

HOUSE OF REPRESENTATIVES—Wednesday, June 16, 1971

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Man shall not live by bread alone, but by every word that proceedeth out of the mouth of God.—Matthew 4: 4.

O God of grace and glory, we come to Thee in the mood of prayer, drawn by compelling needs and deepening desires which Thou alone canst help us meet. Have mercy upon us, pardon and deliver us from all our sins, confirm and strengthen us in all goodness, and bring us to new life in Thee for our own good and for the good of our beloved land.

Richly bless our President, our Speaker, and these chosen Representatives of our people that with wisdom and understanding they may bring peace to our world, unity throughout our country, and good will in the hearts of men: to the glory of Thy holy name. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 979. An act to extend the act of September 30, 1965, as amended by the acts of July 24, 1968, and October 13, 1970, relating to high-speed ground transportation, by removing the termination date thereof, and for other purposes.

The message also announced, that Mr. LONG, Mr. HOLLINGS, Mr. INOUE, Mr. GRIFFIN, and Mr. STEVENS have been appointed as conferees on the bill (H.R. 4724) entitled "An act to authorize appropriations for certain maritime programs of the Department of Commerce," to replace Mr. LONG, Mr. PASTORE, Mr. HOLLINGS, Mr. GRIFFIN, and Mr. PROUTY, thereon.

THE "TRUTH HURTS" FILE

(Mr. JACOBS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JACOBS. Mr. Speaker, among the top secret classified files of this administration's department of "truth hurts" I find the following:

Once upon a Times a little paper boy discovered great gaps in the credibility in which the Emperor claimed to be clothed.

So the emperor sued the little boy and tried to put him in jail for finding out.

And nobody lived quite the same ever after.

Mr. Speaker, the administration's policy is to save the Communist censorship-emulating Saigon dictatorship at all costs—including American lives, dollars, and even American democracy, itself.

Vietnamization is finally working—on us.

President Nixon has always wanted to do something for the first time in history. History will record on that 15th day of June 1971, he made it.

We were born free.

COMMEMORATING 50TH ANNIVERSARY OF LYNWOOD, CALIF.

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 448, commemorating the 50th anniversary of the incorporation of the city of Lynwood, Calif.

The Clerk read the resolution as follows:

H. RES. 448

Whereas the fiftieth anniversary of the incorporation of the city of Lynwood, California, will occur on July 16;

Whereas the strategic location of the city of Lynwood midway between the cities of Los Angeles and Long Beach provides its residents with full advantages of a great metropolitan center plus the added features of many beach cities all within a distance of twelve to fifteen miles;

Whereas the growth of the city has been planned carefully taking into consideration all the zoning requirements of good civic programing, with fine business districts, residential areas and specific areas zoned for industry and with no slum or retarded areas;

Whereas the well-equipped community cultural center gives recent evidence of continued civic improvement with a large park covering over fifty acres, a swimming pool built to Olympic specifications, city hall and civic center, a new public library, and most recently a new community services building;

Whereas nineteen schools are geographically spaced to provide the best in education and twenty-five churches representing many faiths and denominations meet the spiritual needs of Lynwood residents;

Whereas the people of Lynwood give generously of their time and talents to service clubs, fraternal organizations, parent-teachers' associations, senior citizens groups, veterans and patriotic organizations;

Whereas the city of Lynwood has received the All America City Award of the National Municipal League based on the accomplishments of the citizens of Lynwood working together and efficient municipal administration; and

Whereas the ideal conditions of the community for employment, homelife, the raising of a family, participation in development of the community, and enjoyment of Lynwood's ideal family illustrate the aptness of the city's slogan "The Best Place—To Live Best": Therefore, be it

Resolved, That the House of Representatives send congratulations to Lynwood and her citizens on the occasion of the fiftieth anniversary of the city's incorporation and best wishes for continued progress and prosperity in the years ahead.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OFFERED BY MR. EDWARDS OF CALIFORNIA

Mr. EDWARDS of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWARDS of California: On pages 1 and 2, strike out all "whereas" clauses.

The amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CITY OF LYNWOOD CELEBRATING 50TH ANNIVERSARY

Mr. DEL CLAWSON. Mr. Speaker, the 50th anniversary of the incorporation of the city of Lynwood is being celebrated at a point in history when so many local governments are foundering and in need of assistance that the record of this particular city is especially noteworthy. The pride of Lynwood's government and citizens is well founded. On a pay-as-you-go basis Lynwood has constructed a cultural center—Bateman Hall—its city hall, a large police department complex, a community center, and two fire stations—all paid for at the time of construction. The city currently has a bonded indebtedness of only \$80,000—for a natatorium, with olympic-sized indoor pool—and this obligation has been met steadily on schedule.

Storm drains, sewers, lighting systems, and city streets have been completely funded by the city. No Federal aid programs have been requested, and none are contemplated. Lynwood, in addition to the aforementioned facilities, has some of the largest parks in the Los Angeles County area. I know of no slums in Lynwood. In fact, urban blight is stamped out relentlessly before it can rear its ugly head.

I am proud to number this self-sufficient, progressive city among the 13 cities of California's 23d District I represent in the U.S. Congress. The people of Lynwood merit our commendation and friendly greetings as they observe their 50th anniversary.

THE WAR, THE NEW YORK TIMES, AND THE ATTORNEY GENERAL

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, the publication by the New York Times of the Pentagon study of U.S. involvement in Vietnam shows how essential it is that Congress assert its responsibility in the conduct of foreign policy. The Pentagon documents reveal how the executive branch prepared for war and engaged in clandestine military actions in North

Vietnam without authority of the Congress for months before the Gulf of Tonkin incident. As a matter of fact, the State Department had drafted a proposed congressional resolution in May of 1964—the precursor of the Tonkin Gulf resolution—which was intended to be used as the excuse for committing U.S. Armed Forces to combat. There is revealed a deplorable and indefensible lack of candor, dissembling, and outright deception practiced by the executive branch.

Two events must now occur. First, the Congress must vote to end the war. We will have that opportunity today, when we consider the military procurement authorization bill, by voting for the Nedzi-Whalen amendment, and the Senate will have that opportunity by voting for the McGovern-Hatfield amendment today.

Second, Congress must carry out a full and complete investigation of all of the facts surrounding our involvement in Vietnam and the escalation of the war. It is crucial that Congress examine the decisionmaking process which has cost our Nation so dearly. All of the information must be made available to the American people.

The Secretary of Defense should immediately make the Pentagon study available to the Congress, so that Congress can fulfill its responsibilities.

This war has gone on for too long at a cost in lives sacrificed and money squandered which is unconscionable.

The American people have the right to know the truth, which will out regardless of the efforts of the Attorney General to suppress it.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FURTHER LEGISLATIVE PROGRAM

(Mr. BOGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOGGS. Mr. Speaker, I take this time simply to announce to the Members of the House that on tomorrow we will call up a travel resolution which has previously been called up, the ILO resolution. I understand that the resolution has been carefully amended and we will call it up tomorrow.

DEATH ON OUR HIGHWAYS

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, yesterday I attended the funeral of an 18-year-old girl, the daughter of one of my closest friends, who was killed in an automobile accident on Sunday night on a very bad stretch of highway in Pennsylvania. This particular stretch of highway is two-lane. It is four-lane on one end and four-lane on the other. However, this area in the middle had not been built into a four-lane highway.

The car she was driving was hit head on by another car and hit by other cars afterward and 11 people were hospitalized.

Mr. Speaker, the point is that there are people who say we are spending too much money on building highways. I know that many automobile accidents happen on four-lane highways, but statistics show that there are far fewer accidents on four-lane highways.

Mr. Speaker, I for one believe that we should get on with the construction of our highway program.

MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND RESERVE STRENGTH AUTHORIZATIONS, 1972

Mr. HÉBERT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 8687) to authorize appropriations during the fiscal year 1972 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Louisiana.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 8687, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Louisiana (Mr. HÉBERT) had 31 minutes remaining, and the gentleman from Illinois (Mr. ARENDS) had 1 hour and 15 minutes remaining.

The Chair recognizes the gentleman from Illinois (Mr. ARENDS).

Mr. ARENDS. Mr. Chairman, I yield 7 minutes to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, I am in favor of a strong national defense, and therefore—subject to exceptions, and as a general proposition—I believe in following the recommendations of the committee in respect to specific items and particular amounts.

Consequently I shall confine my re-

marks to the subject of the Nedzi-Whalen amendment.

This amendment provides as follows:

SEC. 502. (a) No funds authorized to be appropriated pursuant to this Act may be expended after January 1, 1972, to support the deployment of U.S. military personnel or the conduct of any military operations in or over North Vietnam, South Vietnam, Cambodia, or Laos.

If the amendment stopped there it would actually say something, and it would present important constitutional issues for the decision of this House. In my judgment the amendment even in this form would clearly be mistaken, but it would present us with an intelligible issue.

The amendment, however, does not stop there. It follows the rather clear language just quoted with other provisions—designed, I must presume, with the objective of attracting additional support—which, in my humble judgment and with all due respect, largely emasculate the amendment.

These provisions allow for exceptions to the operation of the amendment, for the purposes of insuring the return of prisoners of war, for effectuating safe American withdrawal from Vietnam, for providing asylum for citizens of South Vietnam, and for giving military assistance to South Vietnam, Laos, and Cambodia.

Further, the amendment provides that "this section shall not be construed to affect the constitutional power of the President as Commander in Chief."

Mr. Chairman, the whole issue here is one as to the nature and extent of the power of the President as Commander in Chief of the Armed Forces, as against the war-making powers of the Congress; and I respectfully suggest that an amendment which first seeks to limit and restrict the power of the President to deploy troops, and then states that it in no way affects his power as Commander in Chief of these same troops, is so self-contradictory that it amounts to nothing.

When we turn to the underlying constitutional issue which this amendment, as drawn, actually fails to present, we find that article I, section 8 of the Constitution of the United States gives to the Congress the power to: First, provide for the common defense; second, declare war; third, raise and support Armies and Navies; fourth, make rules for the government of the Armed Forces; fifth, and, of course, the power to appropriate funds.

On the other hand, article II gives the President the Executive power and makes him Commander in Chief of the Armed Forces.

Throughout our history the President, relying on his power over foreign affairs and his prerogatives as Commander in Chief, has taken many actions—without prior consultation with the Congress—to deploy Armed Forces of the United States.

More than once the Congress, or Members thereof, has questioned these Executive actions.

Generally the difference has been resolved by some sort of congressional approval, prior or subsequent, direct or implied, for the Executive action.

This has been largely a matter of practice and of practical cooperation. Nowhere in the Constitution, nor in any legislation or judicial decision, has any definite demarcation line been drawn between the powers of the Executive and those of the Congress in the making and in the conduct of war.

It is altogether probable that the founders preferred not to attempt to draw such a definite line.

Recent events have led to numerous congressional attempts—which are now pending—to do exactly this.

Even brief examination of these several proposals discloses that they raise many intricate and difficult questions of national policy and constitutional law. Drawing satisfactory provisions of this kind is not at all easy, and the questions they raise have no ready answers.

Possibly one of the more hopeful suggestions that have been made is for the creation of a joint congressional committee to act as a consultative body with the President in time of emergency.

At any rate, as Secretary Rogers has said in recent testimony before the Senate Committee on Foreign Relations, "the framers of the Constitution intended decisions regarding the initiation of hostilities to be made jointly by the Congress and the President, except in emergency situations" and, further, as the Secretary said, any efforts to legislate a more specific delineation and demarcation of the war powers should clearly "be considered deliberately and calmly in an atmosphere free from the emotion and the passions that have been generated by the Vietnam conflict."

These matters are worthy of independent consideration, and certainly, I submit, this major effort ought not to be made through the vehicle of a self-contradictory and largely meaningless amendment to a bill authorizing military procurement.

I urge the House to reject the Nedzi-Whalen amendment.

Mr. MINSHALL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Sixty-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 136]		
Abbutt	Diggs	McKinney
Abourezk	Donohue	Mathias, Calif.
Anderson,	Dorn	O'Hara
Tenn.	Dowdy	Pelly
Ashley	Dwyer	Pepper
Baker	Eckhardt	Quillen
Baring	Edwards, La.	Rangel
Bingham	Foley	Rees
Blanton	Gallagher	Runnels
Blatnik	Gettys	Scherle
Broyhill, Va.	Grasso	Scheuer
Buchanan	Gray	Steiger, Ariz.
Chappell	Halpern	Teague, Tex.
Clancy	Helstoski	Terry
Clark	Hollifield	Thompson, N.J.
Clay	Long, La.	Veysey
Dent	McCulloch	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8687, and finding itself without a quorum, he had directed the roll to be called, when 384 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting. The CHAIRMAN. When the Committee rose, the gentleman from Indiana (Mr. DENNIS) had been allocated 7 minutes, and the gentleman had consumed 1 minute of those 7 minutes.

The Chair recognizes the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, as I stated before the quorum call, I shall confine my remarks to the subject of the Nedzi-Whalen amendment.

This amendment provides as follows: SEC. 502. (a) No funds authorized to be appropriated pursuant to this Act may be expended after January 1, 1972, to support the deployment of U.S. military personnel or the conduct of any military operations in or over North Vietnam, South Vietnam, Cambodia, or Laos.

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The amendment, however, does not stop there. It follows the rather clear language just quoted from other provisions—designed, I must presume, with the objective of attracting additional support—which, in my humble judgment and with all due respect, largely emasculate the amendment.

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Further, the amendment provides that—

This section shall not be construed to affect the Constitutional power of the President as Commander-in-Chief.

Mr. Chairman, the whole issue here is one as to the nature and extent of the power of the President as Commander in Chief of the Armed Forces, as against the warmaking powers of the Congress; and I respectfully suggest that an amendment which first seeks to limit and restrict the powers of the President to deploy troops, and then states that it in no way affects his power as Commander in Chief of these same troops, is so self-contradictory that it amounts to nothing.

When we turn to the underlying constitutional issue which this amendment, as drawn, actually fails to present, we

find that article I, section 8, of the Constitution of the United States gives to the Congress the power to: Provide for the common defense; declare war; raise and support armies and navies; make rules for the government of the Armed Forces; and, of course, the power to appropriate funds.

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More than once the Congress, or Members thereof, have questioned these Executive actions.

Generally the difference has been resolved by some sort of congressional approval, prior or subsequent, direct or implied, for the Executive action.

This has been largely a matter of practice and of practical cooperation. Nowhere in the Constitution, nor in any legislation or judicial decision, has any definite demarcation line been drawn between the powers of the Executive and those of the Congress in the making and in the conduct of war.

It is altogether probable that the founders preferred not to attempt to draw such a definite line.

Recent events have led to numerous congressional attempts—which are now pending—to do exactly this.

Even brief examination of these several proposals disclose that they raise many intricate and difficult questions of national policy and constitutional law. Drawing satisfactory provisions of this kind is not at all easy, and the questions they raise have no ready answers.

Possibly one of the more hopeful suggestions that have been made is for the creation of a joint congressional committee to act as a consultative body with the President in time of emergency.

At any rate, as Secretary Rogers has said in recent testimony before the Senate Committee on Foreign Relations:

The framers of the Constitution intended decisions regarding the initiation of hostilities to be made jointly by the Congress and the President, except in emergency situations" and, further, as the Secretary said, any efforts to legislate a more specific delineation and demarcation of the war powers should clearly "be considered deliberately and calmly in an atmosphere free from the emotion and the passions that have been generated by the Viet Nam conflict.

These are matters worthy of independent consideration, and certainly, I submit, this major effort ought not to be made through the vehicle of a self-contradictory and largely meaningless amendment to a bill authorizing military procurement.

I urge the House to reject the Nedzi-Whalen amendment.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise to compliment the gentleman from Indiana (Mr. DENNIS) for address-

ing himself to what, in my judgment, is a very key point in this debate.

We have seen a number of amendments offered here today by well-meaning people—amendments which I submit are ambiguous and totally misleading; especially to the American people.

With specific reference to the Nedzi-Whalen amendment, let me illustrate a point. Early this morning, I had a visit from two Vietnam veterans from California who wanted to discuss this particular amendment with me. Their opening statement was:

Mr. Clausen, we would like to discuss the Nedzi-Whalen Amendment to pull all of our troops out of Vietnam by December 31, 1971.

I could only respond by saying: "Gentlemen, somebody is obviously confused."

On May 28, Mr. WHALEN and Mr. NEDZI issued a joint news release which said, and I quote:

Two members of the House Armed Services Committee will introduce an amendment shortly on the floor of the House of Representatives designed to end U.S. military involvement in Indochina by December 31, 1971.

The release went on to identify the sponsors of the amendment as Mr. NEDZI and Mr. WHALEN, and said that—and again I quote:

It would provide a clear opportunity for the members of the House of Representatives to express their sentiments on the question of setting a date for withdrawal of all U.S. troops from Vietnam, Cambodia, and Laos.

Yet, on this floor yesterday, Mr. WHALEN clearly refuted that and the CONGRESSIONAL RECORD is very clear on this point. In his explanation to us of what the amendment would do and not do, the gentleman from Ohio said:

Let me just state some specific examples of things the Nedzi-Whalen amendment will not accomplish. First, it will not require that troops be withdrawn from South Vietnam after December 31 of this year.

Another case in point. The news release previously cited also stated that:

The Nedzi-Whalen amendment "prohibits the expenditure after December 31, 1971, of new funds contained in this bill, to support U.S. military deployment or military operations in or over South Vietnam, North Vietnam, Cambodia or Laos.

Yet, yesterday, Mr. WHALEN denied that the amendment dealt with military deployment or military operations. Instead, he said:

It prohibits the use after December 31, 1971, of equipment authorized by this bill in or above the four countries of what was formerly known as Indochina.

To make the point perfectly clear, the gentleman from Ohio (Mr. WHALEN) added that, under the Nedzi-Whalen amendment, the military could go right on using equipment already in Vietnam or that authorized by previous congressional procurement programs.

The entire purpose of the gentleman's remarks, as he said, was to clear up any misunderstanding about the amendment. Since there was no followup news release with regard to the gentleman's re-

marks here yesterday, I can only conclude, Mr. Chairman, that a great many people outside this body have misunderstood the basic intent and the primary thrust of the amendment as well.

A sizable segment of the American public who are sick of this war and sincerely want it ended as quickly as possible, have responded in a very positive way to what they were told the Nedzi-Whalen amendment would accomplish, if passed. I will never forget the look on those two veterans' faces this morning; two ex-marines, when they learned that Mr. WHALEN had said that the amendment would not require any troop withdrawals after December 31, nor that this was even the intent of the legislation.

The Nedzi-Whalen amendment has been hailed around the country as "The Amendment To End the War," "The Vietnam Disengagement Act," and "The Amendment To Withdraw Our Troops by the End of the Year." How do we tell the thousands who wrote, called, wired, and visited us here on the Hill that they were deceived or misled or misinformed.

I believe that a vast majority of the Members of both Houses of Congress would leap at the chance to vote for responsible legislation that offered the President some kind of policy guidance to end this war. Thus far, however, the Congress has not even taken a position for or against the President's withdrawal policy.

This, gentlemen, is the constitutional role of the Congress in matters of foreign policy as I understand it and until such time as the Congress assumes that role or changes the Constitution, I shall continue to suggest to the President and his key foreign policy advisers, initiatives I believe will hasten our troop withdrawal program and end the war in Vietnam.

In my mind, there is just no question that the major stumbling block to concluding our withdrawal from Vietnam quickly, is the POW question and, quite frankly, I fail to see how this misunderstood amendment, or any legislative measure, can guarantee the safe return of those Americans held captive in Southeast Asia. As we all know, this country had some experience with the POW question in Korea and I think it would be well if we all remembered that bit of history.

At this time, my greatest hope is, that once the controversy and the heated debate surrounding this issue has subsided, the American people will conclude that, in this instance, the Congress acted responsibly.

Mr. HÉBERT. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Chairman, I ask the gentleman from Illinois if he would yield me 2 additional minutes, which would give me a total of 7 minutes.

Mr. ARENDS. Mr. Chairman, I yield 2 additional minutes to the gentleman from Mississippi.

The CHAIRMAN. The gentleman is recognized for 7 minutes.

Mr. MONTGOMERY. I thank the two gentlemen for allotting me this time.

Mr. Chairman, in my first year of service on the Armed Services Committee, I have been impressed with the diplomacy and ability of Chairman HÉBERT, as well as the hard work and faithful attendance of the committee members at our long and highly technical hearings. The committee members, plus the staff, have spent many hours debating and marking up the bill before you today. It is a good bill which provides the barebone essentials for our future national security and does not contain any so-called fat.

I appreciate the manner in which my chairman has allowed all sides to speak out on the bill and present their views either pro or con. Since there has already been considerable debate on titles I and II, and I feel sure there will be even more, I will limit my remarks to title III plus comments on the Nedzi-Whalen amendment, and to discuss section 303 of the bill. This title deals with the authorized strength level for the selected reserve of each Reserve component of the Armed Forces for fiscal year 1972.

My main concern in whether or not we will be able to maintain this authorized strength level during the coming fiscal year. The strength levels contained in this bill are not some arbitrary figure pulled out of the air. Rather they are based on what our Nation's needs would be should we face a national security emergency. And in the case of the National Guard, they are also based on the needs of each individual State during times of natural disaster or civil disorders. Since July 1, 1970, the National Guard has been called out 132 times just on civil disorders.

Mr. Chairman, the President is aiming for zero draft calls by mid-1973. If the Senate does not act on the bill to extend the Selective Service Act, we will have reached the all-volunteer army not in 1973, but July 1 of this year.

I am concerned that without certain incentives for the Reservists or citizen-soldier our Reserve strengths authorized in this bill cannot and will not be met. I strongly urge the Defense Department to present Congress with recommendations to make the Reserve and Guard more attractive under the all-volunteer concept. I serve on the subcommittee handling reserves. This subcommittee is chaired by Mr. FISHER of Texas. Our subcommittee has been quite active dealing with Reserve problems.

