impossible of administration.

If we keep on increasing the pay, we may fill the Army up with 1.5 million men in the pay department and open the doors to this.

I believe we had better stay by what we have and leave well enough alone. That leaves established language in the law that blesses all the beliefs and customs that we have had in all of these decades of our Government. It adopts the Court interpretation of the present law and continues on from there.

Personally, I do not believe that one has any right to this. And I have met these conscientious objectors on my rounds. There are whole companies of them. I met them on my rounds among the GI's. I was impressed with them. I know some of them go out and render outstanding service as medics in the lines.

I hope we will be satisfied tonight in this rollcall vote to leave well enough alone and see what happens in the administration of it. There are enough tests and lawsuits going on now. They have considerably increased since the Supreme Court interpretation. Let us try it with the Court's modification for a while.

Does anyone want to use any time in opposition to the amendment?

SEVERAL SENATORS. Vote! Vote! Vote!

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

Mr. HART. Mr. President, I am glad that the able chairman of the committee has emphasized that the Court did make clear that it cannot be a simple personal philosophical belief or view.

It must be a fundamental moral conviction held with strength, conviction, and a traditional religious basis before one is qualified when he asserts an objection.

But I do hope that we will understand the result also from the Court opinion on the young man who out of upbringing, perhaps religious association, who may have a deep conviction and feels that for him to participate in a particular war would be for him to sin grievously. The only way we can respect that conscience is to say, "All right. If you can prove that that is your conviction you shall be exempt from the obligation to serve." I respect the Quakers and all humans, but I plead for the man who is needy. I plead for the Methodists, the Catholics, the Jews, the Lutherans who do not have the credentials to establish they are opposed to all wars but who say before their God, "My country is offending me by requiring me to take up a weapon in this war."

Many of us in this body come from the tradition that requires it shall be established that a war is a just war unless you wish to engage in it in a sinful fashion. So let us make provision in our laws for that very large body in our community. Unless we adopt this amendment there are only two choices: To offend their Nation by violating the law or offending their consciences.

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

Mr. HART. I yield.

Mr. TUNNEY. Mr. President, I would like to state to the Senator that I think he has made a profound statement here this evening. I agree with the Senator's position. I never used to. I used to always believe that if you were going to object to war you had to object to all wars; otherwise it would be very difficult to find the troops to fight a particular war. But I have changed my position as a result of the Vietnam war. We have seen in this war a movement of national opinion to the point where even our President says we should get out and where at the same time we have many people who are being killed, Vietnamese people and Americans, in a war that I think now is commonly regarded as one we should never have gotten into. It has torn our country apart.

We have young men going to Vietnam now who are upstanding, idealistic, noble

of purpose, and they find when they get there the situation is so bad that some reports indicate 20 percent of them are now taking heroin and turning our expeditionary force, at least partially, into drug addicts.

I just cannot in conscience say that I can deny the conscience of a young man who says he would find it immoral to go to Vietnam to kill and possibly be killed himself.

Mr. President, I thank the Senator for offering the amendment.

Mr. STENNIS. Mr. President, I am ready to yield back the remainder of my time.

Mr. HART. Mr. President, before yielding back the remainder of my time, I wish to state that at the biennial national convention of the National Council of Jewish Women, held in Detroit, Mich., from March 28 to April 1, 1971, statements were adopted by the delegates expressing the wishes of this important group of women leaders that we end the war in Southeast Asia now, and that we proceed to a reordering of our national priorities. I ask unanimous consent that these statements be printed in the RECORD at this point.

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

TOPICAL STATEMENTS OF NATIONAL COUNCIL OF JEWISH WOMEN

IMMEDIATE CESSATION OF AMERICAN INVOLVEMENT IN SOUTHEAST ASIA

The National Council of Jewish Women has been intensively involved in the continuing struggle for world peace. Because of this deep-rooted commitment we strongly urge the withdrawal of American troops and the immediate end of all U.S. military involvement in Southeast Asia.

The eight years of this war have almost destroyed a country; they have resulted in the deaths of nearly a million persons and have cost the people of the United States $115 billion which could have been used to serve some of the vital human needs of this nation.

Our society has become fragmented; public opinion polarized, and national leadership divided. Almost a decade of fighting has weakened the moral fiber of our nation and shattered our faith in the integrity of our nation. Eight years of war should have convinced us all by now that blood and money will not achieve a generation of peace.

We urge the Congress and the President to use all of the powers vested in them to attain the goal so desired by almost every American: the end of this war, now.