During the coming fiscal year, a great number of the members of the Reserve and Guard who joined during the Vietnam buildup of 1965 will have completed their 6-year obligation. According to recent surveys, very few of these plan to reenlist.

In the past we thought of the National Guard as a trained group of men to be called to active duty during times of national emergency that required a rapid buildup of active duty forces. Their second mission was to assist their friends and neighbors in their State should they be unfortunate enough to suffer through

a hurricane, tornado, flood, or earthquake.

But this is no longer necessarily the case. Hardly a day goes by that a National Guard unit somewhere in the Nation is not placed on alert or actually called out to deal with public disorders. The Guard does not relish this type of duty, but at the same time they realize that public disorders must be dealt with promptly and firmly in order to protect the life and property of the majority of our citizens who are law abiding.

The Guard has instituted new training programs and procedures to better prepare themselves during times of public insurrection. These new programs have better prepared the National Guard to deal with disorderly mobs with the minimum of risks of injury to themselves and those breaking the law.

This new assignment of the guard has also brought about a change in image. The guard has received much criticism, the vast majority of which is without basis in fact. The criticism of the guard and attempts to picture the guard as "storm troopers" is all part of the plan of a vocal minority to discredit the military and weaken our Nation's security.

The chronic complainers of what's supposedly wrong with America and those that appear to be more interested in rule by anarchy have been successful to some extent. Enlistments and reenlistments in the National Guard and Reserve have dropped off considerably and pose a serious threat to our being able to maintain our necessary strength levels.

Mr. Chairman, if the Congress is truly serious in approving the strength levels for the Reserve and guard for fiscal year 1972 as authorized in H.R. 8687, then they must also begin consideration and soon of legislation to improve the benefits for members of the Reserve and guard. We took a step in that direction when we passed the extension of the Selective Service Act containing a significant pay increase.

I have introduced four bills this year which I believe will go a long way toward helping us secure enlistments and reenlistments for the Reserve and guard.

The first bill would reduce the retirement under title III retirement from age 60 to 55 after 20 years of creditable service. This is a very realistic and reasonable age to begin receiving retirement benefits.

A second bill would establish survivor benefits. If a guardsman or Reservist were to die before reaching age 60 after 20 years of creditable service, his widow or survivors would receive a reduced annuity beginning at the time the guardsman or Reservist would have been 60 years of age.

The third bill would authorize payment of proficiency pay to enlisted members of the guard and Reserve who have special skills.

The fourth bill I have introduced to benefit the Guard and Reserve would provide an incentive bonus for members of the Guard and Reserve who reenlist

for at least 3 years following their first 6 years or members of the Regular Forces who enlist in the Guard or Reserve following 2 years of active duty. Those qualifying for the bonus would receive \$1,000 upon reenlistment or enlistment, plus \$200 at the end of each of the 3 years. This would mean a total bonus of \$1,200.

As we push toward zero draft calls, we most certainly will have to improve the benefits for the Reserve and Guard just as we are going to have to do for the active duty Armed Forces.

Mr. Chairman, I believe very strongly in the citizen-soldier concept. In order to maintain this concept through the Reserve and Guard, we must give favorable consideration to the bills I have mentioned and recommendations I hope will be forthcoming from the Department of Defense.

I am concerned about section 303 which is lines 4 through 17 on page 5 of the bill. This section says that if a reservist has less than 120 days to serve on his obligation, he does not have to go to summer camp. I think this is wrong. If a guardsman or reservist has a 6-year obligation, he should serve for 6 years. In this section, in some cases, you will be reducing a man's obligation by 1 year just because he joined the Reserve or Guard instead of being drafted. The section does provide, however, that only reservists who had been on active duty for over 1 year will be eligible to be excused from the 15-day annual training. Under this section some key men in the Reserve program will be able to miss field training where they are mostly needed.

As I understand the Nedzi-Whalen amendment it would not allow any of the equipment authorized in this bill to be used in Southeast Asia. I agree with Mr. WHALEN's statement of yesterday that the amendment really does not do much, but there is the psychological effect of setting a cutoff date of January 1, 1972.

The amendment does not seem to be at all workable. The President could still send helicopters and equipment to Southeast Asia as long as it was not equipment authorized by this bill.

So if you adopt this amendment today, all you will be doing is confusing the situation in Southeast Asia even more.

I am no expert on Southeast Asia, but I have tried to familiarize myself with the situation in that part of the world by making five trips there for a personal firsthand inspection. I have plans to return in August during the recess.

I feel that President Nixon's handling of the Vietnam war is based on very sound policy and is working to end the conflict. I urge you—do not tie our Commander in Chief's hands by adopting the Nedzi-Whalen amendment.

If the countries of Southeast Asia are to remain as free and democratic nations, in my opinion, the only future assistance we should provide would be in the form of financial help. With our monetary support of a realistic amount, I believe Cambodia, Laos, Thailand, and South Vietnam will be able to survive. We are not

losing American lives in Laos, Cambodia, and Thailand and we are winding down our involvement in South Vietnam so we will no longer have a loss of life there. But these countries do need our continued financial support to prevent a Communist takeover.

It would be a shame and black mark on our Nation's proud history of honoring her commitments if we do not continue to provide the financial support for these nations that are trying to help themselves. We will never be able to forget or forgive ourselves for copping out at a time and place when so many Americans have given so much in good faith.

I urge defeat of the Nedzi-Whalen amendment and support for the bill.

Mr. ARENDS. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. PEYSER).

Mr. PEYSER. Mr. Chairman, I have asked for time today to speak very briefly on the Nedzi-Whalen amendment. My reason for speaking is the deep concern I have for making a lasting peace in the world.

I believe there is something we had better realize, that has not been brought out, concerning what we are really voting on today, when we vote on the Nedzi-Whalen amendment, we are voting on the chances of having peace in the years ahead. We are not just voting on an amendment to take us out of Vietnam, even though the proposer of the amendment said that is not what it is going to do, anyway.

We are voting on a question that will let the rest of the world know whether the President of the United States is still in charge of foreign policy and whether the power and authority he has had given to him by the Constitution to act in these areas is really being taken away and overturned.

I think there are a number of countries who are very interested in how the vote is going to go today. I would like to direct your attention, for a moment, to the Mideast, where I believe the Russian force—and the Russians are certainly the power in control there—and the Arab nations are waiting to see what is going to happen in the House of Representatives today. I think if we vote in favor of this amendment and, in effect, refute the President and his ability to handle foreign policy, the Russians and the Arabs could very well read this step as a go-ahead sign to launch an attack on Israel. They may be very seriously misreading the temper of our country and what this Congress is thinking. It would be a tragedy to see a move come about in the Mideast based on our action today, because if such a move were to take place, I think we would find ourselves embroiled in a situation that would be far more serious than anything we are facing in Vietnam.

The President has given us a program from the day he came into office as to what he was going to do in this war. I believe that he has fulfilled, and is fulfilling, his commitment. We are getting out of Vietnam. We are ending our in-

involvement there. I think for us to take this action at this time would be a blow at our country, a blow at the future peace of the world, and at our many young men and women who will be the ones who will have to pay the price of this vote by serving in future wars. I would like to suggest that we do not make the mistake of voting for this amendment.

Mr. PUCINSKI. Will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I appreciate the gentleman's remarks, but I am troubled in another direction, because based on the statement made yesterday by the co-author of this amendment, Mr. WHALEN, this amendment really does not do anything. I am trying to figure out who are we kidding. In discussing his amendment, the gentleman said on page 19962 in this morning's CONGRESSIONAL RECORD:

First, it will not require that troops be withdrawn from South Vietnam after December 31 of this year.

Second, the Nedzi-Whalen amendment will not cut off the pay from any American troops remaining in South Vietnam after the effective date of December 31.

Also, it will not deny American troops the use of equipment and weapons systems that are already in South Vietnam. Nor, will it deny the use of weapons systems authorized in previous procurement programs. Nor does it deny to the administration the right to provide military assistance to our three allies in Indochina.

Nor, as I examine my and Mr. Nedzi's amendment would it prohibit the use of the equipment authorized by this bill by South Vietnamese, or Laotian, or Cambodian troops.

So, really, if you read this amendment very carefully, it does not do anything at all.

Mr. PEYSER. May I speak to that point for a minute?

I did read the statement by Mr. WHALEN, and it is obvious that the American public has been grossly misled by the Nedzi-Whalen amendment. I think the real point and the only point of this amendment is that it provides a way to refute the President of the United States in the handling of his foreign policy. It is a way for the Congress to say that we do not believe that the President of the United States is capable of doing his job.

I believe he is. I believe if we let the countries of the world think that our President no longer has this right, we will be placing our country in grave danger and we will lose the fight for peace.

Mr. CONABLE. Mr. Chairman, will the gentleman yield to me?

Mr. PEYSER. I yield to the gentleman from New York.

Mr. CONABLE. I think the gentleman is pointing out the central issue in today's vote, that is, the issue of the credibility of our leadership. The Nedzi-Whalen amendment is ambiguous, but if passed it is bound to be interpreted throughout the world as a repudiation of the only man who can speak for this country in the field of foreign policy. It is terribly important that this country have a cred-

ible voice in foreign policy not just in Southeast Asia but around the world. I think the gentleman in the well has put his finger on the central issue, and I compliment him on his remarks.

Mr. ARENDS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. GOLDWATER).

Mr. GOLDWATER. Mr. Chairman, yesterday the chairman reminded us that it takes a long leadtime to develop a major weapons system. These words were well spoken, for any new airplane, missile, ship, or electronic system takes time to create.

Why then does the chairman of the committee delete the \$13.2 million for the Cheyenne helicopter? Why does the chairman take this action when he knows that it will create a delay toward production, not to mention the loss of the technical team and money to do so?

So far to date, \$283 million has been spent to develop this superior weapon. It has proven itself and the Army wants it in its inventory. In Vietnam the Army developed and succeeded with a new air mobile concept that has proven itself. An advanced helicopter gunship is the keystone of this concept. Without it, the Army will have to turn the clock back on the toughest job in warfare—maneuver of men and firepower.

The Army seeks a vehicle that has staying power and can carry a variety of and great amounts of weapons—the Cheyenne has demonstrated that it can fulfill that mission.

I fully recognize that the chairman of the Armed Services Committee wants to see the study being prepared by the Department of Defense. I commend the committee for its diligence in seeing that we have the best. But I must remind the committee that the \$13.2 million is only to be used if and when the Department of Defense decides it wants to go into production. If it makes that positive decision on October 1, and the funds are not available, then it must delay 6 months or until the funds can be put into the fiscal year 1973 budget. Again, these funds will not be used unless the committee and the Department of Defense decide to go into production. The important point is if the decision is made it is imperative that funds be available to get ready for production.

There have been many problems with the Cheyenne helicopter. I do not fully understand all its intertwining involvement. These problems have basically been resolved, and now it is up to Congress to fulfill the commitment it made back in 1966.

Therefore, I was pleased to read that the committee will be prepared to consider a reprogramming request from the Army to permit the commencement of Cheyenne production, when such a decision is approved.

It would further be important that after the reprogramming action, funds would be available to get ready for production.

For, Mr. Chairman, it was you who cautioned us yesterday about undermining the efforts of the Department of De-

fense. It was you who said, it takes a long leadtime to develop a major weapons system.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield for a reply?

Mr. GOLDWATER. Yes; I yield to the chairman of the committee.

Mr. HÉBERT. First, the gentleman has answered his own question in connection with his statement referring to the Cheyenne helicopter. The gentleman obviously read the report, on page 32 thereof, in connection with the Cheyenne program.

There is no way in the world that the leadtime is cut off from the production of the Cheyenne by the action of the committee or the action which the Congress will take. The whole issue at hand is the fact that we have three types of aircraft now engaged in the close air support area in which the Marines are asking for the Harrier, the Air Force is asking for the A-X and the Army is asking for the Cheyenne helicopter. These represent three aircraft for close air support. A board has been set up which will make a decision as to which one or combination of these planes are needed or wanted.

All the committee has done is to ask them to make a study in order to determine what they want and then we will consider what they come up with.

As to where to get the money if the decision is made, the \$13.2 million, that is exactly what the committee is attempting to do in its every effort, to make the Department come up with answers and not dillydally around and take an interminable amount of time.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ARENDS. Mr. Chairman, I yield 1 additional minute to the gentleman from California.

Mr. HÉBERT. And not sit around here and let the Congress bail them out with a sort of ghostlike approach where there is no real feeling or physical body to it. That is all we have done with the Cheyenne. So far as the \$13.2 million, if and when it is required, and the Department finally comes up with the decision, then the money can be obtained through reprogramming very easily; \$13.2 million does not represent any serious problem.

Mr. GOLDWATER. That is my concern so that when these questions are resolved that that money be available so that we do not lose the leadtime or our technical ability.

Mr. HÉBERT. I can assure the gentleman from California that \$13.2 million is merely the flick of a finger when there is genuine need for such an item in the service, because they can find it very fast. That is why we look so closely at these programs. But again I can assure the gentleman from California that this will not hurt the Cheyenne one bit.

Mr. GOLDWATER. I thank the gentleman.

Mr. HÉBERT. Mr. Chairman, I yield 10 minutes to the gentleman from New York (Mr. PIKE).

Mr. PIKE. Mr. Chairman, yesterday

our chairman made a fine speech in support of the bill which we are considering, and this was not only because he is a fine speaker and because it was a beautifully worded speech, it was because in keeping with the atmosphere which has pervaded our committee since he acceded to the chairmanship it was a speech in which he questioned the judgments of those who disagreed with him, but did not question their motives. For this we can all be grateful, and I personally cannot express too often the conviction shared, I believe, by all of the members of the committee, that the chairman of our committee has been a good one, a fair one, an honest one, and an honorable one.

Our chairman concluded his speech yesterday with a quotation which I expect is the favorite of many of us, that of Edmund Burke on the necessity of a legislator to use his own judgment and not merely to sacrifice that judgment to the feeling, mood, whim, or opinion of his constituents if he believes them to be wrong. The key word in Edmund Burke's speech, the key word in our chairman's speech, the key word in the debate before us, is judgment. As one whose judgment on this bill differs from his, I can only express pleasure in the fact that after a decade of hearing military procurement bills presented as matters of black and white, of loyalty or disloyalty, of patriotism or cowardice, we are finally performing our role as legislators when we recognize that they are merely matters of judgment.

It is my judgment that we are dealing here with the rhetoric of national strength but the reality of national weakness. We are not strong, because we dig mighty holes in the ground in which we place missiles and antimissile missiles. We are weak because we are a nation in which the people have lost faith in the individuality of its leaders.

We are not strong because we give to the Air Force three prototypes of a new bomber for a nuclear war; we are weak because people resist serving in our military.

We are not strong if we continue to support huge concentrations of troops and bases all over the world; we are weak because our dollar, along with our Government, has lost its credibility.

And finally, we are not strong, because with a war winding down we increase our defense budget; we are weak, because once again we are breaking a promise to the American people—the promise that with the ending of that war there would be new hope for Americans. There would be more money for decent housing, more money for decent schools, more money for decent food, more money for decent clothing, more money for clean air, for clean water, for mass transit, more money to save rotting cities, and more money to save rotting lives. That is the promise which we made to the American people, and that is the promise which we are breaking with our military budgets. That promise, in my judgment, is one which the American people want

kept, and because we are not keeping it I voted against this bill in the committee, and will vote against it on the floor.

I simply do not believe that the weaknesses which most endanger America can be cured by spending increasing amounts for our military. The chairman has asked you to use your judgment, and I join in that plea. Yet there is another reason that I must oppose this bill. The great evil which besets America is not something called the military industrial complex. The generals and admirals who appear before our committee are generally and admirably honorable men. The civilian secretaries who appear before our committee are motivated well and advocate what in their judgment is best for America. But what the chairman has asked, and what I ask, is that you use not their judgment, but your judgment, in voting on this bill.

In the exercise of judgment, always, you must start with the facts, and where do you go for the facts? You go to the hearings, and they are indeed, as the chairman said, thousands of pages long, and there is indeed much within them. If you want to learn about the F-14, for example, you go to page 4239 and you can read this:

Mr. PIKE. I am talking about at Mig-23's maximum altitude (deleted).

Dr. FROSCH. (Deleted).

Mr. PRICE. Mr. Hall?

Mr. HALL. My question follows right after that: Do the requirements set out also encompass combat capability (deleted).

Dr. FROSCH. (Deleted). This is a name I am not familiar with.

Mr. LEGGETT. That is the (deleted).

Admiral RUCKNER. (Deleted).

Dr. FROSCH. I had not heard it called that.

Do you want to make a judgment about the capability of our surface vessels against the Soviet Styx missile? You turn to page 4286, and you read this:

Dr. FROSCH. On the ships that are equipped with Tartar or Terrier, the Tartar or Terrier systems, and the Standard missile, they have a capability of firing those missiles against an incoming missile. And they have something like a (deleted) probability of kill per missile fired against (deleted). They can do this (deleted). This will mean either they know a potential firing ship is within (deleted). They have that capability. We have some (deleted).

And now you can make a judgment on the capability of our ships.

You want to make a judgment on whether a Mark 48 torpedo is worth what we are paying for it? You go to the hearings and on page 4318 Admiral Halvorsen will tell you whether it's worth it or not:

Admiral HALVORSEN. Total program unit cost, as in the December SAR (deleted) unit cost, total program. That is all the R.D.T. & E. all procurement, all the supporting operations, everything, the whole works, through the achievement of inventory in (deleted).

And now you are supposed to make a judgment on whether the Mark 48 torpedo is worth it or not.

The great evil is not the military-industrial complex. The great evil is secrecy. You are asked to make judgments on things that the good men in the Penta-

gon will not tell you anything about. You are asked to make judgments on issues that the good men in the Pentagon believe the American people are not entitled to know about. This is the evil. Of course, we cannot tell our enemies about the performance of our torpedo and our planes, but we are more likely to tell our enemies about the performance of our torpedoes and planes than we are to tell our taxpayers about their cost.

The judgments which we make here are no different from the judgments we make in our homes, just infinitely bigger. Each of us has resources, but none of us has unlimited resources. Each of us has a wife and children to feed and automobiles to buy and repair and roofs that leak and children that need educating and houses that need paint and vacations we want to take. And all of these things are good things and have value and we cannot ever do all of them at once because our resources are not great enough. So we have priorities, and we feed ourselves and clothe ourselves and fix the leaky roof and pay the college and put off the new car and put off the vacation.

America has great resources, but it does not have unlimited resources, and we are called upon to exercise our judgment as to how its limited resources should be used. It is my judgment that we will strengthen America more by putting \$357 million more into education or cancer research or housing or protecting our environment than we will by buying more C-5A's; that America will be stronger if we spend \$370 million for our mass transportation and for our highways and for our hungry than if we start building a new strategic bomber which will be obsolete before it is built.

It is my judgment that America will be greater if instead of increasing by \$975 million the amount we are going to spend for research and development for our military, above what we spent last year, that we keep faith with the American people and do that which was promised to them, cut our defense spending so that some of the pressing needs of our Nation and our people right here at home may be met.

Mr. REID of New York. Mr. Chairman, will the gentleman yield for one question?

Mr. PIKE. I yield to the gentleman.

Mr. REID of New York. Mr. Chairman, would it be possible in the gentleman's judgment to have the House in executive session, similar to the other body, so that he could read that document without all the deletions?

Mr. PIKE. I think it would be possible to do it, but in order to encompass this bill, you would have to do it for a month and I think that as a practical matter it could not be done.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. What the gentleman is really telling the House is that while doctors "bury" their mistakes, generals mark their mistakes: "top secret."

Mr. PIKE. Absolutely. The military does not intend to classify them, but often they are classified not because of national defense but because of political embarrassment.

Mr. HÉBERT. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. HARRINGTON).

Mr. HARRINGTON. Mr. Chairman, much of what I am going to say has been said already in the course of the hearings that have taken place on this bill. Let me at the outset join with the gentleman from New York (Mr. PIKE) in certainly agreeing that there has been absolute fairness in the approach to the hearings, as far as that goes.

I would like to comment, if I may, on the irony of this particular bill being, I believe, an example of the malfunctioning of the Congress. Yes, we had hearings. Yes, they filled 2,460 pages. Yes, there were witnesses who testified. Yes, we were allowed time to cross-examine witnesses and to ask them questions. Everything on the surface would indicate that we were dealing with the substance of the issues. However, I do not think anyone other than a graduate student would like to ask the question of himself whether or not he has actually read the hearings carefully, or whether, as Mr. PIKE has indicated, he has derived anything of substance from them when he was finished.

The irony of all this is not that any one of us wants to see a diminished defense posture. None of us wants to see us weakened or wants us not to respond to a genuine threat.

The irony of it is that the very people who are most concerned about our military position, who are most concerned about the threat, who are most concerned about having this country strong are, by their penchant for secrecy, or by making this a closed-circuit posture, or by dismissing the few symbolic dissenters as kooks or people to be cavalierly brushed aside, contributing to the frustrations, to the difficulties, and to the so-called antimilitary attitudes about who they complain.

When I asked a general in the Air Force what a classified section of the bill dealing with approximately two-thirds of a billion dollars was for, I discovered that, as a member of this committee in executive session, I could not get an answer. I have found time after time that within the framework of this legislative process there is information that even members of the committee do not have.

I do not think the majority purposes of the committee are well served in this approach. My point is not that we are going to change votes here or transform attitudes that have characterized the Congress in considering defense problems. But I point out that the seeds of what we have gone through in Southeast Asia are in this bill once more. If we want to play at symbols or continue charades in the form of hearings, reports, documents, and testimony, then we can go ahead and, in effect, endorse this kind of approach.

My feeling is, frankly, if Members are interested in seeing an adequate defense

posture, as the gentleman from New York (Mr. PIKE) said, or if they want to get at the question of adequacy or sufficiency, we have to do something about opening the process up to debate that has meaning, that pays something more than lip service to the complex issues involved. I do not believe we have done that, or approached it.

My concern is that all we are going to do is to breed further contempt, further hostility, further suspicion, and contribute to the kind of acrimony that leads generals to shake their heads, wondering why there is an antimilitary feeling in the country.

I believe we have enough strength, enough resources, enough pride, enough reason to defend ourselves without locking doors or pulling the shades down every time somebody mentions "security."

There is little evidence that this sort of attitude has at last begun to seep into the House Armed Services Committee.

My complaint is not with respect to being dealt with fairly. I am sure the senior members of the committee can sum that up better than I can. My feeling is that the irony of the experience is that we have no broader acceptance on the part of the public of the need for security than before we started.

Why? Because we lock the doors and put a guard outside, and we classify material one could read in the daily press with regularity. We are remiss as a body if the example we have seen in the New York Times this week is not sufficient to make us pause and to begin to make us wonder whether we are on a track that only leads to further divisiveness, and whether or not these proceedings have not contributed to this, and whether or not they will in the future also, if we continue in the same fashion.

My point is not that there is going to be a dramatic reversal in the House, at least in the immediate future, but only to really ask the people here whether they feel going through this charade is serving the country, serving our defense needs, and serving our security needs as well.

I should like adequate defense. I am sure the chairman would like adequate defense. I am sure also that we would like the American people to support our efforts in this direction. I do not believe that the hearings to date and the conduct on this bill contribute to these goals.

Mr. ARENDS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GUBSER).

Mr. GUBSER. Mr. Chairman, I have been a member of the Armed Services Committee for 14 years. The gentleman who just left the well of the House will shortly have been a member of that committee for 6 months. I thoroughly understand his frustrations, and I am willing to accept those frustrations at face value.

I also know that the gentleman's words are going to be circulated all over this country in support of the current popular theme that anything military is all bad and Congress is a collection of dupes of the military-industrial complex. The gentleman's words will be used in that context. So I feel compelled to rise in

opposition not to the gentleman's views and thoughts but to the interpretation I know will be given to those views and thoughts across this country.

Yes, it is true that people do distrust the military. It is true that overclassifying and perhaps too much secrecy is partially responsible for such distrust. But let us not forget the fact that all across this Nation there is a dedicated conspiracy to downgrade the military and to downgrade the established institutions of this country. There are those who thrive on sincerely expressed words which draw sweeping conclusions from isolated instances of overclassification.

In the 14 years I have been a member of this committee we have been given a great deal of sensitive, highly classified material. I personally have received some of it. Up until a very few years ago there had never once been a leak of classified information from the House Armed Services Committee. Then along came a couple of occasions where that was not the case.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ARENDS. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. GUBSER. The fact remains that the security of this country does require a classification system. I know that it can be abused and it is probably being abused, but you cannot eliminate the principle or the system of classification entirely and still run a military establishment. This cannot be done.

I fear that because of leaks that have occurred in past years perhaps we are not currently receiving information that we would like to have. Under such circumstances we must face reality and accept the fact that the security of this Nation requires that certain things be kept secret and not be published on the front page of the New York Times.

I hope when the American public reads the gentleman's remarks they will recognize that his frustrations, legitimate and well intended though they may be, do not necessarily tell the entire story.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from New York.

Mr. STRATTON. I thank the gentleman for yielding.

It is always amusing to read a transcript where there has been heavy censorship, and this has been done before of course. However, is it not the case that any Member of this House or of the Committee of the Whole House on the State of the Union who is interested in any of these matters would have an opportunity to read the classified record, without deletions which is in the files of our committee?

Mr. GUBSER. I am not in a position to give the gentleman an answer. I think the answer would be "Yes."

Mr. STRATTON. That is my understanding. I am sure it would apply to the cases that have been mentioned. So if any Member is concerned enough about this matter to get the details, that information would be available to him. But, as the gentleman from California points out, when it is printed in full in the pub-

lic hearings, then it can also go to the enemy as well.

Mr. GUBSER. That is right.

I simply conclude with this statement: If we want to upgrade the level of classification available to the Committee on Armed Services and to the Congress of the United States, then let us prove we are responsible individuals and keep it classified the way it was intended to be.

Mr. ARENDS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I make these remarks for the purpose of getting them in the RECORD for the benefit of the many Members who have asked this very question that I will attempt to answer now by this insertion.

It is true that this year's bill is larger than the similar authorization approved by the committee last year. It is also true that a loaf of bread costs more this year than it did last year. This effect of inflation shows up in the Defense budget as it does in anybody's household budget and is one of the reasons why the bill has to be higher than the 1971 authorization.

The total amount in the committee's bill, H.R. 8687, after accounting for the committee-supported amendment to delete funds for the F-14, will be \$21,069,112,000. This compares with an authorization last year of \$19,595,089,000.

This year's authorization is \$1,474,023,000 above last year's bill.

The reasons for the increase are very simple. One reason, as I indicated, is inflation. Since inflation affects different parts of the Defense budget to different degrees, it is difficult to give a precise estimate of the inflationary impact. The gentleman from New Hampshire (Mr. STAFFORD) in preparing his amendment on research and development, estimated a level of 5 percent for inflation. If we apply a 5-percent factor across the board to last year's authorization, it would chew up almost a billion dollars—\$977,754,450. If a 5-percent inflation is assumed across the board, the actual dollar increase remaining over last year's authorization is only \$496,268,550.

In addition to inflation, there are four reasons why this bill is higher than last year's.

First. We have increased the ship-building account by \$617 million. While a lot of that is chewed up by inflation, a study of the Soviet naval threat, as outlined in the committee's report, leaves no doubt in anybody's mind that we have to increase the rate of modernization in our Navy.

Second. We have increased research and development expenditures by \$860 million over last year. These two areas, ship construction and R.D.T. & E., are the two areas where major, general increases were requested by the administration and approved by the committee. The trend in research and development spending has been downward, while the momentum of Soviet research and development has been dramatically upward. And it was made very clear to our committee that we have to reverse the trend or the Soviets could gain technological superiority over us by the end of

the 1970's. No other aspect of this bill is more important than this need to improve the funding of our research and development to keep up our technological capability in the world. Again, assuming a 5-percent inflation, \$355 million of that research and development increase would be absorbed by inflation.

Third. Improvement in our strategic capability, including \$250 million for additional modernization of our land-based strategic missiles and \$100 million to improve the penetration capability of our strategic bombers.

Fourth. For the first time this year the committee has to authorize the appropriations for the procurement of torpedoes for the Navy. The authorization is \$193,500,000.

In summary, the relatively small actual increase in this year's bill over last year's authorization is easily understood and was dictated solely by clear military requirements and by the effect of inflation.

Mr. HÉBERT. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, I want to thank the distinguished chairman of the Committee on Armed Services for yielding to me at this time.

Mr. Chairman, I have listened to most of the debate on this bill. I take this opportunity to rise in support of the bill.

Yesterday afternoon I am glad that I sat in and listened to a part of the discussion, because one of the cosponsors or authors of the so-called Nedzi-Whalen amendment got up and said exactly what the amendment would not do and is contrary to the extent of 180 degrees to what mail I have been receiving. I have people write and say, "Vote for the end to the war amendment."

The author, or one of the authors of the amendment, Mr. WHALEN got up yesterday and said it would not do any such thing, that it would not remove the troops from Vietnam and that it would not stop anything except to inform the administration about the desires and wishes and the hopes of the American people.

Mr. Chairman, so much for that. I rise in support of this bill, because I am fully convinced that it is necessary for the minimal adequacy of our defense at this time.

Somehow the myth has been extended that we are so superior militarily that the United States is not vulnerable at all. The real truth of the matter is that the United States never has been as vulnerable as it is now. For the first time in the 20th century, and since the last century, a squadron of Soviet modern naval ships with gas turbine engines, none of which our fleet has, cruise at will and have on occasion since 1969 in the Gulf of Mexico and in the Caribbean.

Even as we are meeting here today it is entirely possible at this time for a submarine to even rise to the surface off the coast, because it is there with a so-called multiple reentry vehicle with at least a 1- to 2-megaton delivery system that could send three of these rock-ets into various sections of this country,

including this very Chamber right now, and do it with mathematical accuracy.

Mr. Chairman, I do not think this is something we should completely ignore or summarily say that this is one of those propaganda gimmicks that once a year is brought forward in order to justify expenditures for our defense.

Mr. Chairman, I was one of those who took the lead in striving for accountability in the expenditure of defense funds.

I have not seen any of the critics really in favor of examining such things as the Renegotiation Board.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HÉBERT. Mr. Chairman, I yield 1 additional minute to the gentleman from Texas.

Mr. GONZALEZ. Mr. Chairman, I thank the gentleman for the additional time.

Mr. Chairman, that is not the issue here. The issue here, I think, is one of providing a minimal defense, not the so-called surfeiting of defense, nor the so-called gluttony of defense, because that is nonexistent. I am convinced this time that we are wholly vulnerable—in what manner, shape, and form specifically only time and circumstances can tell us. But the handwriting is on the wall.

Our civil defense is in a shambles. There is no such animal—and I have spoken out on that before.

I think and I hope that the provisions of this bill will at least give us some minimal defense capability so that at least we will be able to get some gas turbine equipped ships in the fleet of our Nation, because during the time that the Russians were cruising during these last three occasions in the Gulf of Mexico and the Caribbean, there was not one American ship we could have deployed. All our ships were elsewhere throughout the world. So this notion that we have a surfeit of defense must be corrected.

Again I thank the Chairman, the gentleman from Louisiana (Mr. HÉBERT), for yielding me this time.

Mr. ARENDS. Mr. Chairman, I have no further requests for time.

Mr. HÉBERT. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. WALDIE).

Mr. WALDIE. Mr. Chairman, while recently in Indochina, I visited Laos and several questions occurred to me, and I would like to address those questions to the chairman of the committee. And may I say to the chairman that I appreciate his courtesy in giving me, a non-member of the committee, an opportunity to speak on this matter.

Mr. Chairman, I would ask the gentleman from Louisiana if the gentleman can tell me if there are funds in this bill for the Central Intelligence Agency?

Mr. HÉBERT. There are funds in the bill for intelligence work of all our agencies, I will tell the gentleman.

Mr. WALDIE. Would that include the Central Intelligence Agency?

Mr. HÉBERT. It does.

Mr. WALDIE. Can the gentleman tell

me in what portion of the bill those funds are contained?

Mr. HÉBERT. No, I cannot tell the gentleman that.

Mr. WALDIE. Is it available so that a Member of this House of Representatives can go to the committee and examine the classified documents involving the amount of money available for the Central Intelligence Agency in this bill?

Mr. HÉBERT. No, sir, it is not. The chairman takes the full responsibility of not discussing the matter further.

Mr. WALDIE. So whatever those sums are and to whatever purpose they will be put, that is only known to the chairman of the committee?

Mr. HÉBERT. It is known to the chairman and the ranking minority member of the committee. This is a policy which has prevailed throughout the years in all administrations.

Mr. WALDIE. Yes, Mr. Chairman, I think I understand the policy that no other member of the committee knows that information.

Mr. HÉBERT. That is correct.

Mr. WALDIE. May I ask this question? In title IV there is a prohibition against using any of the moneys appropriated in this bill for the payment of free world forces serving in Laos. Are there any funds being appropriated by this bill for the payment of any forces in Laos?

Mr. HÉBERT. No, there is not any provision for the payment of those forces. The only moneys that are involved in this bill are those providing for the intelligence agencies of this country.

May I make a further correction, I do not want to mislead anybody by saying that the chairman and the ranking minority member know about these funds and only them, because the entire committee is briefed by the CIA on its functions. So I do not want to have that misconception carried away that the members of the committee do not know of the activities of the CIA and of the other intelligence agencies, this we do know. This year, for the first time in the history of the committee, at the chairman's request, the CIA was invited to appear before the entire committee. Its director, Mr. Helms, appeared and subjected himself to all kinds of questions and all the questions were answered by the director, Mr. Helms.

Mr. WALDIE. May I ask the chairman one final question?

What is the purpose of the CIA activity in Laos?

Mr. HÉBERT. The activity of the CIA in all sections of the world, in Laos, the Middle East and everywhere is the gathering of intelligence for the protection and security of the United States.

Mr. WALDIE. I thank the gentleman.

Mr. ARENDS. Mr. Chairman, I yield to the gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. Mr. Chairman, we will soon be called upon to vote on the Nedzi-Whalen amendment, or some House version of the McGovern-Hatfield amendment. Since I fear there may have been a considerable amount of high-pressure,

slick, oversimplification of this problem, I believe the following editorial in the Washington Post is illuminating:

CONGRESS VOTES ON THE WAR

The McGovern-Hatfield and Nedzi-Whalen amendments, which are to be voted on today in the Senate and House respectively, would not "end the war" or automatically retrieve the American POW's or guarantee the safe exit of American forces or, least of all, assure a Vietnamese reconciliation. Any such claim promises more than either amendment can deliver and invites further frustration and disillusionment. Not only does fulfillment of claims like these lie to a great extent in other than American hands. But the American system of Government gives the President broad authority to conduct a war. It is idle to pretend while the fighting goes on that Congress can remove that authority; in fact, McGovern-Hatfield explicitly concedes the point.

So it is misleading the public to talk of these proposed congressional restraints in terms of a "date certain" for our withdrawal, however comforting and convenient that piece of shorthand may be to supporters of both measures; Vietnam has given us enough deceptive shorthand, and also enough easy—and offensive—sales pitches—...

My colleagues, as you are well aware, I voted in favor of fixing December 31, 1971, as the date for withdrawal of all U.S. troops from Southeast Asia. I have voted three times this year to end the draft on June 30, 1971, in the belief that if wars in Southeast Asia can be fought with volunteers, they will prove they have the popular support of the American people. If they cannot, and I would assume this one cannot be fought with volunteers since 80 percent of combat troops are draftees, then the President could come to Congress and ask us for troops and prove his justification for the request. Then we could restore to Congress a meaningful voice in foreign policy.

However, since a majority of this Congress sees fit to draft our young men and ship them halfway around the world to fight 10,000 miles from home, I find it difficult to vote against funds to provide them with supplies, equipment, arms and ammunition they need to defend themselves and our country's position, even though we might not have selected their mission in Southeast Asia. As one who served in the combat infantry in World War II, I would consider it irresponsible to send a draftee into a combat zone without providing him with all the support those fortunate enough to stay at home can provide.

Therefore Mr. Chairman, I must oppose the Nedzi-Whalen amendment.

Mr. NEDZI. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman.

Mr. NEDZI. Did the Washington Post editorial recommend voting for or against?

Mr. HUNGATE. The Washington Post wrote these very skillful lines, I thought, with which I agree and found that in essence my construction would be meaningless and then it came out for it.

I think it is very much like the story you have all heard of a man coming in the House and speaking about 10 minutes, and another Member said I heard

you speak and I cannot tell where you stand. Can you tell me whether you are for or against it? The guy speaking said—

I watched the gentleman when he came in this House and raised his hand and took the oath to become a Member and I said, "There is a man, and no matter how long he is here, he will never know what's going on."

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman.

Mr. GUBSER. Would you not summarize the Washington Post editorial this way—that they gave all the reasons for voting against Nedzi-Whalen in order to justify their point that you ought to vote for it?

Mr. HUNGATE. The gentleman's point seems accurate to me.

Mr. WHALEN. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman.

Mr. WHALEN. I would just like to read for the RECORD the editorial's conclusion.

The amendments as written are by and large thoughtful and responsible, though limited. A wise Congress would enact them, and a wise President would welcome them as reinforcement of his own policy and his own concern for the Nation.

Mr. HUNGATE. I appreciate the gentleman's contribution, but I would say as to the expression "a wise Congress," I presume its wisdom will be revealed in the future hours today.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman.

Mr. ARENDS. When you must make a decision on what the Washington Post article sets forth as to whether this is a wise Congress or not—that is a far stretch of imagination.

Mr. HÉBERT. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. ABZUG).

The CHAIRMAN. The gentlewoman from New York is recognized.

Mrs. ABZUG. Mr. Chairman, we have all been very concerned about the shocking revelation in the last few days, that there have been secret military and political decisions by our Government without the consent or knowledge of this great body. These decisions were all the more shocking because they indicate that Government policy on Vietnam was constructed and conducted by lies and deceptions. There was a discussion that took place earlier in the debate between two members of your committee, Mr. Chairman, in which they suggested that classified material concerning the needs of our defense was available for inspection to the Members of this House.

Subsequent to this an inquiry was made of you, Mr. Chairman, by the gentleman from California (Mr. WALDIE) with respect to information available concerning the CIA, and you indicated that it was not available for inspection by Members of either the Armed Services Committee or the House.

My question to you, sir, is this: Is classified material concerning the needs of our defense and the matters about

which we are to act today and the next few days in the bill before us available for inspection to the members of the Congress? We need to know this because all the Members of this House are going to be subject to a great deal of questioning by our constituents, and we should be; as to whether or not we are informed on and involved in the decisions which we make. The public has a right to be skeptical and to demand that those who represent them are privy to knowledge before we commit their hard-earned tax dollars to military hardware instead of to programs for health, education, transportation, child care, housing, and employment so desperately needed in our country.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. HÉBERT. Mr. Chairman, I yield 2 additional minutes to the gentlewoman from New York.

The CHAIRMAN. The gentlewoman from New York is recognized for 2 additional minutes.

Mrs. ABZUG. I would like an answer to that question.

Mr. HÉBERT. That is the reason I am yielding additional time to the gentlewoman.

Mrs. ABZUG. Thank you, sir.

Mr. HÉBERT. I will tell the gentlewoman this, and try to make it very explicit: All the hearings before the House Armed Services Committee in executive session are available to any Member of this House who has the inclination, the desire, or the intent of reading them. But they must read this information within the confines of the committee room, and they can read everything that has been said in that committee room. They cannot copy it. They cannot take it out. They are bound by their consciences and the executive position of the committee in having executive hearings under the rules of the committee and of the House.

But there is nothing, absolutely nothing, that is taken away from the individual Members of this House, and any Member who desires to read the unexpurgated transcripts of the hearings is welcome to come to the House Armed Services room at any time. They can remain in the room. During that time they can look at the copy. They can read the copy. We will give you coffee, and if you are from New Orleans, we will put a little bourbon in it to make you more comfortable. You can stay around as long as you want. There are no secrets in the House Armed Services Committee.

Mrs. ABZUG. Does that include classified material presented to the committee?

Mr. HÉBERT. That includes every statement that is made by witnesses, classified or not, in the record.

Mrs. ABZUG. I am a little confused by a previous statement made by you, Mr. Chairman, in which you indicated that the material concerning the CIA was not available for inspection.

Mr. HÉBERT. It is not in the record. Mrs. ABZUG. I see. You have answered my question, Mr. Chairman.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. HÉBERT. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. STRATTON).

Mr. GUBSER. Mr. Chairman, I yield 1 additional minute to the gentleman from New York.

The CHAIRMAN. The gentleman from New York is recognized for 2 minutes.

Mr. STRATTON. Mr. Chairman, the bill reported by the Committee on Armed Services recommends authorizations for appropriations for fiscal year 1972 for torpedoes and related support equipment in the amount of \$193,500,000. Most of this authorization is required for the procurement of the MK-48 torpedo.

At this point I should emphasize that this bill for fiscal year 1972 represents the first time that authorization for torpedoes was acted upon by the Committee on Armed Services and required under the statute. The inclusion of naval torpedoes as a weapons system requiring annual authorization was the result of last year's action by the conferees of the House and Senate who agreed that this weapons system required a continuing review by the respective Committees on Armed Services.

I am now happy to report that after receiving departmental testimony on behalf of the MK-48 torpedo program and supporting documents, the Committee on Armed Services approved the departmental procurement request for fiscal year 1972.

The MK-48 torpedo is the most advanced and most effective antisubmarine torpedo scheduled for use by the U.S. Navy and is vastly superior to any conventional ASW weapon now available to our submarine force.

The MK-48 torpedo is, in fact, a sophisticated missile which operates in an undersea environment rather than in an airborne mode.

In order to accomplish this capability this torpedo contained the most complex electronic components which are to be found in an advanced missile, airborne or otherwise.

Stated very succinctly, the impressive characteristics and capabilities of the MK-48 torpedo will provide the U.S. Navy with an absolutely indispensable weapon to be used to combat the increasing Soviet submarine threat.

Much has been said in the news media concerning this program. Unfortunately, much of this information has left the impression that the program was technically infeasible and constituted a horrendous waste of public moneys.

Such an inference is simply not true.

At the outset, let me point out that although there have been, in fact, many monumental technical problems encountered in this program because of the unique requirements of this weapons system, they have nonetheless been overcome and resolved during the past year. The intensive testing provided the two models of this torpedo has established conclusively that the Navy will be provided with a new and unique weapons system that will accomplish its mission of destroying both enemy submarines as well as surface vessels.

The committee report contains a great deal of information on this weapons system. The report, together with the

printed hearings, should certainly satisfy the most severe critic of this program. Nonetheless, let me review very briefly the cost picture:

As of May 1, 1971, the Navy had obligated \$524 million and had contractual commitments for an additional \$110 million, of the total \$672 million appropriated by the Congress for the development of this weapons system. The remaining \$38 million is held in a deferred status pending selection of the model torpedo for final production and procurement.

Unfortunately, too many times both the public media and others have drawn the inference that the cost to date has exceeded \$4 billion, when, in fact, the invested cost to date more nearly approximated the obligated and committed amount of \$634 million.

Reference has been made to the high unit cost of individual MK-48 torpedoes. It is true that the individual unit cost of the MK-48 torpedo would exceed \$500,000 if the total program costs including research and development moneys were included as the cost basis; however, the actual unit costs for future procurement of this torpedo are estimated to be more nearly \$300,000 and will probably reduce considerably below that in the future.

I cannot discuss much of the detailed characteristics of this new weapons system, but let me assure my colleagues that it is indispensable to our arsenal and we must go forward with this program if we are to have a meaningful antisubmarine warfare capability. I, therefore, urge your approval of this program.

Mr. DENHOLM. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from South Dakota.