REORDERING OUR NATIONAL PRIORITIES

The National Council of Jewish Women is alarmed by the crisis in which our nation is mired. Our priorities are in desperate need of reordering, so that the weakening fabric of American life can be strengthened and rewoven.

We call upon the leadership of our nation to provide the direction so that we can turn from war to peace, from sickness to health and from hunger and want to a more equitable distribution of our vast wealth of resources, so that our cities can flourish and our rural areas thrive.

At a time when $75 billion is requested for a defense budget; at a time when 67¢ out of every federal dollar is spent on "Pentagon Products"—the National Council of Jewish Women strongly urges the government in concert with all concerned Americans to channel our funds away from militarism and into humanitarianism.

FOREIGN POLICY

The National Council of Jewish Women believes that United States foreign policy should be directed toward developing the conditions for world peace wherein human beings live their lives in dignity with the greatest measure of economic, social and political freedom. We believe that the United States in cooperation with all nations should pursue every possible alternative to military action as a means of resolving international disputes. It therefore resolves to urge the United States:

To continue to strive for international peace and security by immediate withdrawal of all U.S. troops from Southeast Asia.

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

Mr. HART. I yield.

Mr. GRAVEL. Mr. President, the right of conscientious objection to participation in war is deeply ingrained in America's traditions. Provisions for conscientious objectors were made in the militia laws of several of the Colonies prior to the American Revolution. A broad conscientious objector provision was included in an early version of the Bill of Rights. All of our national conscription laws have in some manner recognized the rights of conscience, and each act in turn has advanced over its predecessors in the sophistication and generosity of its provisions.

During the Civil War, men could escape the draft by providing substitutes or paying bounties; many conscientious objectors made use of these opportunities, although some refused on principle to do so.

The World War I draft law made provision for objectors to serve as noncombatant soldiers; however, this was unsatisfactory for many men, and administrative furloughs were arranged for some of those who could not, in good conscience, aid in the war effort.

But the problems caused by placing all conscientious objectors under military supervision remained. Consequently, when the World War II draft was established, provision was made for two classes of conscientious objectors: Those who would serve in the Armed Forces as noncombatants, and those who would perform civilian work in the national interest. That basic system remains in effect today.

I am convinced that the time has come for us to make another step forward in recognition of conscience.

Specifically, I am proposing an amendment to the Military Selective Service Act which would accord full recognition to the so-called "selective conscientious objectors." These are persons who object only to a particular war or wars, or to particular forms of warfare, or can participate in war only under certain conditions.

The Vietnam tragedy has brought unprecedented attention to the selective objection problem. Highly publicized court cases have arisen, involving draft registrants and servicemen claiming conscientious objection to participation in the Vietnam war. But the ideas behind selective objection are far from new.

The Roman Catholic faith and many Protestant groups have a centuries-old tradition of "just-war" doctrine—the idea that some wars may be just, while others may be unjust.

The ultimate decision rests with the individual conscience. Similarly, some have been led to the belief that certain forms of warfare—such as, perhaps, nuclear weapons, or chemical and biological warfare—are inherently immoral, and that they cannot conscientiously participate in such warfare or in its preparations.

Still others feel they can fight in good conscience only to defend their homeland, and one look at our farflung military machine convinces them that they cannot be a part of it.

Under the present law, a draft registrant who holds any of these "selective objections," no matter how deep his convictions, has no chance for recognition. This is intolerable in a free society.

The language of my proposed amendment is comprehensive enough to cover all types of selective objection.

It is flexible enough to be administered without undue difficulty and is patterned after the structure of the present law.

It retains the equitable feature of the present law that imposes liability for either civilian or military service on all registrants, whether conscientious objectors or not.

The man who is conscientiously opposed to participation in the Armed Forces at the present time, for whatever reasons, is exempted from military service, and, like those so exempted under the present law, is liable for civilian alternative service.

The man who can conscientiously participate in the Armed Forces under certain limitations, like the noncombatants under present provision, is liable for military service subject to those limitations.

The Armed Forces are authorized to disqualify a person in the latter category if his beliefs are too restrictive for these purposes, and any man so disqualified is made liable for civilian alternative service.

In addition to implementing selective objection, the amendment would update the language defining conscientious objection to include ethical and moral beliefs, in conformance with the Supreme Court's decision in the Welsh case. The new language is taken directly from the Court's opinion.

Many opponents of selective objection concede its desirability from the standpoint of equity but base their opposition on practical considerations. I believe that such arguments are based more on myth than on fact.

Opponents argue that allowing selective objection would "open the floodgates" to overwhelming numbers of objectors, hampering recruitment of military manpower and jeopardizing the national security.

However, the latest official statistics from selective service show the total number of conscientious objectors is less than 2 percent of the pool of registrants available for service; prior to the Vietnam war the percentage was about half the present figure. Even if selective objection should result in several times the number of conscientious objectors, manpower requirements could hardly be

adversely affected, given the large pool of available registrants.

Concern has been expressed as to the possible effects of selective objection upon the morale of men in the Armed Forces. It seems quite possible that our continued refusal to recognize the rights of conscience would have more harmful effects on morale than would recognition.

Our servicemen have been compelled by the horrible realities of Vietnam to reexamine the basic assumptions of war. A small but growing number are refusing military orders on conscientious grounds. Providing legitimate channels for the expression of conscience could well alleviate some of these problems.

Finally, let me address myself to the contention that selective objection would be impossible to administer. While the language of the amendment is quite flexible, suggesting some general procedures that might be used in its implementation should help demonstrate the feasibility of this proposal.

The often-harassed and overworked local boards of the selective service system immediately come to mind. Are local boards ready for selective objection? It is important to keep in mind that for any claim of conscience, sincerity is the basic criterion. Local boards are already required to give close attention to conscientious objector claims and to make findings about the nature and sincerity of registrants' beliefs. Selective objection is no different in principle in this respect than the present "total objection" provisions.

Implementing the service requirements for selective objectors should not present any insurmountable obstacles. Those liable for civilian alternative service could be utilized in the present civilian work program as it stands.

For those who are liable for limited military service, some new procedures and regulations would be necessary, but it would seem to be no more complicated than many of the present special enlistment programs, or the present program for noncombatant conscientious objectors.

The local board and the registrant would furnish the Armed Forces a statement of the registrant's beliefs, specifying what types of duty or what geographical areas he is limited to. As part of the regular screening process, the Army would decide whether the registrant should be disqualified because of too restrictive beliefs.

If found qualified he would be given an opportunity to enlist in any branch of the Armed Forces for any duties consistent with his belief. Once enlisted or inducted, he would be handled similarly to the other men having "guaranteed" occupation specialities or geographical assignments. If he is opposed to handling weapons, he would be given training similar to that now given noncombatants.

Selective objection is a practical and equitable addition to our draft laws. It offers many benefits to all concerned. Its adoption would be a sign to many young people on the verge of rejecting our society that rational and orderly change is possible within our system.

It would be a step in the direction of a freer, more just, and more tolerant society.

It should be done without delay.

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

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Michigan. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. Mr. President, I have a live pair with the able Senator from Washington (Mr. MAGNUSON). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Having already voted in the affirmative, I withdraw my vote.

I announce that the Senator from Indiana (Mr. BAYH), the Senator from Nevada (Mr. CANNON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Georgia (Mr. GAMBRELL), the Senator from Oklahoma (Mr. HARRIS), the Senator from South Carolina (Mr. HOLLINGS), the Senator from North Carolina (Mr. JORDAN), the Senator from Washington (Mr. MAGNUSON), the Senator from Montana (Mr. MANSFIELD), the Senator from Montana (Mr. METCALF), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Maine (Mr. MUSKIE), and the Senator from Illinois (Mr. STEVENSON) are necessarily absent.

I further announce that the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUYE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Louisiana (Mr. LONG) are absent on official business.

I also announce that the Senator from South Dakota (Mr. MCGOVERN) is absent because of illness.

On this vote, the Senator from Indiana (Mr. BAYH) is paired with the Senator from Arizona (Mr. GOLDWATER). If present and voting, the Senator from Indiana would vote "yea" and the Senator from Arizona would vote "nay."

On this vote, the Senator from South Dakota (Mr. MCGOVERN) is paired with the Senator from Mississippi (Mr. EASTLAND). If present and voting, the Senator from South Dakota would vote "yea" and the Senator from Mississippi would vote "nay."

I further announce that, if present and voting, the Senator from Georgia (Mr. GAMBRELL) and the Senator from Illinois (Mr. STEVENSON) would each vote "nay."

Mr. SCOTT. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. FANNIN), the Senator from Wyoming (Mr. HANSEN), the Senator from Nebraska (Mr. HRUSKA), and the Senator from North Dakota (Mr. YOUNG) are absent on official business.