Mr. DENHOLM. Mr. Chairman, I thank the gentleman from Louisiana for yielding.

"The Congress shall have Power to declare War to raise and support Armies"—Article I, section 8, U.S. Constitution.

The original Articles of Confederation, made prior to the adoption of the Constitution of the United States, conferred upon Congress the "sole and exclusive right and power of determining on peace and war." But the United States could not engage in war "unless nine States assent to same."

More definite and full language was written by our founding fathers and is used in the existing Constitution of the United States of America. All those powers are attributes of nationality and would exist without mention in the Constitution. But it was desirable to make definite the department of the Government in which they should reside.

In the Constitutional Convention some of our forefathers thought the President should have the power; others favored restoring such powers upon the Senate as representing the States in equal number from each represented State; but the prevailing opinion was that the grave acts of declaring and conducting war should be performed by the whole Congress.

In 1812 Congress passed an act in declaring war on Great Britain because of hostile acts done by that country.

In 1846 the Congress declared a state of war with Mexico by a resolution owing to hostile acts of that nation.

In 1898 Congress declared war on Spain.

In 1917 a resolution of war was passed by Congress as a result of the sinking by Germany of the *Lusitania* and other merchant ships with the loss of American lives, and of other violations of international law with respect to the United States.

In 1941, Japan attacked at Pearl Harbor. Congress immediately declared that a state of war existed between the United States and Japan, Germany, and Italy.

The United States emerged as the only great nation in the modern world that had never lost a war. This proud record again demonstrates the strength of free institutions. When the representatives of the people vote for a war, the people respond.

The important lesson to be learned here is that in the United States one man—or one coterie—cannot conduct or declare war.

The conduct and declaration of war can be done only by the two Houses of Congress whose Members are substantially all elected by the direct vote of the people. The argument and theory pursued by our forefathers was that action is not likely to be hurried or unjust when submitted for the due care and deliberation of such a body of representatives of the people duly assembled in a joint session of Congress.

The Supreme Court of the United States said in 1849 the following:

The genius and character of our institutions are peaceful, and the power to declare war was not conferred upon Congress for the purpose of aggression or aggrandizement, but to enable government to vindicate by arms, if it should be necessary, its own rights and the rights of its citizens.

The question before the Supreme Court was then whether the city of Tampico, Mexico, while in the military possession of the United States in 1847, ceased to be a foreign country so that custom duties could not be laid on imports from it. The answer was "No."

While the United States may acquire territory, it can do so only through the treaty-making or the legislative powers—the victories of the President as Commander in Chief "do not enlarge the boundaries of this Union, nor extend the operation of our institutions and laws beyond the limits before assigned to them by the legislative power."

Congress shall have the power to raise and support armies which is an implied power from the expressed constitutional power "to declare war." But to leave no question as to what Department of the Government would do it, the power was expressly conferred upon Congress; for otherwise the President as Commander in Chief might assume to raise armies after Congress had made the declaration of war. The President cannot raise an army, nor can Congress maintain one by

an appropriation for a longer term than 2 years.

Conclusions: There is no constitutional authority or precedent authorizing and justifying the President to declare war. The President as Commander in Chief may under the emergency powers of the President mobilize the Armed Forces in the interest of national security. The power to declare war is expressly reserved to the joint session of Congress. It is further restricted by the provision for appropriations not in excess of 2 years without another request to the Congress for further appropriations to finance war.

The more subtle and difficult issue is what may from time to time constitute an act in the national interest. There can be no doubt that when this Nation, its people or its possessions are attacked directly by a foreign aggressor our national interest is placed in jeopardy. Absent of a direct attack the citizens of this country have not historically condoned war. It is unmistakably clear that when the citizens have acted through their representatives in Congress this Nation has always prevailed whatever the adversities.

The second and equally frustrating issue of our time is premised upon the notion that national security is somewhat or somehow exposed and absent of any act by Congress, the President has continued to commit the country to military involvement. The underlying question of such an issue is to what magnitude must such military involvement be committed and for what duration absent of an act of war. Necessary appropriations to finance modern war are far in excess of any recorded in the history of all wars of this Nation.

In summary the United States entered Vietnam pursuant to a resolution passed by the Congress in 1964 with but two dissenting votes and granted unto President Lyndon B. Johnson the power to repel the Vietcong in the interest of national security. The Congress has continued to appropriate adequate funds to protect our military commitments and men in Vietnam. More recently President Nixon entered Cambodia without any act, counsel, or resolution of the Congress. However expedient in the sense of military science the act of aggression in the country of Cambodia is without precedent and of questionable merit as to national security. The continued military commitments in Indochina without congressional approval will continue to divide reasonable people on the priority of the issues of our times. It is my judgment that this Nation can ill afford to further pursue such policies without a full disclosure by the executive branch of Government to the Congress of how the security of this Nation is placed in jeopardy and an evaluation of our national interest in Vietnam. It is the duty of the Congress to respond and if war is to be declared it is for Congress to decide whom the act of war should be declared against and to lead and unite the citizens of this Nation in the common cause against the enemy. It is my belief that the Congress cannot and will

not identify the enemy, the Nation, or the people for whom any declaration of war will issue in Southeast Asia under present existing circumstances. If there is not to be an act of declared war by the Congress the policy of military involvement in Indochina should and must be reviewed to determine a true evaluation of how our national interest is in jeopardy.

It appears that our military commitments and our military involvement has exceeded any reasonable degree of temporary defense of our national security in Indochina. If we seek but the balance of power in a by-polarism struggle of world politics between communism and the people of free governments then it is for Congress to decide to what extent we must be committed economically, monetarily, and politically to achieve the equilibrium of power among nations.

It is my conclusion that Congress cannot fail to act upon these grave questions confronting the citizens of our country. It is wrong for the President to pursue a course of no apparent purpose and particularly so without consultation of the Congress. It is wrong for the members of Congress to pursue individually the political experiences of public opinion at the expense of a divided citizenry. The present policies cannot and should not be continued and it is the duty of every elected representative of the people to do all that he can to bring these grave issues to a united decision through the consultative processes of our democratic Government by official action of the Congress in joint session.

I understand this constituted Republic is a land of laws—and not merely mortal men. In the interests of mortal men—I shall stand by precedent of the law of the Constitution of the United States of America and I shall vote against appropriations for military intervention and the deployment of arms in any foreign land until the issues of those commitments are honestly placed before the Congress for appropriate and timely determination as provided by the provision of law contained in the Constitution of the United States of America.

Mr. ARENDS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Mr. HÉBERT. Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

Mr. ARENDS. Mr. Chairman, reserving the right to object, I do not like to object to a request by my good friend and my chairman, the gentleman from Louisiana. However, I will be constrained to object, because I believe the bill should be read by titles and open to amendment as each title is completed. Therefore, Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will read.

The Clerk read as follows:

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1972 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: for the Army, \$111,200,000; for the Navy and the Marine Corps, \$3,319,300,000; for the Air Force, \$3,102,000,000.

MISSILES

For missiles: for the Army, \$1,101,100,000; for the Navy, \$701,500,000; for the Marine Corps, \$1,300,000; for the Air Force, \$1,841,400,000.

NAVAL VESSELS

For naval vessels: for the Navy \$3,328,900,000, of which \$14,600,000 is authorized only for advance procurement for the nuclear powered guided-missile frigate DLGN 41. The contract(s) for advance procurement for the DLGN 41 shall be entered into as soon as practicable unless the President fully advises the Congress that its construction is not in the national interest.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, \$112,500,000; for the Marine Corps, \$63,900,000.

TORPEDOES

For torpedoes and related support equipment: for the Navy \$193,500,000.

OTHER WEAPONS

For other weapons: for the Army, \$33,000,000; for the Navy, \$1,300,000; for the Marine Corps, \$1,000,000.

AMENDMENT OFFERED BY MR. HÉBERT

Mr. HÉBERT. Mr. Chairman, I offer a committee amendment, that the Committee strike from the bill H.R. 8687, on page 2, line 5, the figures "\$3,319,300,000" and substitute in lieu thereof the figures "\$2,513,200,000."

The Clerk read as follows:

Amendment offered by Mr. HÉBERT: strike from the bill (H.R. 8687), on page 2, line 5, the figures "\$3,319,300,000" and substitute in lieu thereof the figures "\$2,513,200,000."

Mr. HÉBERT. Mr. Chairman, in view of the ultra importance of this amendment and my desire to have it thoroughly ventilated, I ask unanimous consent that I be allowed to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

Mr. HALL. Mr. Chairman, reserving the right to object, I wonder if my distinguished chairman would make that request at the end of his first 5 minutes.

Mr. HÉBERT. I will be very happy to accommodate my good friend.

Mr. HALL. Mr. Chairman, I withdraw my reservation of objection.

Mr. HÉBERT. Mr. Chairman, as I had indicated in my opening statement during general debate on this bill, I am now offering an amendment to strike from H.R. 8687 all the fiscal year 1972 procurement funds for the F-14 aircraft.

I had previously advised the Deputy Secretary of Defense that unless the Committee on Armed Services received a report from the Department of Defense outlining the results of its latest review

of the F-14 program together with its recommendations on the future of the program prior to House floor action, I would offer an amendment to strike, the procurement money from this bill for that aircraft.

That report has not been received.

I have, however, received a communication from the Secretary of Defense, dated June 10, 1971, which explains the situation. Therefore, I believe it important that I read the text of this letter in its entirety. The letter reads as follows:

DEAR MR. CHAIRMAN: This is to follow up and confirm my complete agreement with the views expressed by Deputy Secretary Packard in his recent meeting with you on the F-14 program.

As you know, the F-14 contract was prepared and the contractor was selected prior to the time I became Secretary of Defense. Because the F-14 contract was let early in 1969, it does not have some of the features we believe necessary for good management control, as does the F-15 contract which was awarded late in 1969.

In my initial appearance this year before the Committee to present the Defense Report, I pointed out that the crash of the first development aircraft had delayed the development program somewhat. I indicated at that time that we were reassessing the situation and might want to modify the program, but as of that time no modification program had been approved.

On May 27 the Defense Systems Acquisition Review Council (DSARC) met to address the entire F-14 program and contract. It became apparent, as indicated in the conversation you had with Deputy Secretary Packard and in your Committee's report, that immediate and positive action was required.

As a result of our DSARC review, Deputy Secretary Packard asked the Secretary of the Navy to conduct, on a priority basis, an extensive review of the F-14 program.

I want to emphasize, as you have in the Committee report, that there is an urgent requirement for a new Navy fighter. The actions we are taking are in no way related to the validity of this requirement.

I want to assure you that as soon as our review has been completed, we will provide a detailed explanation of our decisions on the program. I know that we share a mutual concern for the future of this essential program.

Sincerely,

MEL LAIRD.

The letter makes the following points that are particularly pertinent.

First. The entire F-14 program is now the subject of an intense high level review, on a priority basis, within the Department of the Navy and the Department of Defense.

Second. It is uncertain as to when this study will be completed and what impact this study and review will have on the F-14 procurement program for fiscal year 1972.

Third. The Navy has a very valid and urgent requirement for a new Navy aircraft of this type.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

(By unanimous consent, Mr. HÉBERT was allowed to proceed for 5 additional minutes.)

Mr. HÉBERT. Mr. Chairman, what has not been said is that the F-14 appears to be an excellent aircraft that gives every indication of being a worthy successor to the F-4.

Thus, the F-14 program problem ap-

pears to be primarily one of cost. Mr. Laird does not say that—he says the contract lacks provisions which the Department considers "necessary for good management control."

I interpret that to mean a "cost problem."

In any event—because of these circumstances, the Committee on Armed Services believes it would not be proper to now recommend to the House approval of a procurement request for this aircraft until the cloud of departmental indecision on this program has been resolved.

I wish to make one further point—the motion I am making to strike the procurement authorization is not designed to prejudice the ultimate decision on this aircraft.

I, therefore, move that the House strike from the bill H.R. 8687, on page 2, line 5, the figure "\$3,319,300,000" and substitute in lieu thereof the figure "\$2,513,200,000."

This action deletes \$806.1 million from the Navy aircraft procurement authorization for fiscal year 1972.

I wish to make one further point.

The amendment I am offering to strike the procurement authorization is not designed to jeopardize the ultimate decision on this aircraft. If circumstances in the future dictate the wisdom of going ahead with the procurement program, we will bring it back to the House for final resolution.

In this connection further, the question has been asked, since the matter came up and was discussed, with reference to the attitude undoubtedly of those Members of this body interested in the area where the airplane is being produced and manufactured by what I consider to be one of the finest aircraft producers in the country, the Grumman Co. It is of interest—and I accept the authenticity of this news story, since it is written by Jim Adams, an Associated Press reporter, and I think this is most important to those Members and its being very timely:

The Grumman Aircraft Corporation—trying to cut its losses on the Navy's F-14 swing-wing jet fighter—says it would be "very appropriate" for Congress to stop funding the plane until cost-overrun problems are settled.

The surprise company statement was issued Tuesday after House Armed Services Chairman F. Edward Hébert announced he will move to cut the \$806 million F-14 money from a \$21.9 billion weapons authorization bill today or Thursday.

Hébert told the House the money could be restored later this year if the Pentagon delivers a satisfactory resolution to the F-14's \$2 billion cost-overrun problem.

"We are not surprised by Hébert's action," Grumman said in a brief statement. "We consider it very appropriate."

The company said it is pleased by congressional and Pentagon studies of F-14 cost problems and, "we have confidence in the wisdom of their reviews."

But Representative Otis G. Pike, D-N.Y., said cutoff of the production money will help clear the way for renegotiation of Grumman's contract to help cut its predicted future losses.

These are the words of the Grumman Co. itself commending the committee for making this move and saying it is a very appropriate action.

I do not think I and the members of the committee could summon a more highly qualified witness than the company itself.

Mr. PIKE. Mr. Chairman, will the gentleman yield to me at this point?

Mr. HÉBERT. Yes, I yield to the gentleman.

Mr. PIKE. Mr. Chairman, in keeping close watch on current military developments we are sometimes inundated—rather confused—with information concerning one of the Navy's major programs, the F-14 air superiority fighter. For example, lately some Members of this great body have even appeared unclear about the differences and improvements of the F-14A when compared to our 1950 Vintage F-4 Phantom. I do not stand here today to criticize or cast doubts about the Phantom for it has truly served our Nation, as well as others, in the defense of freedom—rather I would praise the F-14 and the Navy. Since 1969, when we first approved funds for the F-14 the Navy has repeatedly stated in very accurate and consistent testimony that they cannot accomplish the tasks and meet the threat they face with a stable of fighters whose growth potential is virtually exhausted. We, ourselves, recognized this by approving the cancellation of the F-111B and proceeding with the F-14.

The single most important fact to be understood in any comparisons between the F-14A and the F-4 is that the F-14A, with its versatile weapons suit of Phoenix, Sparrow, Sidewinder, and internal cannon, provides a margin of superiority over the threat—while the F-4, regardless of the derivative, does not.

Present and future threat fighters have increased range, improved avionics and all aspect air-to-air missiles. Various delivery modes of air-to-surface and surface-to-surface cruise missiles pose significant defense problems. Soviet and satellite countries possess superior numerical fighter inventories, especially during the initial phase of any hostilities.

One we have heard much about since it recently appeared in Cairo is the Foxbat. The Foxbat represents a revolutionary breakthrough in fighter design technology and trends, which can only be countered by the F-14 aircraft as designed. Although the Foxbat is somewhat limited in terms of low altitude maneuverability and optimized for very high altitude and high speed flight, it also does not possess a stand-off or close-in weapons system matching that of the F-14 in terms of search and detection range, weapons versatility, multishot capability, and missile launch envelope. Assuming that the Foxbat will elect to remain in its optimum environment and use its radar look-down and missile stand-off capabilities, only the F-14 Phoenix can combat this threat. The F-14A with its high rate of acceleration, 45 percent improvement over F-4, and maneuvering capability can react readily to achieve a launch condition outside that of the retaliatory capability of the Foxbat. The Phoenix launch envelope is far less critical to achieve than the ex-

acting aircraft tracking conditions required for deployment of Sparrow and Sidewinder missiles, which are the only weapons for the F-4. If the Foxbat elects to press for a close-in engagement, the F-14 has the maneuverability and weapon mix to counter it in the classical air superiority fighter role. Aside from propulsion, airframe and weapon system individual features, one of the most salient attributes of the F-14 is the total integration of aircrew functions into the composite weapon system to achieve maximum task efficiency. The crew's ability to readily convert to another weapons delivery mode, use of alternate sensors and weapons—Sparrow, Sidewinder, and Internal gun—and data link vectoring assistance, far exceeds the option capability of any other fighter aircraft.

Simply stated, the F-14A possesses air superiority maneuverability which exceeds threat fighters—the F-4 does not. The F-14A possesses in Phoenix the standoff range and multiple shot capability to reduce numerical odds prior to close-in engagement—the F-4 does not. The F-14A possesses large search volume with high probability of detection at long range and attack—with Phoenix—capability required to counter the cruise missile threat—the F-4 does not. The F-14A has the capability to escort attack aircraft to 500-mile radius, retaining combat fuel and without aerial refueling—the F-4 does not.

When compared to the F-4J, the Navy's latest version, the F-14A has:

Eighty percent better combat radius;
Fifty percent better combat rate of climb;

Forty-five percent better acceleration;
Sixty-four percent better role rate;
Forty percent better energy maneuverability—Ps;

Twice the air defense search time;
More than twice the radar range;
Three times the missile launch range with Phoenix; and

Thirty-three percent greater launch range with Sparrow.

In addition, the F-14A can launch from the carrier using basic engine power with no wind while the F-4J requires 16 to 32 knots of wind for afterburner and basic engine, respectively. The F-14A recovers nicely with no wind while the F-4J requires at least 16 knots of wind. Landing approach speeds are nominally 120 knots—F-14A—and 138 knots—F-4J. These additional highly desirable characteristics are competitive with the A-6 aircraft which has achieved an outstanding carrier safety record of over 55,000 accident-free landings.

In summary, the F-14A is a very impressive aircraft with outstanding capabilities designed to meet the Soviet challenge—clearly superior to the F-4. The F-14 program was planned to minimize the risk of a new engine and fire control system developments. Both engine and system are exceeding specifications by significant amounts. An interesting point is that the F-14B will be even better.

In conclusion, gentlemen, it would appear that the Navy is certainly on the

right track. They developed the highly successful F-4. Now they are again providing us with a measure of superiority by bringing in its successor, the F-14. Let us provide our support and approval by allowing them to get on with it.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from New York.

Mr. BINGHAM. I thank the distinguished chairman for yielding and I would like to commend him and the committee for offering this amendment.

The chairman may recall that I have in previous years proposed similar amendments to cut the authorization of procurement funds, not research and development funds, for this aircraft, because I had grave doubts about its costs and its effectiveness. I am very happy that the committee is proposing this amendment today.

The distinguished chairman of the Armed Services Committee, in his statement on this measure yesterday on the floor of the House, raised the possibility that the \$806 million for procurement of 48 more F-14's in fiscal year 1972 might be restored if the findings of a high priority study of the F-14 by the Secretary of the Navy justify such action. Yet I find it difficult to imagine any justification for restoring the funds for 1972 that the committee has deleted. Even if the F-14 program is continued, the 48 F-14A's for which the 1972 procurement funds are intended should not be purchased.

As Senator HARTKE and I pointed out in our study of tactical aircraft, the purpose of building and purchasing F-14A's was to provide the Navy with an improved fighter 2 to 3 years prior to the time when the F-14B, equipped with the new, high-powered Pratt-Whitney engine, would become available. With the delays that have occurred in the development of the F-14A, any F-14A's we purchase—including 48 proposed to be purchased in fiscal year 1972—are likely to be in service hardly a year before they will have to be refitted with the new engine. It seems to me, therefore, that there should be no further procurement of F-14's under any circumstances, at least until the F-14B becomes available.

I hope, Mr. Chairman, that the Navy will not rush its review of the F-14 program in hopes of recouping the funds that the House committee has cut, but that it will take advantage of this procurement pause to carefully and realistically reassess all aspects of the F-14 programs. If it does that, I am convinced that it must conclude, as I have, that the F-14 is the wrong type of plane, for the wrong mission, at the wrong time, and that the entire F-14 program should be discontinued.

Mr. Chairman, I have opposed the F-14 program despite the fact that the major contractor for the F-14 is the Grumman Co., whose main plant is located in Long Island, N.Y., near my own congressional district, and despite the fact that a number of my own constituents are employed in the F-14 program. I have never felt

that I should support any Government program which I feel is wasteful and ill-advised, whether it is a military or non-military program, simply because some of my constituents have an economic stake in it. Instead, I have supported, and shall continue to support, strong programs to convert defense industries to peacetime production and to retrain defense workers for jobs in nonmilitary industries.

My opposition to the F-14, Mr. Chairman, should not be taken as opposition to any new fighter aircraft. On the contrary, I support the development and procurement of a faster, lighter, more easily maintained fighter that could, in my judgment, do a better job than the F-14 in meeting the threat posed by the Soviet Foxbat—MIG-23. Such an aircraft could be built at considerably less cost than the F-14.

The F-15, currently under development by the Air Force, promises to be lighter and faster than the F-14, and a version of that aircraft might be developed for Navy use. It is expected, however, to be even more expensive than the F-14. The more promising strategy for achieving a light fighter at low cost, therefore, would be to explore possible further modifications in the highly successful F-4, or to begin developing an entirely new aircraft on which Grumman and other New York firms would hopefully bid successfully.

If such a course is followed, Mr. Chairman, we can look forward to a larger force of tactical aircraft, better designed to meet the Soviet challenge in this area, at a savings over the next 10 years or more of many billions of dollars. I hope that the \$806 million deleted from this bill by the committee will not be restored, and that it will prove to be the first in a series of savings for the American taxpayers through a total revamping of our currently unnecessarily expensive tactical aircraft program.