The Senator from Nebraska (Mr. CURTIS) is absent because of death in his family.

The Senators from Maryland (Mr. BEALL and Mr. MATHIAS), and the Senator from Arizona (Mr. GOLDWATER) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

Also, the Senator from Massachusetts (Mr. BROOKE), the Senator from Kentucky (Mr. COOPER), the Senator from New Hampshire (Mr. COTTON), the Senator from Michigan (Mr. GRIFFIN), the Senator from Illinois (Mr. PERCY), the Senator from Connecticut (Mr. WEICKER) are necessarily absent.

On this vote, the Senator from Massachusetts (Mr. BROOKE), the Senator from Nebraska (Mr. CURTIS), the Senator from South Dakota (Mr. MUNDT), and the Senator from Illinois (Mr. PERCY) would each vote "nay."

On this vote, the Senator from Arizona (Mr. GOLDWATER) is paired with the Senator from Indiana (Mr. BAYH). If present and voting, the Senator from Arizona would vote "nay" and the Senator from Indiana would vote "yea."

The result was announced—yeas 12, nays 50, as follows:

[No. 88 Leg.]

YEAS—12

Church	Hatfield	Nelson
Cranston	Hughes	Pell
Gravel	Kennedy	Tunney
Hart	Moss	Williams

NAYS—50

Allen	Eagleton	Proxmire
Allott	Ellender	Randolph
Anderson	Ervin	Roth
Baker	Fong	Saxbe
Bellmon	Gurney	Schweiker
Bentsen	Humphrey	Scott
Bible	Jackson	Smith
Boggs	Javits	Sparkman
Brock	Jordan, Idaho	Spong
Buckley	McClellan	Stennis
Burdick	McGee	Stevens
Byrd, Va.	McIntyre	Symington
Case	Miller	Taft
Chiles	Packwood	Talmadge
Cook	Pastore	Thurmond
Dole	Pearson	Tower
Dominick	Prouty	

PRESENT AND GIVING A LIVE PAIR AS PREVIOUSLY RECORDED—1

Mr. Byrd of West Virginia, for.

NOT VOTING—37

Aiken	Goldwater	McGovern
Bayh	Griffin	Metcalf
Beall	Hansen	Mondale
Bennett	Harris	Montoya
Brooke	Hartke	Mundt
Cannon	Hollings	Muskie
Cooper	Hruska	Percy
Cotton	Inouye	Ribicoff
Curtis	Jordan, N.C.	Stevenson
Eastland	Long	Weicker
Fannin	Magnuson	Young
Fulbright	Mansfield	
Gambrell	Mathias	

So Mr. HART's amendment was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote whereby the amendment was rejected.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 75

Mr. KENNEDY. Mr. President, I call up my amendment No. 75, and ask that it be modified in the following manner——

The PRESIDING OFFICER. The Senator will send his modification to the desk.

Does the Senator wish that his amendment be stated?

Mr. KENNEDY. I ask that the amendment be stated as modified.

The PRESIDING OFFICER. The amendment as modified will be stated.

The legislative clerk read as follows:

On page 24, beginning with line 7, strike out all following "unless" through line 15, and insert in lieu thereof the following:

Numbers greater than those authorized in this subsection are authorized by a law enacted after the date of enactment of this subsection.

Mr. KENNEDY. Mr. President, I understand, under the previous agreement, that we will have an opportunity to conduct the debate on this amendment tomorrow. I do not believe there are a sufficient number of Senators present to ask for the yeas and nays.

Mr. STENNIS. We can do that tomorrow.

The PRESIDING OFFICER. Does the Senator request the yeas and nays?

Mr. KENNEDY. Yes; I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. KENNEDY. Thank you very much, Mr. President.

As I understand, we will have an opportunity to explore this. I think it is one of the very basic and most important concepts that we will have an opportunity to discuss in the course of this debate, and I am very hopeful that we can have the attention of our colleagues in the Senate.

The basic issue in question is who will really establish and fix the figure for the authorization of drafting young men into the Armed Forces; will it be Congress, or will it be the President?

I am hopeful of having remarks to make about this question in the course of the debate tomorrow.

Mr. STENNIS. Mr. President, I yield myself 1 minute.

How much time is allotted on this amendment?

Let us have order, please.

The PRESIDING OFFICER. The Senate will be in order, so that we may all hear the Senator from Mississippi.

Mr. STENNIS. The reporter cannot hear me talking here.

The PRESIDING OFFICER. Three hours total, therefore 90 minutes on each side, to be equally divided between the Senator from Massachusetts and the Senator from Mississippi.

Mr. STENNIS. What time does the leadership propose to convene tomorrow morning, and that this matter be laid before the Senate?

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

Mr. STENNIS. Yes.

ORDER FOR ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, under the previous order, the Senate will convene at 9 o'clock tomorrow morning. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until tomorrow morning at 9 o'clock.

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

Mr. STENNIS. Mr. President, what time does the leadership expect this matter to be laid before the Senate for debate?

Mr. BYRD of West Virginia. At 9:30 tomorrow morning.

Mr. STENNIS. Mr. President, I strongly object to being brought back here at 9:30 a.m. to start the debate. Probably not more than four or five Senators will be in the Chamber. I think the rule of reason has run out. I hope we can work out something not to start this debate—I think it is important, as the Senator from Massachusetts has said—until 10 a.m. I can be here at 8 a.m. and keep going, but we do not have the attendance here to hear these matters discussed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I may say to the distinguished Senator from Mississippi, the very able manager of the bill, that, under the changed order, the unfinished business will not be laid down until 10 o'clock tomorrow.

Mr. STENNIS. I thank the Senator. I think that is a wise move.

The PRESIDING OFFICER. Does the Senator from West Virginia wish the morning to commence at 9:30 a.m.? Under the previous order, it was to commence at 9 a.m.

Mr. BYRD of West Virginia. The Chair is eminently correct.

I ask unanimous consent that tomorrow, immediately following the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, not to extend beyond 10 a.m.; that upon the conclusion of the transaction of routine morning business, the unfinished business then be laid before the Senate.

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

Mr. STENNIS. If the Senator will yield, may we have a quorum call at 10 a.m., when this matter is laid before the Senate, to at least let the membership know what the situation is?

Mr. BYRD of West Virginia. Yes.

Mr. STENNIS. We will divide the time.

Mr. KENNEDY. If the Senator will yield, I would be glad to have a quorum call, with the time equally divided, with notification in the RECORD that it will be a live quorum. I think this is an important issue. I do not think it will take a great deal of time to dispose of it. If the chairman of the committee feels that this would be advisable, I would certainly support that proposal, if he feels that it is worth while.

Mr. STENNIS. As to the live quorum, we do not want to yield too much of our time in attempting to get a live quorum. We have agreed to yield time equally on each side. If we have a live quorum, not more than 40 minutes should be charged to our time on the amendment.

Mr. BYRD of West Virginia. Mr. President, on tomorrow, when the unfinished business is laid before the Senate, there will be a quorum call; and it will be a live quorum in conformity with the wishes of the two distinguished Senators. I ask unanimous consent that not more than 40 minutes of the time required for the quorum call be taken from the time on the amendment, such time to be equally divided between both sides.

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

ORDER FOR WAIVER OF THE GERMANENESS RULE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Pastore rule of germaneness now be waived and that any time consumed for the transaction of routine morning business at this point not be charged against either side on the amendment.

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

THE NATIONAL CONVOCATION OF LAWYERS TO END THE WAR

Mr. HART. Mr. President, I wish very much that one could convey in the RECORD the emotions and not just the black and white print of a speech I heard last night.

One in a tragically long succession of groups has come to the Capital of this country to petition us to end the war, our involvement in Vietnam. Informally organized though it is, it marches under the caption "The National Convocation of Lawyers To End the War."

Last night, at the Washington Hilton, hundreds of lawyers from this country assembled. The purpose was to review the pending legislation and to establish some manageable program for lobbying. If ever the word "lobbying" should have a connotation of honor, this is the occasion.

These distinguished lawyers heard an address by the able senior Senator from Massachusetts (Mr. KENNEDY). I was in the audience. It is for this reason that I wish so much that the setting, the voice of the auspices that brought us together, the purpose for which we were assembled, all could be conveyed in this RECORD. Of course, that is not possible.

Senator KENNEDY's speech and manner gave me pride, to know that here was a Senator in the Senate of the United States. He was great.

I ask unanimous consent that the words, just in the black and white print, of our colleague, the Senator from Massachusetts, be printed in the RECORD.

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

ADDRESS OF SENATOR EDWARD M. KENNEDY

And so we meet again: different faces, different audience, different speaker, but the same subject. We meet again—you and I who oppose this war, to hear and give another speech, another exhortation, another call to

reason. We hope this is the last time. We hope we will be effective. I want to get back to the business of the Congress, you want to get back to the law, the young to their studies, the businessman to his shop, the old to the problems of their security. But it all must wait while we meet again.