The stakes in this debate are high. If we continue with the F-14 program we will be committing ourselves to a total system investment of over \$20 billion over the next 10 years. If the Congress will exert its initiative and its full authority, I am convinced that we can achieve a tactical air force that can fully meet our air defense needs at a cost that will enable us to restore substantial funds to our pressing needs in the area of health and housing and transportation and public safety. Again I wish to congratulate the Committee on Armed Forces for this first step and to express my firm support of this most significant action.

Mr. HÉBERT. The Chairman is well aware and cognizant of the interest of the gentleman from New York and there is a meeting of the minds on this matter with reference to procurement.

Mr. LEGGETT. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from California.

Mr. LEGGETT. First, I would like to commend the gentleman upon effecting a major cut in the defense budget.

However, I am in a little bit of a dilem-

ma, though, as to the reasons why Grumman Aircraft, the alleged beneficiary of this \$800 million, would apparently put out a press report indicating that they laud and applaud the taking away from them of this \$800 million item.

And, of course, when I spoke yesterday, I was concerned that we maintain the bargaining position of the Department of the Navy with respect to this contract, because I think the fact of the matter is that the development of the first 75 airplanes shows that the Department of the Navy is to be commended. They drove a hard bargain. My information is that on the first 20 or so planes Grumman made \$25 million, but on the next 50 planes—

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. LEGGETT was allowed to proceed for 2 additional minutes.)

Mr. LEGGETT. As I was saying, on the next some 50 planes it is my understanding that Grumman lost \$125 million. So the net effect on the first 75 planes is a loss to Grumman of about \$100 million.

Is it your intention by wiping the slate clean now for the \$800 million, we are, in fact, exculpating Grumman from the \$100 million loss, and that we now are starting from scratch and maybe will develop an entire new set of numbers on the building of this new Navy fighter—which I agree with the gentleman from Louisiana that we need—but I think we ought to make clear exactly what we are doing.

Mr. HÉBERT. We are doing exactly what I said we are doing, and we are not giving an escape clause to Grumman at all. The contract is open for cancellation, in fact, in October, if they do not get some agreement, and then the renegotiation must take place.

I think the gentleman from California will agree with me that we do not want another Lockheed fiasco on our hands. This is the responsibility of the committee of getting these facts clarified, and bringing them right out into the open and to find out where we go from here.

Mr. LEGGETT. Do we not develop a great deal of the legal impediments right here on the floor of the Congress, and did we not do that on Lockheed? Because after we discovered that overrun, we proceeded then to make concessions which gave Lockheed a very strong bargaining position, which led to the total resolution of the C5-A conflict.

So I would certainly hope that the lawyers in the Pentagon and the lawyers from our committee will work hand in hand so that we maintain whatever bargaining position we can maintain.

Mr. HÉBERT. We are attempting to keep our hands on top of the table, and we are dealing from the top of the deck. And the only way we can do this is by drawing the attention of the people involved whenever it comes to our attention. And certainly the Committee on Armed Services is demonstrating that right now when it has the courage to send me to the floor to make this deletion.

Mr. Chairman, I move the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. HÉBERT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LEGGETT

Mr. LEGGETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEGGETT: Section 101, line 8, after the word "Army" strike "\$1,101,100,000" and insert in its place "999,100,000"; on line 10, after "\$1,841,400,000" add the following: "No funds authorized by this Act shall be used for research, development, testing, evaluation, or procurement of the Safeguard anti-ballistic missile system except insofar as such research, development, testing, evaluation, or procurement leads to deployment of the Safeguard antiballistic missile system at Grand Forks, North Dakota, and/or Malmstrom, Montana."

Mr. LEGGETT. Mr. Chairman, this is an amendment which we have offered traditionally respecting the limitation on the deployment of the antiballistic system.

It is in a little bit different form in the pending amendment. One of the reasons is because we recognize the facts of life—we have spent on the order of \$2 billion on this system, nearly to date, and we had a billion dollars or so that we voted only last year.

The total amount in this bill is—and on the military construction bill which will follow this—this year for the deployment of the antiballistic missiles program is a total of \$1,392,200,000.

I think we have to recognize that we have spent a lot of dough on the Malmstrom site and the Grand Forks site.

So the question is, Where do we go from here? So what we have here is a very modest amendment. It amounts to about \$100 million which would limit the expenditure of funds at sites other than Grand Forks and Malmstrom.

We have a very formidable problem here in the House because, as you know, in the Selective Service Act that passed this House a few weeks ago we added \$2.7 billion for military pay. The Senate Committee brought that back down to the President's budget figure and then the Senate floor raised that back to \$2.7 billion. Whether those funds are included in pay and allowances or pay for lower grade airmen or whatever they are for, you can bet your tintype that military pay is going to go up this year by \$2.7 billion.

So if we are going to be living under some kind of umbrella of something less than \$80 billion, the cuts have got to come from someplace.

Secretary Laird indicated—well, the place they are going to come from is from the 250,000 military and civilian employees around the country and he has rather radical plans for reductions in that area.

Of course, with the heavy military bases in my own district, I do not support this kind of emasculation at all.

Considering the fact that these are political years, I hardly think that is going to take place.

Out of an \$80 billion budget that Chairman MAHON is going to bring to the floor of the House one of these days, over 50 percent of that budget is going to be for military pay and retirement—military retirement I understand is going to escalate to nearly \$20 billion by the end of this century. In the bill we are talking about here today, \$21 billion or one-third of that is for research and some \$13 billion of that is for hardware.

So if we are going to cut much any place, unless we want to emasculate our troop forces, we must relate to the matter of expenditure for hardware programs.

I have concerned myself with the antiballistic program for a long period of time because of the fact that it requires 40,000 men to man it and it requires 45,000 people, contract personnel, to maintain it. I have said for many years that this is the most expensive fire department that the United States has ever acquired. The tremendous acquisition cost is going to cost over \$1 billion a year to maintain it.

It looks like we are going to be making some headway with the Soviets in the SALT talks. That was the announcement made by the President just a few weeks ago and my past experience is that when the President indicates that we are making some progress in negotiations, I tend to think that he knows what he is talking about. The information is that they are probably going to be trading the obsolete system of missile defense that they have around Moscow for something we have here in the United States. The major thing we have here in the United States are these hundreds of Sprints and Spartans that are being deployed now currently to guard against a first strike around Malmstrom and Grand Forks.

So the net effect of my amendment is to limit the deployment and construction of Spartans and Sprints to exclude the Whiteman site and the Warren site and the National Command Center site and see if we cannot make an agreement this year.

Secretary John Foster from the Office of the Secretary of Defense indicated that we had to go slow and we ought to try to install a freeze wherever we can. I think this is an area where the Congress can assert itself. I think we can save a considerable amount of money because I think we are going to be making agreements in these very important areas.

As far as getting all excited about what the Soviets are doing, I am very pleased to see that we have very little hysteria here on the floor today about what the Soviets are doing. As a practical matter, on the SS-9's, they have gone down from 45 to 25 starts over the past year. On the SS-11 missiles, the Soviets have dwindled from 120 starts to zero starts last year. On the SS-13's they have leveled off at 20 starts on a yearly basis.

Of course, we have to measure this against the actual deployment and the creation of several hundred additional targetable warheads we have created in

Poseidon and in the Minuteman III system over the past year.

This is a modest amendment, indeed, but it is an amendment that could save us on the order of \$3 billion in the 10-year time frame, maybe \$12 billion in the 20-year time frame.

In testifying before our committee, Dr. John Foster of the Pentagon said:

Until it becomes clear that an agreement adequately constraining the Soviet threat to our retaliatory forces is attainable, the (Safeguard) program should proceed in an orderly and timely manner. At the same time, we should exercise those restraints which we believe may enhance the chances for reaching an acceptable agreement.

Mr. Chairman, the amendment I am proposing is this restraint personified. I am proposing to limit Safeguard deployment to the two sites already begun. This more than anything else will convince the Soviets that our negotiating posture is sincere, and that it is in their interest to negotiate a meaningful arms limitation agreement. On the other hand, if we go ahead full blast with Safeguard, while at the same time we put MIRV's on our ICBM's and submarine-based missiles, develop a new long-range submarine missile and a new heavy bomber—just imagine how this would look to us if we saw them embarking on a similar program. We would say they have gone wild on armaments, there is no use negotiating with them. Our only hope is to superguarantee our own deterrent.

We have already demonstrated our virility. By proceeding with procurement and construction of two Safeguard sites, we have shown that we are willing to pour billions into Safeguard regardless of its technical inadequacies. Now let us demonstrate our intelligence by restraining ourselves and giving the negotiations a chance.

This amendment will save us \$102 million on this bill, plus another \$141 million on the military construction bill for the coming fiscal year. The total saving on the entire program will be about \$3 billion over the cost of the four-site system currently requested, and about \$9 billion over the cost of the full 12-site system.

I say we should limit Safeguard because of the SALT talks, but to be perfectly honest with you we should limit it even if there were no negotiations. The thing is just cost ineffective: 40,000 men to man this fire department—45,000 more personnel to support it. It is an attempt to take components originally designed for city defense and to use them for hard point missile defense, and they just cannot do the job.

The committee report says:

The committee wishes to particularly point out, in view of the frequent attacks on the Safeguard system on technical grounds in the past, that from the technical standpoint the program is proceeding exceedingly well.

By this, the report means the system has worked well under test conditions. But let me assure you, any resemblance between test conditions and the real world is purely coincidental.

Each Safeguard complex is absolutely dependent on a single missile-site radar. This radar has about the same blast re-

sistance as a human being, and let me tell you, that is a pretty soft target—a grenade over the fence knocks it out. As soon as we activate a Safeguard site, we can be sure the Soviet will reprogram their ICBM's so that the first wave is directed against the missile-site radar, and that is the end of the value of Safeguard. By the time the Soviet missiles arrive over our silos, Safeguard will not be able to give any protection at all, because its missile-site radars will have been destroyed.

I have done some calculations that show how the Soviets can set up, at very low cost, a precursor attack that will give them better than 99.9-percent probability of destroying the missile-site radar. The calculations are a little involved, so I am inserting them at the end of my remarks, but I will be happy to discuss them with anybody who is interested.

Even if the radar somehow survives, the number of Minuteman missiles that would be protected by Safeguard is a lot smaller than most people think. Why do you think the Pentagon would not give out the number of Sprint and Spartan rockets Safeguard is going to include? We have no hope of keeping it secret from the Russians; they will see the rockets as soon as we deploy them. The reason this is kept under wraps is that the Pentagon does not want the American public to know how limited Safeguard really is. I challenge the Defense Department to declassify these figures so that we can deal with them in open debate.

Safeguard is not only a misuse of money and dangerous because it stimulates the arms race; it is doubly dangerous because it in effect weakens our defense. It may be possible to build an effective hard-point missile defense system, if we design components for this specific purpose. Such a program, called hard site, is now being begun, and I favor it at least in the research and development stages. But it is running on a miniscule budget and at a very slow pace because all the glamor and all the money is going into the ineffective Safeguard approach and, unfortunately, a reasonably well thought out Air Force hard-point program has now been delivered up to the Army.

So the national interest really calls on us to drop Safeguard altogether. But I am not proposing anything that radical this year; I am just proposing that we freeze it at two sites while we give our SALT negotiators a chance to work. I urge you to give them this chance.

CRITIQUE OF SAFEGUARD ABM SYSTEM

The antiballistic missile system is now in its fourth year as a topic of major national debate. Accordingly, we assume the reader to be familiar with the general purposes, components, strengths, and weaknesses of the Safeguard ABM. For those who are not, this information was included in last year's military spending report. This discussion will examine in detail one overwhelming weakness of the Safeguard system: the vulnerability of the missile site radar—MSR—to a low-cost precursor attack.

The primary rationale for Safeguard is the need to defend Minuteman ICBM's against a heavy Soviet attack. There are

three conceivable levels of Soviet threat, as Secretary Laird discussed in his fiscal year 1971 posture statement: First, a low level, insufficient to threaten the credibility of Minuteman as an independent deterrent, and insufficient to warrant the construction of an ABM system. The present Soviet force of slightly less than 300 SS-9's falls within this range. Second, an intermediate level, great enough to threaten the viability of the Minuteman deterrent as it now stands, but small enough to be negated by Safeguard; Pentagon officials have generally spoken of this level as beginning when the Soviets have deployed a force of 420 SS-9's, each carrying three 5-megaton independently guided warheads. Third, a high level, sufficient to overwhelm the Safeguard system unless the latter is augmented beyond its present conception.

We shall demonstrate, using unclassified information and the Pentagon's own assumptions, that the second level does not exist. That is, a threat great enough to destroy Minuteman will also be more than great enough to destroy Safeguard at the same time because of the vulnerability of the MSR. Further, we shall demonstrate that it is impossible to upgrade Safeguard to meet a heavy threat.

Secretary Laird and Dr. Foster have said they believe the SS-9 to have sufficient accuracy that each of the three 5-megaton MIRV warheads it could carry would have a 95-percent probability of destroying a Minuteman silo. In public discussions, an MSR is generally assumed to have approximately one-tenth as much blast resistance as a silo; therefore, a one-half-megaton warhead would have a 95-percent probability of destroying an MSR.

Let us make the following assumptions:

Soviet missiles are 80-percent reliable; that is, 20 percent of their warheads will fail to detonate in the target area because of malfunction at some point. This is the rule of thumb generally used by both sides in this type of calculation.

The Safeguard ABM system will be 70-percent effective against any given incoming warhead during a heavy attack; that is, any given warhead will have a 30-percent probability of penetrating a Safeguard area and point defense combined. This assumption is arbitrary, but it must be considered to be an extremely generous estimate of Safeguard effectiveness. Even if Safeguard should develop a 100-percent success record during test interceptions, during a real heavy attack it would have to operate under the following conditions which cannot be simulated in a test situation:

Blackout: While blackout is not as effective against a point defense as against an area defense, it still has the ability to degrade the former considerably.

Second. Electromagnetic Pulse.

Third. Traffic handling: The radar and computer would have to deal with dozens, perhaps hundreds, of warheads simultaneously.

Fourth. Novel penetration aids: We can never rule out the possibility that the Soviets will develop penetration aids

about which we would know nothing until they were used against us.

Fifth. History: Air defense systems have always performed at very low levels of effectiveness, and far below the levels predicted on the basis of noncombat experience. For example, the North Vietnamese air defense is the most sophisticated in history, but its effectiveness has been about 2 percent.

Sixth. Surprise: Theoretically, surprise should not be important against an ever-alert defense system, but it has rarely worked out this way in practice. No matter how hard we try, human factors cannot be eliminated.

Seventh. Inexperience: The system will have no opportunity to be improved and refined in the light of combat experience. Everything it is going to do, it will have to do the first time. The history of the initial combat performance of advanced weapons systems, such as the M-16 rifle and the F-111 attack plane, has not been good; Safeguard is the most advanced and complex weapons system in history.

So while a realistic estimate of Safeguard effectiveness might be 10 percent or 20 percent, let us credit it with 70 percent, because we can demonstrate that even this level is hopelessly inadequate. Each one-half-megaton Soviet warhead will have a 30-percent probability of surviving Safeguard, an 80-percent probability of surviving its own malfunctions, and a 95-percent probability of being sufficiently accurate to destroy the MSR against which it is targeted. Combining these three probabilities—by multiplication—we find the overall probability of a single warhead destroying the MSR to be 21.8 percent; that is, the probability of the missile site radar surviving an attack by one Soviet one-half-megaton warhead is 78.2 percent.

To find the probability of the MSR surviving an attack by more than one warhead, we raise 78.2 percent to the power of the number of warheads being used in the attack. For example, the probability of surviving a two-warhead attack is 78.2 percent squared, or 60.8 percent. The probability of surviving a 10-warhead attack is 78.2 percent raised to the 10th power, or 8.6 percent.

Similarly, the probability of surviving a 20-warhead attack is 0.7 percent.

The probability of surviving a 30-warhead attack is 0.06 percent.

Safeguard cannot function at all without the MSR. Moreover, there is no overlapping between MSR's in different locations; destruction of a single missile site radar totally incapacitates an entire ABM site.

Therefore, by directing a precursor attack of thirty ½-megaton warheads against an MSR, the Soviets could give themselves a 99.94-percent probability that the entire ABM complex would be incapacitated and would offer no protection at all to the Minuteman ICBM's it is designed to serve. To look at it another way, such a 30-warhead attack would leave us only one chance in more than 1,600 that Safeguard would be operable when it would be needed a few minutes later as the large antisilo warheads began to arrive. The MSR could be rebuilt, of

course, but by that time it would be of no use.

Now we shall consider some further ramifications of MSR vulnerability.

Is it feasible for the Soviet Union to mount a precursor attack using thirty one-half megaton warheads? How could this be done? What are the economic factors involved?

There are several ways in which such an attack could be configured. An SS-9 has enough payload to carry 10 one-half megaton MIRV warheads plus penetration aids. Three of these rockets could be directed against each MSR. Dr. Foster has estimated the cost of a SS-9 with single warhead at \$30 million; a MIRV version might cost \$40 million, and a three-missile attack would thus cost \$120 million. This would be the cost of destroying a single MSR.

A more flexible approach would be to use 30 SS-11 rockets. Each would carry penetration aids plus a warhead of about one megaton, thus giving an even higher probability of success. If we estimate the cost of an SS-11 at \$10 million, the cost of destroying an MSR is \$300 million. More realistically, the cost of the attack can be considered to be zero, since the Soviets would be using a missile which is already in a state of surplus. Diversion of 60 or 120 SS-11's would not noticeably weaken the destructive effect of the Soviet Union's approximately 800 SS-11's, 300 SS-9's, plus missile submarines and SS-13's.

To reiterate: Whatever the vehicle used, such attacks against each MSR would effectively destroy not only the radars but the entire Safeguard system.

Since current estimates of Safeguard total costs are \$5.3 billion for a two-site system, \$8.2 billion for a four-site system, and \$14.8 billion for a 12-site system, it is apparent that the Soviets can incapacitate Safeguard for a fraction of our cost to build it.

The following table compares the cost of Safeguard to the cost to the Soviet Union of offsetting it by destroying the MSR.

COST TO THE SOVIET UNION OF OFFSETTING EACH DOLLAR SPENT BY THE UNITED STATES ON SAFEGUARD

Configuration of attack against MSR	Size of Safeguard system		
	2 sites	4 sites	12 sites
3 MIRV SS-9's per site	\$0.05	\$0.06	\$0.10
30 SS-11's per site (nominal cost)	.11	.15	.24
30 SS-11's per site (real cost)	0	0	0

What if Safeguard turns out to be more than 70 percent effective? How effective must it be against each warhead if it is to survive a precursor attack?

If we continue to assume 80 percent reliability and 95 percent accuracy for the Soviet warheads, calculations using accepted statistical procedures indicate that, if Safeguard is 97 percent effective against each incoming warhead, the MSR will have a 50 percent probability of surviving. Even at this euphoric level of effectiveness, it is still as probable as not that Safeguard will be able to provide no protection whatever for Minuteman.

Suppose the MSR somehow survives the precursor attack. How much protection would Safeguard give to how many Minutemen?

It is impossible to answer this question without discussing the number of Spartan and Sprint interceptors Safeguard will have available. These numbers are classified, for reasons we feel are not related to national security.

As soon as Safeguard construction is under way, the Soviets will be able to tell for themselves by satellite reconnaissance how many interceptors we will have. This will give them more than enough time to make whatever adjustments in their attack plans they deem necessary. We feel the only reason for keeping these numbers from the American people at this time is to prevent informed public discussion of the limitations of Safeguard, and we call upon the Department of Defense to declassify them. The practice of selectively declassifying information which favors DOD's appropriations requests, while at the same time holding unfavorable information under tight security restrictions, is counter to the national interest and must be stopped.

Do the small supplemental radars DOD plans to incorporate into Safeguard improve its survivability?

This is difficult to answer, since the parameters of the new radar apparently have yet to be defined. The use of supplemental radars would raise the cost to the Soviet Union of destroying Safeguard. But even if the new radar cost half the price of an MSR and were equally effective, Safeguard would still cost us several times what it would cost the other side to neutralize it. Note that the Soviets always have the option of reducing the cost of their precursor attack by two-thirds—by using 10 warheads per radar instead of 30—and still maintaining better than 90 percent confidence of destroying the radar.

Is it possible to build a cost-effective hard-point ABM?

If it is possible, such a system would consist of large numbers of small, cheap radars and missiles. It would lack the Achilles-heel nature of Safeguard, which stems from the latter's origin in the Nike-X and Sentinel city defense systems.

A true hard-point ABM, called "Hardsite," is now under consideration by the Pentagon. At this time, we are unable to say whether this system represents a sound defense investment in terms of possible Soviet countermoves, or in competition with other approaches to improving our deterrent, such as the ULMS system.

CONCLUSIONS

The attempt to transform the Nike-X and Sentinel city-defense ABM systems into a hard-point ABM has not been successful and cannot be salvaged. It is possible for the Soviets, with better than 99.9 percent confidence, to offset our multibillion dollar Safeguard simply by retargeting a small portion of their existing ICBM force. Unless we assume them to be drooling idiots, we must expect that they will do so.

While we have not developed this point

in this discussion, we feel that Safeguard is worse than ineffective. It is harmful to our national security because it is destabilizing and stimulates the arms race. But those who feel we need an ABM to protect Minuteman should feel Safeguard is a liability for still another reason: It delays Hardsite. Proponents of Safeguard argue that, while Hardsite may be more effective than Safeguard, it will not be available until the late 1970's, while Safeguard can be available about 3 years earlier, and "we will need to have something then." So the Safeguard proponents would have us complete Safeguard during the mid-1970's, and when we have done so we will find the Soviets are targeted on our MSR's and our "something" will be worth nothing. We would be better advised to cancel Safeguard and spend some of the money researching Hardsite.

It is argued that Safeguard is needed as a bargaining chip at the SALT talks. Certainly the Soviets know how easily they can neutralize Safeguard. It is difficult to see how such a bargaining chip could have any significant value.

Clearly, Safeguard is no safeguard. Mr. ARENDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment of the gentleman from California would limit all ABM work to two sites—Grand Forks, N. Dak., and Malstrom, Mont. These two sites, under the present schedule, will be ready to go into operation in late 1974 and mid-1975.