We are the vanguard of a growing people's army to end the war and cleanse the conscience of America. From every corner of the nation we have come together in the noblest tradition of the American legal profession. Tonight, and for the duration of the debate, however, we are neither corporate lawyers nor criminal lawyers, tax lawyers nor trial lawyers. We are neither Republican nor Democrat, north nor south.

We come representing the people. We come as advocates of a restless, yearning spirit of America, a spirit that prays for peace and a final ending of the war.

What is this game that others play with us? Why is the will of the people so thwarted, the hope for peace denied? What is it about the immoral act of war in Vietnam that gives it a life and license of its own? There is no answer, except to say that because Congress slept, the Constitution failed to function and America lost its way.

But it is more than that today. It is fear that perpetuates this war. Men in high places fear the conclusion staring them in the face. The war in Vietnam is only about who shall control the Government of Saigon—no more, no less. Yet fear precludes the only answer that means peace.

There will be no peace, there will be no end to killing, until the conclusion, first stated by a man who died three years ago this week—the concept of a coalition government—is met and understood. In those days, that conclusion was ridiculed as placing the fox in the chicken coop. The ridicule was unjust. But today the concept of a coalition government is called "defeat." And that is hypocrisy. Have we progressed or are we walking backwards?

What has the President to fear? Surely not the loss of office. Surely not the judgment of history. The loss of office is a fear that can never justify the sacrifice of a single human life. And the judgment of history should not be feared at all, since it is a judgment made long ago on Vietnam by people throughout the world.

The President came to office pledging to end the slaughter—and today 14,000 more Americans are dead.

The President invokes his Quaker heritage—and today, we indiscriminately bomb innocent Asian people.

The President came to office with the reputation of a conscientious man—and today the advice of old—that "a conscientious man would be cautious how he dealt in blood"—goes forgotten and ignored.

So what are we to do? It has been suggested and tried that Washington be closed down by civil disobedience. No men of good will support that action. But, more important, when the action was put down by unconstitutional means, men of good will—men like yourselves—did not rush to support the Constitution, which in the end is all we have to protect us against the tyrant's heavy hand. There was a shameful silence in America, while American people were detained in American jails, on no charges, with no identification, and none of the protections that the law gives even the most desperate criminals. That they were arrested in the streets was, for many, their own fault. But that they lingered in detention, stripped of due process, was the fault of you and me and those everywhere who love the law.

"Wise men often tremble," said Edmund Burke. "Wise men often tremble at the very things that fill the thoughtless with security." A month ago, we had security to spare, but at a price we should never have had to pay, because there was not enough trembling—there was not enough protest—by you and me and those who love the law.

In past months, we have succeeded in unmasking the rhetoric and strategy behind Vietnamization, the policy that is President Nixon's own contribution to the war.

Time and again, we have demonstrated that Vietnamization means only war and more war in Indochina, instead of an end to war.

The argument for Vietnamization cannot stand the light of day. The only question that remains is how long the process itself can go on, now that its logic has been destroyed.

At last, the ultimate and cynical reality of our policy is beginning to dawn on the American people. The only possible excuse for continuing the discredited policy of Vietnamizing the war, now and in the months ahead, seems to be the President's intention to play his last great card for peace at a time closer to November, 1972, when the chances will be greater that the action will benefit the coming presidential election campaign.

How many more American soldiers must die, how many innocent Vietnamese civilians must be killed, so that the final end to the war may be announced in 1972 instead of 1971?

Do our ears deceive us? Do we really hear today that the President's advisers would now increase the rate of troop withdrawals, not because it would save lives and lead to peace, but because it would lead to fewer American veterans addicted to narcotics? Has Vietnam done this to us?

The President offers only two rationales against setting a date today to end the war. He tells us that to do so will jeopardize the prisoners, and will jeopardize the so-called "reasonable chance of survival" he wants to give South Vietnam.

Again and again, we have seen that these rationales are sterile. We know that the Government of South Vietnam must stand or fall on its record of the past and its promises for the future for the people of Vietnam—not on any supposed assistance by a residual force of American troops and bombs. The survival the President is talking about is not the survival of South Vietnam itself, but the survival of President Thieu and his government in Saigon.

Last week, a law was passed in South Vietnam that virtually bars all competition to President Thieu in this fall's election. America said nothing. America did nothing to oppose it. Yet, that is the government American soldiers are fighting and dying for. And the shame is overwhelming, for that is the kind of government American soldiers have always fought and died against.

The epigram of the philosopher Williams James, opposing our war to annex the Philippines in 1900, says it all today. Our conduct in Vietnam has been one protracted infamy towards the Vietnamese, and one protracted lie towards ourselves.

The deceptions surrounding the issue of the prisoners are especially cruel because we know the fresh suffering endured by their families and themselves each day the war is prolonged. Tragically, the prisoners have become pawns in the master political plan of President Nixon. The North Vietnamese have already made a clear and continuing offer to discuss the issue of the prisoners as soon as the United States has set a date to end the war. But that offer to negotiate has been rejected out of hand by the Administration. Instead, our policy is to demand more from North Vietnam than just an "offer to discuss." We want, the Administration says, a firm commitment by North Vietnam to release the prisoners, in return for any basic concession on the part of the United States to end the war.

What possible justification can there be for the Administration to drive this overreaching bargain? The McGovern-Hatfield amendment itself tells the basic irrationality of the Administration's position, in language that every citizen can understand. If we set a date to end the war, the amendment says, the date will be put off unless there is a prompt and sufficient response by North Vietnam for the release of the prisoners.

That is all the President has to do. Why does he relentlessly pursue the demand for a strong commitment, when North Vietnam has so clearly indicated its willingness to discuss the issue once the American withdrawal date is set?

Surely, given the rate of troop withdrawals and the obvious political necessity that the withdrawals should continue, a residual force of American troops remaining in Vietnam will have no relevance whatever to our ability to release the prisoners. All that is sure to happen is that more soldiers and civilians will die, more prisoners will be taken, and more families will be broken, while the debate over the prisoners is prolonged.

We are the great and powerful country. Yet now America stands glaring at North Vietnam across the gulf of unending war, because each of our nations demands that the other must make the first concession.

Surely an American President ought to be willing to go the extra mile in seeking ways to negotiate the release of the prisoners, instead of seeking new arguments to delay the resolution of the issue.

We know from past experience that we can reach agreements with the North Vietnamese. We know that Lyndon Johnson reached an understanding before the bombing halt in 1968. We know that after the Geneva Conference in 1954 the prisoners were returned to France.

Why, then, are we suddenly unable to negotiate an understanding about our own American prisoners? The path we ought to take is clear. All we lack is the will.

But the message about the prisoners is clearer even than that. Despite the upside-down argument of the Administration one thing is clear: the way to release the prisoners is to end the war—not, by some Alice-in-Wonderland logic, to insist that we can get them out by refusing to end the war.

And so, as we join the battle in earnest for the McGovern-Hatfield amendment this week and beyond, we must keep the great issue of the war at the center of the debate. We cannot be fooled by the false arguments of those who say the war must go on.

We must recite again the terrible effects of the war on the people of America and Indochina. We must recite the lives lost and the homes destroyed in Asia. We must recite the anguish of the prisoners and their families.

We must recite the bitter divisions of our people here at home, the disaffection of our youth. We must recite the deceptions of our government and the undermining of our Constitution. We must recite the billions of dollars wasted that we could have used to build a better America and a better world. And, we must recite the missed opportunities on all the great issues here at home, like race, and health, and education; and all the great issues abroad, like SALT and NATO and Berlin, and Africa and Israel and Latin America.

And, most difficult of all, we must destroy the cancer that has been transforming the noble spirit of our nation in the eyes of our own citizens and in the eyes of freedom-loving peoples throughout the world. We must spread the truth that our present policy is a policy of war, not of peace; a policy

of violence, not of love; a policy of despair, not of hope—a policy that can only drag us further down into the abyss of death and immorality into which we have been descending for so long.

All these things you must tell to every one of us in Congress and to every office of government, until at last you make us understand, until at last you make us act to end the war.

And once these truths are known, I am confident that Congress will see the road it has to take. We will embrace our basic constitutional power and responsibility, and we will legislate December 31 as the date to end the war.

The brutalities we have committed in Vietnam in the name of America's national interest will remain forever in the history of the war. And some day, when the war is over, and let us at least be able to say, it ended because Congress at last awakened, and the Constitution began to function, and America found its way.

The Executive Branch has faltered, paralyzed by the prospect of peace. The legal profession of the nation can help Congress lead the way, so that when future generations read the tragic story of Vietnam, they will see a final brighter chapter, in which, in spite of the hideous story of the war, the basic good sense and decency of ordinary citizens everywhere prevailed, and America chose peace.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further business before the Senate?