The amendment would stop procurement for Whiteman AFB and prohibit procurement and R.D.T. & E. for Warren AFB, the fourth Minuteman wing, and for the National Command Authority.

The logic of the amendment is simply impossible to follow.

The dollar savings would not be significant in terms of the total cost of the program. Eliminating Whiteman would have no effect on the R.D.T. & E. request for the fiscal year 1972. Whiteman accounts for only \$76 million of the procurement funds for fiscal year 1972, most of the money going for advanced procurement for radars and associated equipment and for missile parts.

Eliminating Warren at this time would reduce the procurement authorization by \$13 million and have no effect on the R.D.T. & E. authorization. Eliminating the National Command Authority would delete \$13 million from the R.D.T. & E. account. There is no procurement money in the bill for the National Command Authority.

Therefore, the gentleman's amendment would potentially save only \$102 million from the \$1,084 million in the bill.

If the work at Whiteman is halted for a year and it is later determined that the system is required, the 1-year break in the work would add considerably to the ultimate cost.

The gentleman's amendment, therefore, can hardly be defended on economic grounds.

A full, four-site program would not be available at the earliest until mid-1977. If the threat continues to develop at its

present pace, the system will barely be ready in time to meet the threat. Delaying the authorization for 1 year, which delays the work for longer than that, would mean that the system, if needed, may not be ready until after the threat has fully developed.

The amendment, therefore, can hardly be defended on strategic grounds.

There has been no slowdown in the pace of Russian offensive-missile development. On the contrary, we hear of new developments which may portend even more powerful missiles than the awesome SS-9's which the Soviets have deployed so rapidly in the last several years.

The United States and the Soviets recently agreed to discuss limitations on both offensive and defensive nuclear weapons at the SALT talks. These are but the beginning of negotiations which, if history is any guide, will be long and tedious. Just why a unilateral step to scale down our own systems should be taken at this time when the Russians have finally agreed to negotiate is simply impossible to understand. Certainly nothing in the history of the Soviet Union indicates that a partial delay on our part will draw corresponding action by the Soviets. On the contrary, we have actually delayed and stretched out our ABM development a number of times over the past years; but none of those stretchouts brought a decrease in the rate of strategic offensive deployments by the Soviets.

Those who are now telling us we must stop our ABM development so as to help the SALT talks are the same people who were telling us 2 years ago that if we went ahead with the ABM, we would block any chance of getting SALT started.

The gentleman from California said in his minority views in the committee's report that advanced information indicates that ABM's will be discussed first at SALT with a target that work would be limited to complete only Malstrom and the Grand Forks bases. I can only say that no such information was made available to the committee in any of its closed hearings, and I have found no evidence of such information being made available to the leadership of the committee. The gentleman should tell the House the source of his information and the basis on which he makes such a statement.

It is quite obvious that the Soviets would like to have limitations on ABM's since they are striving for a strategic offensive superiority and have already achieved a larger number of missiles, a greater megatonnage, and have warheads of far greater size than any U.S. missiles carry. It is equally obvious that the ABM, therefore, greatly strengthens the President's hand at the SALT talks in an attempt to get the Soviets to agree to a limitation on their offensive missiles.

To stop the very measured progress of the ABM would hurt our chances for an effective agreement at SALT and would weaken our strategic capability if SALT fails.

I urge the Members of the House most strenuously to vote down this amendment.

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment.

I have listened to the remarks of the gentleman from Illinois (Mr. ARENDS) and I can best summarize my remarks by saying that I agree with his position in opposition to the amendment offered by the gentleman from California.

This amendment, perhaps in a little different form, was considered by the House Committee on Armed Services. In another form it was considered by a subcommittee of the House Committee on Armed Services. In each instance it did not receive the support either of the subcommittee or of the full committee.

A great deal was said at the time the House gave its approval to the ABM program that it would accelerate the arms race and would adversely affect the negotiations which were going on in Geneva in the SALT talks. As a matter of record we found out it favorably affected those talks. We are getting along faster in those negotiations now than before Congress gave its approval to the ABM program.

The gentleman from Illinois (Mr. ARENDS) has explained the effect of this amendment. I agree with what he said with reference to it. We would negate the position the House has previously taken in support of the modified ABM program. I do not believe we want to do that. I believe we should continue our support of the program, and this amendment should be voted down.

Mr. RANDALL. Mr. Chairman, I rise in opposition to the amendment by the gentleman from California which would strike funds for the deployment of the Safeguard anti-ballistic-missile system.

This bill, H.R. 8687, authorizes \$1,084,000,000 for the Safeguard anti-ballistic-missile system. This authorization for fiscal year 1972 compares with the fiscal year 1971 authorization of \$1,016,000,000. The funds as authorized in this present bill do not however represent the total costs for Safeguard for this next fiscal year.

There are two ways to conduct debate on any subject. One is to be fair and present all the facts. The other way is to be misleading and give only part of the facts. In these remarks I intend to follow the former course.

The funds called for in title I of this procurement bill under the heading "Missiles, Army," do not represent the total authorization. Other amounts will appear in the military construction bill. There will be other costs for personnel which have been authorized already by other legislation which require only appropriation hereafter. Thus, to be fair, the figure stated in title I of H.R. 8687 is not the entire total for Safeguard for fiscal 1972.

But the question, Mr. Chairman is not the amounts involved but whether Safeguard is worth the cost? I thought we had decided that issue in the affirmative last year. If my memory serves me correctly, we worked up the hill and down the hill over a half of dozen times carefully considering the necessity for the Safeguard as a defense for our land-based strategic deterrent. As I recall it, there were two or three separate votes within our committee in 1970 to strike

out funds for the deployment of a third unit of Safeguard at the Whiteman Air Force Base. Then, there were one or two more separate votes during debate on the procurement bill of 1970. Finally the issue was raised again during debate on the appropriation bill for fiscal year 1971.

Now, Mr. Chairman, in my judgment one has only to refer to page 34 of the report accompanying H.R. 8687 to understand that the committee in providing for the continuation of Safeguard took a wise and prudent course. After all, we are only following the language of the House conferees on the authorization bill when in 1970 they said their interpretation of the conference was to adhere to the three-site limitation of Malmstrom, Grand Forks, and Whiteman.

Moreover, all that this authorization calls for is to conform to the request submitted by the President this year to carry on construction at Grand Forks and Malmstrom and to start construction at Whiteman Air Force Base as authorized in 1971. We do authorize the deployment of the fourth site either at Warren Air Force Base in Wyoming or in the Washington, D.C., area to protect the National Command Authorities.

The rationale of the President was of course, to provide an orderly beginning of the deployment of the Safeguard system while retaining the option of slowing down deployment if necessary to await the outcome of the SALT talks.

When the Secretary of Defense was before our committee earlier this year he said that because of the threats by both the Soviets and the Chinese we should be moving full speed ahead with the Safeguard deployment. However, he pointed out the reasons for exercising restraint pending the outcome of SALT. The wisdom of keeping the options open has already been proven by the negotiations at Vienna and particularly the interest shown by the Soviets in agreeing to a National Command Authority defense in the Washington, D.C., area and perhaps agreeing to the defense of our strategic command and control centers at Omaha and Colorado Springs.

The Members of this House should not let themselves be misled into believing that the authorization of this year for a minimum Safeguard capability will solve the problem of the defense of our Minuteman ICBM's. It will complete the tactical missile inventory for Grand Forks and Malmstrom but not for Whiteman. But this authorization, however, will complete the radars and associated equipment for all three, Grand Forks, Malmstrom, and Whiteman. Let us not overlook the fact that at the present pace the readiness date for the first ABM site will be October 1974 and readiness date for the last or the fourth site will be mid-1977.

I think it is important for Members of the House to distinguish between existing threat and the developing threat. Many critics of the Safeguard say that it is not required by the existing threat. If it were required by the existing threat, we would be in sad shape because the Safeguard is years away from being ready.

If the threat that is developing continues even at its present rate, it will be of such magnitude that by the mid-1970's all four units of the ABM system would be required. In plain English, if the Soviets continue deploying huge missiles at their present rate and if they continue to MIRV these missiles with very great accuracy, they will have the ability to knock out our land based missiles in the first strike by the mid-1970's.

The Soviets may have MIRV capability right now. We know that they can launch three reentry vehicles from one missile. We are not certain yet that they can independently target the three, but we know they are doing research to achieve that capability. To assume they will not have that capability in the 1970's is to assume that they will not have the ability several years from now that we have had for several years. In view of their technical track record, such an assumption would be pure folly. Safeguard, therefore, is nothing more than a further step in our policy of assuring deterrence and should be thought of as just one aspect of this policy. We have been deploying Safeguard at a slow rate, preparing to scale down the development if the threat dissipates.

Many self-appointed experts warned us if we went ahead with Safeguard it would kill the SALT talks. Of course, that has proven not to be true. The talks are underway, agreement has recently been reached to discuss offensive as well as defensive systems, and there is considerable indication that the Safeguard actually encouraged the Russians to come to the talks.

The instant experts also told us that Safeguard would not work. As a matter of fact, it has had excellent technical results. Both missiles, the Spartan and the Sprint are operating successfully. The missile site radar is doing exceptionally well in tests and development of software for the system is proceeding on schedule. In the past year Sprint and Spartan, operating with the MSR at Meck Island in the Pacific have successfully intercepted Minuteman ICBM's and submarine launched ballistic missiles.

The Director of Defense Research and Engineering, Dr. John S. Foster, referred to the Safeguard system in our hearings as the best development program in the Department of Defense.

Finally, let us consider the argument of the critics that by not having any defense against missiles we would not aggravate or anger our enemies. I suppose if we followed this course and did nothing, we would fill our adversaries with elation. They would know that our technology was still confined to the drawing board and that we had no intention to apply our technological developments or to keep our skills updated.

That is what the gentleman from California seems to be saying today. He is for research and development but he is against deployment. If we take no steps toward deployment against the enemy's ICBM's, then we forfeit the opportunity to nullify the superior and active weapons the enemy may have. On a football field, would a player throw a pass if he thought the enemy would receive it?

We have the technology to develop a defense and prevent our enemies from being in a position to order us to do what they please by what we might call nuclear blackmail. If we do not deploy Safeguard, I am convinced we will be foolish. Yes, it is really an act of stupidity not to protect ourselves. With Safeguard, we have only the minimum protection consistent with our needs. Without it we have no protection.

This amendment must be voted down because it is so much better to have a defensive weapon ready to use if we need it rather than to need it and not have it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

TELLER VOTE WITH CLERKS

Mr. LEGGETT. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. LEGGETT. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Mr. HEBERT, Mr. LEGGETT, Mr. PRICE of Illinois, and Mr. PIKE.

The Committee divided.

The CHAIRMAN. The Chair votes "no" and sends his ballot to the tellers to be counted.

The Committee divided, and the tellers reported that there were—ayes 129, noes 267, not voting 38, as follows:

[Roll No. 137]

AYES—129

Abourezk	Fascell	Morse
Abzug	Ford	Mosher
Addabbo	William D.	Moss
Anderson,	Forsythe	Nedzi
Calif.	Fraser	Nix
Anderson,	Fulton, Pa.	O'Neil
Tenn.	Fulton, Tenn.	Pike
Ashley	Gaydos	Podell
Aspin	Gialmo	Pryor, Ark.
Badillo	Gibbons	Quile
Barrett	Green, Pa.	Railsback
Begich	Gude	Rees
Bergland	Halpern	Reid, N.Y.
Blester	Hamilton	Reuss
Bingham	Harrington	Riegler
Boland	Hathaway	Robison, N.Y.
Bolling	Hawkins	Rodino
Brademas	Hechler, W. Va.	Rooney, Pa.
Brasco	Heckler, Mass.	Rosenthal
Burlison, Mo.	Horton	Roush
Burton	Howard	Roy
Byrne, Pa.	Jacobs	Roybal
Carey, N.Y.	Karth	Ryan
Carney	Kastenmeier	Sarbanes
Celler	Koch	Schneebell
Chisholm	Kyros	Schwengel
Cleveland	Leggett	Seiberling
Collins, Ill.	Link	Shipley
Conte	Long, Md.	Stafford
Corman	Lujan	Stanton
Cotter	McCloskey	James V.
Coughlin	McDonald,	Stokes
Culver	Mich.	Sullivan
Dellenback	Macdonald,	Symington
Dellums	Mass.	Udall
Denholm	Madden	Ullman
Diggs	Mailliard	Van Deerlin
Dow	Matsunaga	Vanik
Drinan	Meeds	Waldie
Dwyer	Melcher	Whalen
Eckhardt	Mikva	Wolf
Edwards, Calif.	Minish	Yates
Esch	Mink	Yatron
Evans, Colo.	Mitchell	Zwach
	Moorhead	

NOES—267

Abbitt	Archer	Betts
Abernethy	Arends	Bevill
Albert	Ashbrook	Blaggi
Alexander	Aspinall	Blackburn
Anderson, Ill.	Baker	Blanton
Andrews, Ala.	Baring	Boggs
Andrews,	Belcher	Bow
N. Dak.	Bell	Bray
Annunzio	Bennett	Brinkley

Brooks	Hansen, Idaho	Pickle
Broomfield	Hansen, Wash.	Pirnie
Brotzman	Harsha	Poage
Brown, Mich.	Harvey	Poff
Brown, Ohio	Hastings	Powell
Broyhill, N.C.	Hays	Preyer, N.C.
Broyhill, Va.	Hebert	Price, Ill.
Buchanan	Henderson	Price, Tex.
Burke, Fla.	Hicks, Mass.	Pucinski
Burke, Mass.	Hicks, Wash.	Randall
Burleson, Tex.	Hillis	Rarick
Byrnes, Wis.	Hogan	Reid, Ill.
Byron	Hollifield	Rhodes
Cabell	Hosmer	Roberts
Caffery	Hull	Robinson, Va.
Camp	Hungate	Roe
Carter	Hunt	Rogers
Casey, Tex.	Hutchinson	Roncalio
Cederberg	Ichord	Rooney, N.Y.
Chamberlain	Jarman	Rostenkowski
Chappell	Johnson, Calif.	Rousselot
Clark	Johnson, Pa.	Ruppe
Clausen,	Jonas	Ruth
Don H.	Jones, Ala.	St Germain
Clawson, Del	Jones, N.C.	Sandman
Coilier	Jones, Tenn.	Satterfield
Collins, Tex.	Kazen	Schmitz
Colmer	Keating	Scott
Conable	Kee	Sebellius
Crane	Keith	Shoup
Daniel, Va.	Kemp	Shriver
Daniels, N.J.	King	Sikes
Danielson	Kluczynski	Sisk
Davis, Ga.	Kuykendall	Skubitz
Davis, S.C.	Kyl	Slack
Davis, Wis.	Landgrebe	Smith, Calif.
de la Garza	Landrum	Smith, Iowa
Delaney	Latta	Smith, N.Y.
Dennis	Lennon	Snyder
Derwinski	Lent	Spence
Devine	Lloyd	Springer
Dickinson	McClary	Staggers
Dingell	McClure	Stanton,
Dorn	McCollister	J. William
Downing	McCormack	Steed
Dulski	McDade	Steiger, Wis.
Duncan	McEwen	Stephens
du Pont	McFall	Stratton
Edmondson	McKay	Stubblefield
Edwards, Ala.	McKevitt	Talcott
Erlenborn	McKinney	Teague, Calif.
Eshleman	Mahon	Teague, Tex.
Findley	Mann	Terry
Fish	Martin	Thompson, Ga.
Fisher	Mathis, Ga.	Thomson, Wis.
Flood	Mayne	Thone
Flowers	Mazzoli	Vander Jagt
Flynt	Michel	Vigorito
Ford, Gerald R.	Miller, Calif.	Waggonner
Fountain	Miller, Ohio	Wampler
Frelinghuysen	Mills, Ark.	Ware
Frenzel	Mills, Md.	Watts
Frey	Minshall	Whalley
Fuqua	Mizell	White
Galifianakis	Mollohan	Whitehurst
Garmatz	Monagan	Whitten
Goldwater	Montgomery	Widnall
Gonzalez	Morgan	Wiggins
Goodling	Murphy, Ill.	Williams
Gray	Murphy, N.Y.	Wilson, Bob
Griffin	Myers	Winn
Griffiths	Natcher	Wright
Gross	Nelsen	Wyatt
Grover	Nichols	Wydler
Gubser	O'Konski	Wylie
Hagan	Passman	Wyman
Haley	Patman	Young, Fla.
Hall	Patten	Young, Tex.
Hammer-	Pepper	Zablocki
schmidt	Perkins	Zion
Hanley	Pettis	
Hanna	Peyster	

NOT VOTING—38

Adams	Grasso	Runnels
Blatnik	Green, Ore.	Saylor
Clancy	Helstoski	Scherle
Clay	Long, La.	Scheuer
Conyers	McCulloch	Steele
Dent	McMillan	Steiger, Ariz.
Donohue	Mathias, Calif.	Stuckey
Dowdy	Metcalfe	Taylor
Edwards, La.	O'Hara	Thompson, N.J.
Evins, Tenn.	Pelly	Tierman
Foley	Purcell	Veysey
Gallagher	Quillen	Wilson,
Galtys	Rangel	Charles H.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. PIKE

Mr. PIKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PIKE: Page 2, line 6, strike out "\$3,102,000,000" and insert "\$2,744,800,000", none of which shall be authorized for the procurement of additional C-5A aircraft.

Mr. PIKE. Mr. Chairman, this is an issue which has been familiar to us for some time, but it is a vote that the Congress has never had really an opportunity to vote on before.

The question is whether or not we are going to approve the package negotiated between the Secretary of Defense and the Lockheed Corp., the largest part of which involved cost overruns for the C-5A aircraft.

There is in this bill before us today \$357,200,000 which does not buy any additional C-5A aircraft than we have already authorized—it merely pays for cost overruns on those which we have already authorized.

I do not want you to think this is the total cost overrun. We paid \$544 million last year on the cost overruns—this \$357 million—and there will be more next year. We do not know how much more there will be next year. There will not be any more cost overruns because they have changed the contract to a cost basis.

One of the beauties of going on a cost or cost-plus basis is that you obviously cannot have a cost overrun.

Now we were told last year that before some of the money that was in last year's bill, which they then called a contingency fund would be spent, the Congress would be notified on how it was going to be spent and what the arrangements were.

If you recall the notification which was dated last December 30, and it came in the form of a letter addressed to the Congress from the Secretary of Defense, and in any real sense of the word—Congress was notified when the Congress was not in session—one Congress had recessed and the other one had not yet taken office.

Now the ultimate question, of course, is—how much is the C-5A aircraft worth to us? I will tell you what it is costing us. It is costing us \$56 million a copy.

Let us ask what it is worth to the Air Force. One of them caught fire out in Palmdale, Calif., and it would have cost the Air Force \$19 million to repair it and the Air Force elected not to repair it because it was not worth \$19 million to them.

So they are doing without that aircraft. I submit to you that in my order of priorities what I would like to see done is to stop the procurement on this plane now. We were told last year that its performance was perfect. We now know that it was not. It is restricted at the present time to flying at 80 percent of its supposed capacity. It is restricted to landing on hard runways, although it has 16 wheels so that it can nominally land on soft runways, and we are paying for a kneeling capacity which the testimony says does not work properly.

In my judgment what we ought to do is to take that production line that is there right now, those planes which are half done, we ought to use as spare parts. But I do not think that this aircraft, which has been a classic example of fail-

ure of both cost and performance, is worth what we are paying for it, and that is the only judgment that we have to face here. If it is not worth \$19 million to the Air Force, I do not think it ought to be considered worth \$56 million to the American taxpayer, and I do not think that we should authorize further procurement.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PIKE. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. BLACKBURN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. HALL. Mr. Chairman, I rise in opposition to the amendment, which seeks to delete \$357 million from this authorization bill for the C-5A aircraft. I do it as a member of the Airlift Subcommittee and the Research and Development Subcommittee over the past 12 years since I have been a member of the Committee on Armed Services. It leaves no completion money for those already well down the assembly line.

If this amendment were adopted it would be a classic example of "cutting off our nose to spite our face."

By the end of this month, 42 C-5A aircraft, out of a total procurement order of 81, will have been delivered to the Air Force. This means that 39 aircraft are to be finished and delivered and I am advised that 21 of these will be in the contractor's plant in the latter stages of assembly by the end of this month.

The need for the C-5A is perfectly obvious. Some argue that we could buy many tanks, howitzers and helicopters for what we will spend on the C-5A, and that we could preposition this equipment and thus eliminate the necessity to fly this type of equipment to various parts of the world. But I defy anyone to tell me where military equipment may next be required in defense of this Nation in the years ahead. We have tried this one.

It is logical to assume that there may be requirements for the C-5A in Western Europe. If so, there are about 175 airfields upon which the C-5A can land. But we may also need tanks, howitzers, and helicopters in other parts of the world.

The C-5A can land practically any place in the world where there is a hard landing field and I am confident that it will soon be capable of landing on soft dirt runways.

Today the C-5A is restricted to 80 percent of its load capacity. This is not a deficiency; it is a very practical approach to the testing of an aircraft before it is flown at 100-percent capacity. This is done with all aircraft. Certainly the C-5A has deficiencies. Every weapons system has deficiencies at the outset. The famous F-4 had a pottage problem which seriously affected the performance of almost 100 of these planes for several months and required extensive rewiring.

This was discovered long after the plane had been in operation, but I have not heard anyone suggest that the F-4 should never have been acquired until

that problem had been anticipated and fully corrected before the plane was built.

Some problems can be anticipated and this is what the tests are supposed to discover, and when problems are found they must be corrected to increase flight safety.

We will achieve nothing on the debate on this bill by pointing out the deficiencies of the C-5A. It is the best transport aircraft available in the world today. It is needed. It is badly needed. It has cost more than any of us expected it to cost. Whether this was due to engineering mistakes, low estimates, poor management, or an impossible contract, I cannot say.

We know now that the Lockheed Corp. has agreed to accept a \$200 million fixed loss. We also know that \$383 million is required this year to continue the production of the remaining 39 aircraft to be delivered to the Air Force.

If this \$357 million is removed from this bill, these aircraft would not be delivered and then the Government would be involved in extensive litigation to ascertain termination costs.

We hear a great deal of discussion today about reducing our force levels in Europe. May I suggest to this committee that if we are to keep our NATO commitments, we are going to have to have an airlift capable of delivering equipment, men and supplies to Europe where needed.

For all practical purposes, our merchant marine is gone. We do not have a single U.S. passenger ship operating in the Atlantic Ocean and our cargo-carrying merchant marine is dwindling very rapidly.

But let us not compound the seriousness of that situation by denying to our military forces these 39 additional aircraft that are now being built for delivery to the Air Force, most of which will be funded on the basis of the authorization contained in this bill.

This aircraft can cruise at 440 knots. This was the contract requirement and this is its capability. The engines develop 41,100 pounds of thrust and this is the contract requirement. It has a range, with 100,000 pounds of payload, of 5,800 miles. This meets the contract requirement. The contract requires that it be able to take off in 8,000 feet. It now takes off for its basic mission in only 7,860 feet. The landing distance required was 3,125 feet. It has bettered that requirement and only needs 2,710 feet. And it is often overlooked that the C-5A also has the capability of air dropping large quantities of equipment and supplies.

Let me summarize the total acquisition cost of this plane. When the 81 aircraft have been delivered to the Air Force, the development cost will have amounted to \$1,029,200,000. The aircraft procurement cost will be \$3,195,500,000; initial spares \$428 million; and military construction \$17,600,000; for a total program cost of \$4,670,300,000.

With the acceptance of a fixed loss of \$200 million by Lockheed, the ultimate cost to the Government for this aircraft will be \$4,470,300,000. Expensive—yes, but necessary.

I hope no one ever has to stand in the

well of this House and say, "I wish we had had all of the C-5A's we ordered; things might have been different." Instead, I hope and think it is more likely that people will be able to stand in the well of this House and say, "Thank God, we had the C-5A and we were not panicked into denying funds for the completion of the contract."

Let me say once again, as I have said before, the money contained in this authorization bill is to continue the production of 39 C-5A aircraft to complete the total acquisition of 81 aircraft, except for a final \$160.8 million that will be requested in fiscal year 1973, \$100 million of which is to be returned to the Federal Government by Lockheed.

This does not have anything to do with the Lockheed guarantee loan. We are dealing with a strategic weapons system that must be acquired. Lockheed is the contractor. Lockheed has agreed to accept a \$200 million fixed loss for this program. I can think of nothing more shortsighted on our part at this time than to deny the funds requested this year to complete the production of these 39 aircraft. The U.S. Government and far less the Department of Defense is not in the business of deliberately decimating our Nation's industrial capability.

Bear this in mind, if we deny these funds, most of these 39 aircraft will not be produced, and litigation and termination costs between Lockheed and the U.S. Government will be initiated. Again, I say let us not cut off our nose to spite our face.

I hope the amendment will be overwhelmingly defeated.

(By unanimous consent, Mr. HALL was allowed to proceed for 4 additional minutes.)

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment.

I agree with the statement made by the gentleman from Missouri, who spoke in opposition to this amendment. The money the gentleman from New York seeks to strike from the bill is to complete the buying of aircraft already under contract, representing, as it does, a reduction of C-5A's, which expressed the will of the Congress in previous sessions.

Congress already has reduced the number of aircraft that were originally intended in this category. The Air Force wants the C-5A; the Air Force needs the C-5A. The Congress looked at the situation very carefully in the last several years. We did reduce the request of the Air Force in previous sessions of Congress. These aircraft are under contract. This money would fulfill that contract. If you do not fulfill the contract, as the gentleman from Missouri has stated, we will probably spend this amount of money in renegotiation settlements and in cancellation fees.

I think this amendment should be defeated.

Mr. BRAY. Mr. Chairman, will the gentleman yield to me?

Mr. PRICE of Illinois. I yield to the gentleman from Indiana.

Mr. BRAY. Is there another plane in the world that will carry every item of an Army division except the C-5A?

Mr. PRICE of Illinois. The C-5A is the

only aircraft, not only in the U.S. Air Force, but in the world that is capable of carrying out-sized cargoes. It is a very necessary aircraft in the Air Force inventory.

Mr. MILLER of California. Will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman.

Mr. MILLER of California. Mr. Chairman, I would like to call the attention of the House to the fact that those of us who can remember two World Wars—and there are certainly enough present here—remembers that in each of them we were inhibited for a year or a year and a half until we could get logistic facilities to transport our troops and supplies to the scene of the war. There are still some ships in mothballs, and it would be almost impossible to rehabilitate them. In this day and age, if we were to get into a war, we would be delayed and be at a great disadvantage for want of logistic facilities to fight that war. The C-5A is the answer to our problem.

Mr. PRICE of Illinois. Mr. Chairman, I would like to reiterate that in my opinion this amendment does not save any money, but will possibly cost money and deprive the Air Force of a very necessary part of their requirements for equipment available to carry out-sized cargo. It is a plane that the Congress and the committee approved. We are in the contract stage. I think the Committee should reject this amendment.

Mr. HÉBERT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will not consume my 5 minutes of time, but I just want to correct a misimpression which might have been left in the House by my dear friend from New York, who is a very able gentleman.

He mentioned about concluding the planes on the line and then just using the rest for spare parts. Is that correct?

Mr. PIKE. If the gentleman will yield, I suggested that we stop now and take those which are half completed and complete them and use those which have not reached that point for spare parts.

Mr. HÉBERT. That is what I thought the gentleman said. He said take those which are half completed should be completed and reject the rest. Every ship on the line now is half or more completed, so, accepting the gentleman's formula, we should complete those on the line, because every one is 50 percent or more completed. The best answer we can give to the lack of validity that the proposition has is that the committee voted 30 to 5 against this amendment. But I would rather rely on the gentleman's own estimate that we should complete that portion that is 50 percent completed, and those are the ships that are on the line.

Mr. MOORHEAD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to propound a question or two to the author of the amendment. I would like to ask the gentleman from New York if it is not true that the so-called Whittaker report said that only 41 C-5A's were required to

do that job which no other plane could do; namely, carry outsized equipment.

Mr. PIKE. If the gentleman will yield, not only is the gentleman correct, but one of the sad things about it is that these planes today are being flown but they are being flown half empty most of the time.

They are flying. There is no question about that. But they are being wasted, their capability is being wasted in a terribly expensive way to move cargo if you do not use all space available.

Mr. MOORHEAD. I thank the gentleman.

Further, is it not true that there will be before the end of this fiscal year at least 41 planes completed and that the gentleman's amendment would permit the production of even more than 41 planes?

Mr. PIKE. That is correct. I will say further that the Air Force by not repairing the two—they did not repair the one at Palmdale and by not repairing the one which caught fire down in Georgia—has already committed themselves to the fact that they do not need either one.

Mr. MOORHEAD. Is it not true that the Whittaker report in suggesting additional planes above the essential 41 did so on a cost effectiveness basis before we knew the real cost of the C-5-A?

Mr. PIKE. That is correct.

Mr. MOORHEAD. And that the C-5-A cost at least \$59 million a copy; whereas, the Boeing 747 costs about \$23 million per copy?

Mr. PIKE. The cost of the C-5-A is roughly twice that of the 747.

Mr. MOORHEAD. So, the cost effectiveness studies for the additional planes were based on justifications which no longer exist?

Mr. PIKE. The gentleman is correct.

Mr. MOORHEAD. Is it not true that there is a General Accounting Office report to the Congress saying that there were serious defects in the C-5-A with respect to the wing structure, the avionics and the landing gear?

Mr. PIKE. In fairness to the manufacturer I believe that the wing structure problem has been, if not completely cured, partially cured. It is still restricted to 80 percent of its supposed carrying capacity.

The landing gear; yes, these problems do actually exist but they decided it was not worth trying to correct them at the present time. The avionics have been reduced. So it is not only costing more but you are getting less plane for your money.

Mr. MOORHEAD. I thank the gentleman and I must say that this is a good plane. I think probably it is a good thing even though it is terribly expensive that we should have at least 41, but we should not go on and build as many as contemplated.

This is the thrust of the gentleman's amendment; is it not?

Mr. PIKE. That is exactly the thrust of my amendment. In other words, it is the old concept that one ice cream soda may be good for you but 20 of them might be bad for you.

Mr. MOORHEAD. I thank the gentleman.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, while on the subject of planes and aircraft with serious defects, I note on page 25 of the report that \$112 million is provided in this bill for the procurement of 12 additional F-111's.

Does this mean that this is the end of the ill-fated F-111 program?

Mr. HÉBERT. Mr. Chairman, if the gentleman will yield, and as I know the gentleman listened yesterday and I am sure he paid very close attention when I was presenting this case at that particular time, I mentioned the F-111 and asked the House in its consideration of this matter not to confuse the ill-fated contract which was a mess, and a terrible mess, with the aircraft itself.

I agree with the gentleman that the contract selection, and the methods used by the Secretary of Defense are indefensible.

However, we are talking about the aircraft itself, the F-111. What we are doing now is to correct the situation because of the lack of action of the former Secretary of Defense Mr. McNamara. In other words, we have to keep the F-111 line open with 12 more aircraft which can be used as interceptors and as bombers as well.

So to further answer the question of the gentleman from Iowa, if we are talking about the contract, it is horrible, it is terrible; if we are talking about the finished airplane that we need, then it is necessary, and I tried to explain that yesterday, but it has nothing to do with the amendment pending before the House.

Mr. GROSS. The gentleman still has not answered the question. Does this mean a winding down of the F-111 program that we are going to obtain only one of these planes a month for 12 months? If so, is it not a terrifically expensive aircraft on that basis?

Mr. HÉBERT. It means a continuation of something that is needed until we get the AMSA or the B-1 in the air. This was caused by the failure on the part of the former Secretary of Defense, Mr. McNamara, to go ahead with the so-called AMSA or the manned bomber so that we are now caught in the switch because of his action or his lack of action.

Insofar as having to keep this line open, as I pointed out yesterday, it has been a decade since a B-52 has come off the line, one decade, 10 years, and we cannot get the B-1 or the AMSA for 6 to 8 years. So we do have to keep something in our hip pocket in case of an emergency.

Mr. GROSS. This does not mean then construction of one of these aircraft per month, the winding down and end of the F-111 program; is that correct?

Mr. HÉBERT. That is correct; it continues it for 12 months.

Mr. GROSS. Is it not tremendously expensive to keep the line open to produce one aircraft a month?

Mr. HÉBERT. We have to keep it open. It is less expensive to keep the line open than it is to close it down and then try to reopen it again at some other time. It is a clear example of the great savings former Secretary of Defense McNamara

gave to the country, and how expensive it is to save.

Mr. GROSS. I want to thank the gentleman for the information he has provided, and let me say in conclusion that I will never forgive former Secretary of Defense McNamara and those associated with him for the shocking manipulations and staggering, unnecessary costs of the F-111 program. Not only has hundreds of millions of dollars been wasted, but the failure to timely produce a satisfactory plane has jeopardized the security of this country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. PIKE).

The question was taken; and on a division (demanded by Mr. PIKE) there were—ayes 41, noes 132.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Funds are hereby authorized to be appropriated during the fiscal year 1972 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law in amounts as follows:

For the Army, \$1,933,256,000;
For the Navy (including the Marine Corps) \$2,460,469,000;
For the Air Force, \$3,030,144,000; and
For the Defense Agencies, \$489,443,000.

AMENDMENT OFFERED BY MR. PIKE

Mr. PIKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PIKE: On page 3, line 13, strike out—"\$3,030,144,000" and insert—"\$2,659,844,000" none of which shall be authorized for the development of the B-1 aircraft.

Mr. PIKE. Mr. Chairman, I would like to say at the outset that while I did not attempt to get a record vote on the last amendment, I am going to attempt to get a record vote on this amendment.

This amendment has to do with the development of a new strategic bomber. Have you ever heard that song before? We have had an AMSA talked about in our committee and in our report and on the floor and we have had a B-70 talked about in our committee and in our report and on the floor. Here we go again, starting out a new strategic system—a new manned bomber in an age which I believe manned bombers are obsolete—manned strategic bombers are obsolete.

Let us consider what we did the last time we walked down this road. This was the B-70—we built 2½ B-70's. One B-70 crashed when a plane which was flying with it taking pictures of it had a tragic midair collision with it. The second one is at the Air Force Museum at Wright Patterson Field. The half is in little bits and pieces all over the United States of America. But we spent \$1½ billion before we made the determination that it was not useful to go down that route. We are about to waste something in the neighborhood of some billions of dollars going through the same procedure again.

Last year we authorized \$75 million for this weapons system. This year we are

authorizing \$370.3 million for this weapons system. Last year we were told that we were going to build seven prototypes—five flying models and two static models. Already they have changed that, down to three prototypes.

The plane's capability was originally sold to us as having a low altitude supersonic penetration ability. It is now a low altitude subsonic penetration ability.

I simply suggest to this committee that if they will look at the committee report, they will see that the committee, the Air Force, and the Department of Defense protest strongly that they are making no commitment whatsoever that this aircraft is ever going to be procured. I am firmly convinced that this aircraft is not ever going to be procured. We are going down the research and development route of building three models of a supersonic high altitude bomber—a subsonic low altitude bomber, which I do not think will be procured in 100 years. It is going to go the same route the B-70 went and going the route that AMSA went.

It is in this bill and it is in the Department of Defense budget as a sort of memoir to those of the Strategic Air Command who have not really accepted the coming of the missile age. I would hope that we do not spend this money to develop a plane which the military tells us they do not know will ever be procured. Surely we can use the money for better purposes.

Mr. PRICE of Texas. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment proposed by my colleague from New York (Mr. PIKE).

In his minority views the gentleman contends that money is being wastefully spent on the B-1 bomber and that the \$370 million authorization forgets, and I quote, "completely the lesson of the \$1.5 billion wasted on the B-70."

Mr. Chairman, as a former member of the U.S. Air Force, I have maintained a strong and continuing interest in the developments and state of air technology. On the basis of my background and experience, I can unequivocally state that comparing the B-1 and the B-70 is like comparing apples and oranges.

The B-70 was a supersonic bomber designed to fly at high altitudes and at speeds exceeding mach 3. The B-70 was phased out by the Air Force because its altitude ranges made it extremely vulnerable to lethal attacks by Russian surface-to-air missiles.

The B-1 is an altogether different plane. It is a bomber designed to fly at low levels at near supersonic speeds and at supersonic speeds at higher altitudes. The B-1 has a low-level attack capability which permits the plane to fly beneath Soviet radar. Unlike the high altitude flying B-70, the low-flying B-1 will be over its targets a much shorter period of time and will thus be considerably less vulnerable to attacks by enemy surface-to-air missiles.

The B-1 has other significant desirable attributes which make it vital to the framework of the U.S. deterrent triad, a

framework composed of Minuteman missile forces, Poseidon missile-launching submarines, and strategic manned bombers. The plane's high prelaunch survivability with its ability to take off rapidly from dispersed fields before being destroyed by enemy incoming sea-launched missiles is a critical necessity in modern day warfare. In terms of its offensive capabilities, the B-1 can carry three times the internal payload of the B-52 in either nuclear bombs or Scram missiles. It has penetration aids and other devices designed to enable the plane to fight its way through the heaviest air defense concentrations and deliver its payloads deep in the enemy's heartland. In this connection, the plane has a low radar cross section with highly efficient electronic measures. Given the aerodynamic structure of the plane, the B-1 can obtain the same protection against enemy radar using about 1,000 pounds of avionics gear that the aging B-52 could get with 100,000 pounds.

Mr. Chairman, it is my fervent hope that the B-1 strategic bomber will never be pitted against Soviet military defenses. And if the plane is never committed to combat then the plane will have, in the best sense, fulfilled its mission, just as did its predecessors, the B-36 and the B-52. For avoiding armed conflict by being constantly and fully ready to fight, if need be, is the essence of deterrence. In this regard I would emphasize the fact that although it its day, the B-52 carried out this deterrent function to perfection, the age of the B-52 has passed. The B-52 is a product of the avionics technology of the fifties. This technology and this plane are inadequate to meet U.S. national defense needs in light of the Soviet and Red Chinese strategic threats of the seventies and the eighties.

In closing, I would urge my colleagues to reject the proposed amendment and to proceed full pace in developing and deploying the B-1. I cannot overemphasize the importance of continuing the development and testing of this aircraft. From its very inception, it has been the most important corner this Nation has turned since the decision was made to develop the ICBM on a priority basis. And inasmuch as we are still facing the threat of nuclear holocaust, and since we still face an implacable enemy in communism, the B-1 program must continue at full speed.

AMENDMENT OFFERED BY MR. LEGGETT TO THE AMENDMENT OFFERED BY MR. PIKE

Mr. LEGGETT. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New York (Mr. PIKE).

Amendment offered by Mr. LEGGETT to the Amendment offered by Mr. PIKE. On page 3 of the bill, line 13, strike the figure "\$2,659,844" and insert the figure \$2,159,844."

Mr. LEGGETT. Mr. Chairman, I support the manned bomber concept. I like it. I believe the form of my amendment to Mr. PIKE's amendment really explains how much I like the manned bomber concept.

What I would do, instead of accepting the \$370 million which is programed

by the Department of Defense in the bill is to reduce the level to \$200 million.

This aircraft is known as the AMSA, the advanced manned supersonic bomber. We programed that and stimulated the development of that in the House Armed Services Committee. We insisted that this aircraft be developed as the successor to the B-52's built in the 1950's.

I supported the development of the B-1 bomber at the \$25 million level and at the \$50 million level. The House last year put in \$100 million for this program. The Senate reduced the program to \$75 million.

I believe the benefits of the program as it has been developed over the past year have been pretty well explained by the chairman of our committee. This is not a total package procurement. This is a development contract only we are working under at the present time. I believe it is under excellent management of my good friend Maj. Gen. Doug Nelson.

Our Subcommittee on Research under Chairman MEL PRICE of Illinois, has totally reviewed this program both at Wright-Patterson Air Force Base and also in California at the North American Rockwell Plant.

Originally the Pentagon had programed for this year \$550 million for the development of the B-1 bomber. As I said, North American is doing a good job in the development of this program. But I believe the Pentagon recognized that these figures which have been published in the national magazines on GNP, indicating that over the past year in static dollars we have depleted from the \$729 billion level to the \$721 billion level, indicate perhaps we should engage in some frugality in some of these defense expenditures. As a result, they put the lid on the Air Force and they said, "All you can spend is \$370 million for this plane in 1972."

The gentleman from New York (Mr. PIKE) would totally terminate the manned bomber B-1 program. My amendment would continue the program at \$200 million.

I want to say that the largest single cleavage on our Committee on Armed Services occurred on my amendment to Mr. PIKE's amendment. We got 13 members. That is one-third of the committee. I want to tell you, on the House Armed Services Committee, that is one whale of a division.

I say it is better to develop this program gradually, as we can afford it. I would say it would be better to wait until we are growing at the great society years of \$40 billion or \$50 billion a year in static American dollars, rather than to try to spend this very large amount of money at a time we really cannot afford it.

The SALT talks are in progress. They might bring a total termination to this program. I say if we spend \$370 million this year we are obligated to spend \$550 million next year and we are obligated to spend \$500 million for this program the next year.

If we are concerned about employment, which I am in my home State of California, for these are my engineers in-

involved, we would go from 7,000 engineers right now at North American to 11,000 engineers next year and the year after that, and then we would go back on down to 7,000 engineers.

I really do not think that does an awful lot for employment in my home State. It causes problems.

This airplane costs money. It was originally programed for some \$22 million or \$23 million. Now the cost is \$46.6 million. It is a better airplane than the FB-111, because it contains 24 SRAM air-to-surface nuclear missiles. Last year these missiles cost \$500,000, and now they cost \$1 million apiece. That means for each one of these vehicles it costs \$70 million apiece.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. LEGGETT was allowed to proceed for 2 additional minutes.)

Mr. LEGGETT. We are going to build 247 of them. I ran it out on my slide-rule, and it is \$17.5 billion we are spending on this program to go in and take care of the Soviets on a second strike. I say, if we are going to err, let us err on the side of strength but not on the side of lunacy. How strong are we if we go ahead and spend \$1.5 billion on this program only to find the SALT talks bringing about a detente? I say we would be much better off to go ahead and move on the \$200 million level and keep our options. Let us not stampede ahead but move ahead with the program on the FB-111, which you can build for \$10 million apiece. The FB-111 will strike at 40 percent of the Soviet Union as compared to the B-1, which costs \$70 million and which will strike at 60 percent of the Soviet Union. I tend to think that if we want to be cost effective and get a good bargain, what we ought to do is save our SALT talk options and buy my amendment to Mr. PIKE's amendment.

Mr. RANDALL. Mr. Chairman, will the gentleman yield to me?

Mr. LEGGETT. I am glad to yield to my colleague from Missouri.

Mr. RANDALL. I thank the gentleman for yielding.

I heard the gentleman describe this program as lunacy. I would like to ask a question involving logic. If you say this is such a good thing and is needed and if you say it is such a fine thing, what is the logic if you want to cut it? You say you want to cut it from 370 to 200. What is the logic of that?

Mr. LEGGETT. In order to move ahead at a little slower progression rather than to get up in the big bucks right away. It is a question of judgment.

Mr. RANDALL. We are 6 months behind now.

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment offered to the pending amendment.

Mr. Chairman, the gentleman who preceded me stated that the subcommittee of the Committee on Armed Services thoroughly examined this particular program both in committee hearings here in Washington and in field trips at Wright-Patterson Air Force Base and at the manufacturer's plant in California, and

after thorough consideration the subcommittee rejected the amendment offered by the gentleman from California and also the amendment offered by the gentleman from New York. After it reported back to the full committee, the same two amendments were considered by the full committee, and they were rejected at that time.