Mr. BYRD of West Virginia. Mr. President, I will suggest what I hope will be the final quorum call for the day.

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

ORDER WITH RESPECT TO THE GERMANENESS RULE ON TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Pastore germaneness rule on tomorrow not become operative until the final disposition of amendment No. 75, offered by the Senator from Massachusetts (Mr. KENNEDY).

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

ORDER FOR ADJOURNMENT ON WEDNESDAY, JUNE 9, AND ON THURSDAY, JUNE 10

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on tomorrow and on Thursday it stand in adjournment each day.

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

Mr. BYRD of West Virginia. Mr. President, orders for the convening hours on Thursday and Friday have already been entered, to wit, 9 a.m. each day.

ORDER FOR ADJOURNMENT FROM FRIDAY TO MONDAY, JUNE 14, AT 9 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when the Senate completes its business on Friday next, it stand in adjournment until 9 a.m. on Monday, June 14, 1971.

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

Mr. BYRD of West Virginia. Mr. President, it is understood that these convening times are subject to change.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 9:30 a.m. Immediately following the recognition of the two leaders under the standing order, there will be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, the period not to extend beyond 10 a.m.

At 10 a.m., the unfinished business will be laid before the Senate and the pending question will be on the adoption of amendment No. 75, as modified, by the distinguished Senator from Massachusetts (Mr. KENNEDY).

Immediately, Mr. President, upon the laying down of the unfinished business, there will be a quorum call, and it will be a live quorum. The time consumed on that quorum will be charged equally against both sides, up to 20 minutes to each side. If more time than a total of 40 minutes is consumed in that live quorum, the time required beyond the 40 minutes will not be charged against either side.

Time on amendment No. 75, as modified, in total, will be 3 hours, under the previous agreement, to be equally divided.

At the conclusion of the allotted time on the amendment, there will be a rollcall vote, the yeas and nays having already been ordered.

It is the understanding of the leadership that upon disposition of amendment No. 75 offered by the Senator from Massachusetts (Mr. KENNEDY), the distinguished Senator from Ohio (Mr. TAFT), will call up his amendment No. 90, concerning which agreement has been reached limiting time thereon to 3 hours. Following action on amendment No. 90, other amendments will be called up.

Mr. President, there will be a number of rollcall votes on tomorrow. And Senators will want to keep in mind the live quorum at 10 a.m.

ADJOURNMENT TO 9:30 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9:30 a.m. tomorrow morning.

The motion was agreed to and (at 8 o'clock and 2 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, June 9, 1971, at 9:30 a.m.

CONFIRMATION

Executive nominations confirmed by the Senate June 8, 1971:

CIVIL SERVICE COMMISSION

Jayne Baker Spain, of Ohio, to be a Civil Service Commissioner for the term of 6 years expiring March 1, 1977.

EXTENSIONS OF REMARKS

STEREOTYPING CAN LEAD TO DISCRIMINATION

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 7, 1971

Mr. ANDERSON of California. Mr. Speaker, one of the human weaknesses is that some people tend to place individuals in categories for which there is no justification. They form a mental picture of an individual based on his racial or ethnic background, even before they have ever met him.

A human being is like a puzzle and some people place the parts together before they have the instruction on how he fits. They have a preconceived idea of how a person will act, what they think, and how they look. Thus, they tend to subconsciously accept or reject people before they really know them.

This practice of stereotyping individuals hurts their growth and understanding. They do not take the time to build a firm relationship with the individual due to some preconceived notion. Thus, they do not know the feelings, the problems, and the ideas of those who are in the categories which they have been subconsciously rejecting. They only know those who have been allowed to enter their little world which they have constructed.

But, this practice also hurts those who have been rejected. This is especially true of minority groups who have not been allowed equal participation in the civic, social, and economic segments of the community.

Examples of discrimination by stereotyping an individual are with us every day. If a person is black, many subconsciously assume that he is lazy, and probably on welfare. If a person is of Italian extraction, many unjustly assume that he is a part of organized crime. If a person has long hair, many assume that he is a "hippie" and could be a drug addict. If a person is of Mexican heritage, many picture him taking a siesta when he should be working.

Mr. Speaker, there is no excuse for this practice of stereotyping. But, when an advertising agency attempts to take advantage of this weakness, and when it stereotypes those who are daily victims of racism, it is intolerable.