Mr. Chairman, the amendment offered by the gentleman from California (Mr. LEGGETT) represents a stretchout of a program that is proceeding on an orderly basis without any known technical difficulties being encountered as of this time.

A stretchout would disrupt the orderly development procedure, would increase the development costs, would increase the total program cost, and would delay the introduction of this strategic system into our operational inventory if the decision is made to go into production.

This is not a program of concurrency but is one of fly before you buy. As previously stated, prototypes of this aircraft will be test flown and evaluated for 1 year before any decision is made to release for production.

The Air Force and the Department of Defense have studied the various alternatives for meeting our requirements for future bomber forces, including several types of penetrating and nonpenetrating—standoff—aircraft systems. The proposed B-1 is a result of those studies.

Now it is time to get on with the development of the prototype hardware for test and evaluation.

I urge the Committee to reject the proposed amendment.

Mr. Chairman, the rationale for this amendment is that either manned bombers are no longer needed to provide a strategic deterrent or that the aging B-52's can be further modified to extend their operational usefulness through the decade of the 1980's.

The overwhelming majority of the Committee on Armed Services has long supported the need for the "Triad" to provide a creditable deterrent. Over the years the committee has cautioned the Congress and the Department of Defense not to put all of the eggs in one basket; namely, ballistic missiles.

Manned strategic bombers offer insurance against unanticipated vulnerabilities which may appear in either of our missile systems, including the security of the launching platforms.

Often it has been said that missiles cannot be recalled once they are launched and that the only strategic system that we have which possesses the human brain as a part of its computer, once the system has been launched, is the manned bomber.

If we eliminate the manned bomber, this eliminates one of the threats to our potential enemies and reduces the number of targets which the enemy must strike if he is to destroy our retaliatory capabilities.

Because of our national policy not to develop a first-strike capability, the manned bomber is the only strategic system we possess that can be launched upon receipt of a warning of an attack.

Any attempt to simultaneously destroy our strategic bombers and our strategic missiles provides a warning to one or the other systems sufficient to allow that system to be launched successfully. For instance, a simultaneous attack on our Minuteman fields by enemy ICBM's and the bomber bases by submarine launched ballistic missiles would necessitate launching of the ICBM's approximately 15 to 20 minutes earlier than the launch of the SLBM's. Such a warning time would enable the bombers to become airborne before the SLBM's were launched.

On the other hand, an SLBM attack on our bomber bases would provide sufficient warning to enable the launch of our Minuteman force before it came under attack. So it is impossible for any potential enemy to destroy these two strategic retaliatory capabilities simultaneously, without warning. One or the other would survive and would be available for retaliation.

Some advocate increasing our Polaris/Poseidon-type missile systems because of their relative invulnerability to attack at the present time. While it is true that the missile launching submarine enjoys this relative security today, there is no assurance that within the next decade or so breakthroughs will not be accomplished in the antisubmarine warfare area which would eliminate or drastically reduce that security.

The manned bomber is the only one of our strategic weapons systems that offers a capability in a conventional war. Evidence of this has been provided in the war in Southeast Asia by the B-52's.

The Soviet Union continues to maintain a substantial number of strategic bombers capable of attacking this continent. In addition, we have seen prototypes of a new sweptwing bomber developed by the Soviets. The intelligence community is in agreement that this bomber will possess a range capability sufficient to enable it to attack almost any section of the North American continent. Thus it is obvious that the Soviets have not abandoned their "triad" of strategic weapons systems. We should not reduce our strategic retaliatory capabilities on a unilateral basis.

In response to the suggestion that the B-52's can be further modified to extend their useful life, I offer the following:

The latest model B-52's, the G and H, vary in age from 8 to 12 years. Even with the B-1 planned to enter the operational inventory in the late 1970's, the B-52 is expected to be maintained in the inventory through 1980. By that time the oldest aircraft would be about 22 years old and the youngest about 18 years.

It has been suggested that the B-52 could be further modified with new and improved engines. This modification might increase the speed and range capability slightly, but would not necessarily increase the low-level penetration capability or its probability of survival during penetration. The normal speed of the B-1 at low altitude will be substantially greater than the B-52. The B-1 is designed to have a far better navigational precision and, therefore, much better accuracy with short-range attack missiles—SRAM—than the B-52.

The B-1, designed with better inherent stability, better terrain avoidance equipment, better control systems for low-altitude flight, and a high tolerance for low-altitude turbulence, is designed to operate safely at lower altitudes than the B-52, improving its probability of survival during penetration.

The funds recommended for authorization in this bill for the B-1 bomber do not commit the Department of Defense or the Congress to production of the B-1. That decision is some 4 years away and will be preceded by 1 year of flying, tests, and evaluation. This program should be supported by the Congress and allowed to proceed on an orderly basis.

Mr. Chairman, I urge the Committee to reject the amendment.

If we continue the program, we would probably double the cost of the program by the stretchout.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield further? Mr. PRICE of Illinois. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. On the question of the increased cost. If the program is stretched out, is the gentleman taking account of the fact that we will be keeping the money longer and, therefore, saving interest?

Mr. PRICE of Illinois. The gentleman from Illinois is taking into account the experience which the gentleman has had in watching such programs over the years. I realize, and I think the gentleman who serves on the Committee on Appropriations realizes, that when you do stretch out a program, all you do is add to the cost of the program.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from California.

Mr. GUBSER. I think the gentleman from Maryland is overlooking a point when he says we would save by keeping the money longer. We do not have the money. We have not borrowed it from the taxpayers as yet.

Mr. LONG of Maryland. Of course, you are paying interest on that money if we assume we are borrowing it. I do not quite see the logic of the gentleman's arithmetic.

Mr. PRICE of Illinois. I do not follow the mathematics of the gentleman from Maryland.

Mr. LONG of Maryland. Well, the interest rate is 6 percent.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. What is wrong with the F-111B? It is already in production.

Mr. PRICE of Illinois. The F-111B, when you ask what is wrong with the F-111 I know you are talking about the contractual troubles about which we all were concerned. However, insofar as the aircraft itself is concerned it is the best fighting aircraft in the world today. The committee happens to believe that the F-111 will do a good job right now and that is the reason we put money into this bill, to keep the production line in being so that we would have an interim bomber between the B-52 and this plane the B-1 when it comes into being in the 1980's.

Mr. Chairman, I urge the committee to reject both of these amendments.

Mr. ICHORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to both amendments.

Mr. Chairman and members of the committee, I take the well to support my chairman of the Research and Development Subcommittee.

Both of these amendments were submitted in the subcommittee. They were submitted in the full committee. Both of them were rejected overwhelmingly.

Mr. Chairman, it might seem strange, as one of the members of the original "Fearless Five" who voted against the former chairman of the House Armed Services Committee, the gentleman from Georgia, Mr. Vinson, on the B-70 program to now be in the well in support of the manned bomber, the B-1.

But, the issues involved are completely different. We need a supersonic manned bomber for the defense of this Nation.

The capability of supersonic cruise performance is mandatory for a truly modern manned strategic bomber that will have to be operated in the 1980's and 1990's as a key element of this country's strategic force.

Flexibility, which is the manned bomber's greatest advantage over missile systems, is greatly enhanced by the supersonic capability. The ability to accelerate to supersonic speeds in order to skirt or make an "end run" around interceptor concentrations, airborne warning aircraft control systems—AWACS—or other sophisticated defenses is an example of the tactical versatility provided by the B-1's Mach 2 plus capability.

The SRAM—short-range attack missile—which the B-1 is designed to carry, is an offset missile—one capable of being launched in any direction from the aircraft. This SRAM capability eliminates the need to fly directly over the intended target and through heavy defense concentrations. A B-1 flying at supersonic speed increases the capability of the SRAM, by more than doubling the offset range of the missile when launched at high altitude.

The higher aircraft thrust-to-weight ratio required for supersonic flight results in higher acceleration capability which aids in escaping potential nuclear SLBM attack against airbases.

Supersonic response times can also provide the operational flexibility to suppress escalation of brush-fire wars or contain international incidents.

The productivity of an aircraft; that is, to do useful work, is measured by multiplying the aircraft velocity—speed—by the aircraft payload. The supersonic capability coupled with its larger payload capacity gives the B-1 a productivity approximately 13 times that of the subsonic B-52.

The above important advantages of having a supersonic cruise capability in the B-1 only adds 16 percent to the fly-away cost. In addition to the previous advantages outlined, having above supersonic high-altitude performance as well as near supersonic low-level capability in the B-1 forces the enemy to expend large sums and scientific talent for

multiple defense systems which have to guard against the possibility of two kinds of attacks.

Threats which can't be predicted at this time and the guarantee of technological developments over the next 30 years demand a versatile manned bomber.

Possible technological developments in such defense systems as radar, ECM—electronic countermeasures—and lasers, could tilt the survival and effectiveness advantage toward high-speed, high-altitude operations. It is agreed that no one could have predicted the developments of the past 30 years, or their impacts.

Mr. Chairman, I think there is one byproduct of a manned strategic bomber which cannot be overlooked. I happen to be one of those who last year voted against the SST. I did so on the ground at that time that I did not believe the SST was a sound economic proposition. This year I voted for the SST on the theory advanced by the gentleman from Oklahoma (Mr. STEED). The situation was like a poker game. We had a billion dollars in the pot and we should have spent another \$300 million to see the opponent's hole card. As it turned out we threw away a billion dollars without getting anything, even the privilege of knowing whether or not my original assessment was correct; whether after being to the air demonstrations in Paris, Mr. Chairman, and having the opportunity to go through the Russian TU-144 and the British-French Concorde, I agree with the gentleman from Massachusetts (Mr. BOLAND) that this Congress made a tremendous mistake. There is no more difference—and I still fly aircraft actively—there is no more difference, Members of the House, between the SST and the modern jet of today than there was the jet of yesterday, and the old piston-engine jobs.

I would point out that every major commercial aircraft flying today has been developed as a spin-off from military aircraft. Name me one that is not. I also believe that when the B-1 is developed you will see minor modifications made to obtain the commercial SST of the future.

This will prove to be a great byproduct, I think, of the B-1 program. I hope the House in its best judgment will see fit to defeat both of the amendments.

Mr. HALL. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendments.

Mr. Chairman, this is the end product of our R. & D. that we will use in order to avoid overpayments and other formula which have led to excessive spending and that will produce in the late 1970's or early 1980's the manned strategic bomber or AMSA. This has developed through all of our R. & D. and will enable us to penetrate and use the SCAD and properly accomplish our mission of the defense of the United States.

I have heard much here today about erring on the side of adequate defense—if we must err. I have heard about charades. I have heard much said about judgment—and yet people get up and say

"I believe" in contradistinction to the decision of the committee.

There has been very little mention of the fallout of the SR-70 which enabled us to build the SST prototypes and engines, the F-111, or the B-1 to fulfill its timely niche in the history of the defense of this country. There was competition under the specifications until a single company was decided upon. Long-range planning demands it, before the B-52's came apart and the interim FB-111's are phased out.

Mr. Chairman, I believe in the collective judgment of this committee, without which we would not have had atomic nuclear power—sea power, submarines, or even the military Strategic Airlift Command which serves us so well around the world. Like the Manhattan project of World War II some things must be secret—and probably for the adequate defense of the United States, more should—but in any event we must use all our technical know-how to defend our shores, space, and peoples.

I am tired of those who harangue us to reduce spending on the one hand and then when the services comply, they use that against the services as an argument against "fly before buy."

In the case of the B-1, the USAF has long recognized the cost sensitive environment. Soon after contract award, the Secretary of the Air Force ordered that performance trade-off studies be conducted to reduce unit production costs. The project, known as "Focus" analyzed trade-offs between costs and various performance aspects of the B-1 system, such as supersonic speed, range, payload, refueling altitude, avionics concept, and titanium content. Project Focus was successful in reducing the production unit costs primarily in the areas of avionics and reduced titanium content. In conjunction with Project Focus, it was further directed that the Government fiscal year 1972 funds requirement of the B-1 program be reduced from \$569 million to a maximum of \$400 million. The Air Force subsequently reduced the requirement to \$370.3 million. To offset an obvious program slip, the special projects affair director took action to replan the R.D.T. & E. program to absorb the reduced early funding levels while still maintaining the scheduled Critical Milestones. The results of this study, known as "Innovations" were implemented to provide new and innovative management approaches to the B-1 program. Therefore, the compromise for the B-1 in fiscal year 1972 funds has already been made.

The objectives of the innovated B-1 R.D.T. & E. program are to achieve overall lower development costs, while still maintaining the requirement to develop an efficient, supportable weapons system; and to minimize the Government's investment up to the point of production decision. The latter was accomplished by deferring the production decision until 1 year after the first flight, thus greatly reducing concurrency between the development and production program under the "fly before buy" concept.

[Amounts in millions]

Program plan	Gross fiscal year 1972 funding	Total R.D.T. & E. program	First flight (months)
Original contract.....	\$569	\$2,682	45
175 plan (reduce early year funding).....	1,400	2,768	52
Innovations plan.....	370.3	2,283	47

¹ Maximum.

In summary, the B-1 program has been optimized to the Government fiscal year 1972 \$370.3-million funding level through SECAF direction and has continued to be viable through the cost-reduction action of "innovations." Further reductions in funding levels would increase R.D.T. & E. costs, cause a serious contraction of a growing subcontractor and supplier network, delay first flight and IOC, and consequently, a substantially weaker deterrent posture.

The B-1 program has made its 1972 compromise. Further reduction in funding would be pennywise and dollar foolish.

Mr. Chairman, I urge that both these amendments be defeated and we get on with our job.

(Mr. HALL asked and was given permission to revise and extend his remarks.)

Mr. DANIEL of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to both amendments because I believe that to proceed with the B-1 will provide an effective psychological tool in the SALT talks; because I believe opposition to proceed with the B-1 will provide an effective tool in the SALT talks.

On May 20, 1971, President Nixon announced that the United States and the Soviet Union had joined in a "declaration of intent" on an agreement to limit defensive missiles and some offensive weapons.

This declaration demonstrated a new initiative on the part of both countries to seriously undertake to find a means of curtailing a new arms race.

After 19 months of negotiations, the only agreement was to concentrate on those systems and limitations which appear most promising for further discussions and ultimate agreement.

The primary questions which still must be settled are which offensive and defensive weapons to limit and by how much.

In any evaluation of possible SALT agreements it is important to bear in mind that the objective of both United States and Soviet strategic forces is as a deterrent to nuclear attack.

At present, both the United States and U.S.S.R. possess second-strike capabilities in sufficient quantities that a successful first-strike capability by either side is unattainable.

This state of mutual deterrence must be maintained without renewing the arms race.

The Soviets want the United States to stop deployment of Safeguard ABM systems which will protect its Minuteman

ICBM's; the United States wants to limit deployment of the giant 18- to 25-megaton SS-9 which, when equipped with MIRV warheads, has kill capabilities against U.S. Minuteman ICBM's.

Hence, the most likely initial agreement is a limitation on ABM's and ICBM's.

Elements of the agreement may be: First, ABM deployment restricted to national command centers or the banning of all ABM's and their acquisition radars; and second, some limitation on large Soviet land-based ICBM's.

Strategic bombers will not be a part of the initial agreements because of the problem of defining a strategic aircraft.

The nuclear capability of NATO/Warsaw Pact tactical aircraft, carrier-based aircraft, and the potential delivery capability of transport aircraft are difficult to separate from the B-52/B-1 class aircraft.

If and when the initial SALT agreements are completed, further negotiations on a more comprehensive nuclear weapons limitations package will commence.

The possible resultant agreements can be broadly grouped into four categories: First, a ceiling on numbers of offensive weapons; second, a freeze on payload; third, a limitation on MIRV's; and fourth, a freeze on delivery vehicles.

An agreement which includes a numerical limit on nuclear delivery vehicles with or without separate limits on bombers will favor a B-1 production decision.

The much smaller force of B-1's can deliver many more weapons to targets than would be possible with the B-52's and the FB-11B.

The agreement which would limit bombers separately, may even be more positive for the B-1, because there would be a guaranteed number of bombers in the strategic forces inventory and the B-52 needs to be replaced.

A freeze on deliverable nuclear payload could also favor the B-1 program: First, if the limitation is on the number of warheads, then fewer B-1's need to be produced; second, if the limitation is on deliverable megatons, then the B-1 would be needed to carry larger numbers of smaller yield, accurate weapons to targets.

Any limitation on MIRV's could have a positive effect on the B-1 program because it could mean that the bombers with SRAM would continue to carry the majority of the U.S. nuclear weapons.

The fourth possible agreement, a freeze on nuclear delivery vehicles or warheads so that no new system would be deployed, would not necessarily preclude B-1 production since the B-1 is the only strategic weapon that does not depend on nuclear weapons to be effective.

Completion of R.D.T. & E. phase of development should continue as a hedge against Soviet noncompliance with the provisions of the agreement.

Full support of the B-1 R.D.T. & E. program at this time would motivate consideration of such an agreement and would also require a more substantive concession by the U.S.S.R.

In conclusion, the increase in the number of warheads atop missiles—MIRV's—and the resultant requirement for ABM protection have led to a new phase of the arms race.

The bomber does not motivate the arms race since it is neither a first-strike weapon, a nuclear-only weapon, nor on a hair trigger. It will be detected long before it arrives over targets; it can be launched, maintained on 24-hour airborne alert, and then recalled; and it provides the precision to pinpoint and control damage as opposed to the massive destruction by missiles.

The bomber is the most stabilizing element in the U.S. strategic force.

Old, outmoded bombers must, however, be replaced with the new B-1 bombers designed to deter aggression, able to contain various levels of aggression should deterrence fail.

Mr. SEIBERLING. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York (Mr. PIKE).

Mr. Chairman, I believe it is possible to maintain a credible deterrent against the greatest likelihoods of military attack without a Safeguard ABM system or a B-1 manned bomber. And we can safely contain continually escalating research and development programs that sometimes seem designed to produce the same old bang at the cost of a lot more bucks.

The geometrically expanding cost of our defense weaponry forces upon us some hard choices. It is simply not feasible, either strategically or economically, to build enough expensive detection systems or multiple deterrents to protect our Nation from every imaginable form of attack.

Under the Defense Department's "triad," or triple deterrent strategy, the United States already maintains three independent nuclear weapons systems, each supposedly independently capable of deterring the U.S.S.R. from launching a preemptive attack. The enemy can theoretically be deterred by land-based Minuteman missiles with multiple warheads, operating independently, and the submarine-based Polaris-Poseidon missiles, operating independently. Or the manned B-52 bombers, acting independently.

The ABM Safeguard system would add a fourth deterrent to attack because it would supposedly keep an aggressor from mounting a successful preemptive missile strike against our ICBM bases.

The question arises: How many independently operated victories over the same carcasses are necessary? I think we can do without the ABM and maintain the "triad" plan without building the B-1 bomber.

The rationale for building the horrendously expensive ABM has been shaky from the beginning. Rather than spend \$1.4 billion to continue development, this is an excellent point at which to reorder some priorities. As a diplomatic weapon in the Strategic Arms Limitations Talks, the ABM's position is, at best, nebulous. As a public works program to help our unemployed, the money would be better spent on the accelerated civil public works program and emergency employment.

As far as spending \$370 million to build three prototypes for a new manned bomber that may well cost \$44 million per aircraft, it is simply not needed at that price. At \$44 million per plane for procurement of an estimated 247 bombers, we have an opportunity right here to save the taxpayers nearly \$11 billion by utilizing existing aircraft.

In spite of all its problems, the F-111 can be used as a long-range nuclear deterrent. And our B-52's, I believe, can be modified with new wings and engines to keep flying for another 10 to 15 years. Both these steps can be taken at much lower cost than launching another new weapons system.

By rejecting the B-1 and ABM authorizations right now, the taxpayers would be saved nearly \$1.8 billion this year and uncounted billions in the future without harming our deterrent military force against aggression.

There is an additional half-billion-dollar saving in the amendment by the distinguished Congressman from Vermont (Mr. STAFFORD). It would reject a proposed increase in the research and development from \$7.9 billion to \$7.1 billion over 1 year and freeze the spending level at last year's budget level, allowing for inflation.

Research should not be curtailed, however, on such strategic projects as the Navy's undersea long-range missile system—ULMS. The committee indicates our underwater capability of attack is largely unchallenged by existing enemy equipment. But research must be continued in this area to maintain our weapons superiority under sea.

The above \$2.2-billion cuts in military costs will help our strained economy, but nothing can help our fractured society more than a withdrawal from Southeast Asia—by the end of the year.

To South Vietnam we have given 50,000 American lives, 10 years of strong assistance and over \$120 billion. In my view this investment of lives and money has fulfilled our "commitment." South Vietnam should not expect us to give more.

Like many of my colleagues, I have studied recent revelations in the New York Times about the decisions leading to massive American involvement in Southeast Asia. But I remain convinced that our original intentions were laudable, and the concept of filling a power vacuum by a buffer zone remains valid.

But after 10 years of bloodshed, bombing and battle, it has become apparent that if the South Vietnamese Government cannot stand on its own now, it is unlikely that it will ever be able to. In

the meantime, the war is tearing our country apart.

I support efforts to terminate the U.S. combat role by the end of the year and to restrict the remaining forces to an advisory role. It has become clear that our men held prisoners in North Vietnam will remain captive until and unless the United States either withdraws its fighting forces or sets a definite date for ending our role on the battlefield. Hanoi has treated our men shamefully, but to make sure that they come home, we are going to have to step up the pace of our exit.

To be sure, there are risks involved with ending the American combat role within 6 months. But these dangers, like the merits of staying on in Vietnam, are outweighed by what the war has done and is doing to Indochina and to our own country. Everyone has paid enough—enough lives, enough taxes, enough anguish.

Mr. SEIBERLING. Mr. Chairman, I oppose the amendment of the gentleman from California and I support the amendment of the gentleman from New York. On May 4, 1971, Senator GEORGE MCGOVERN of South Dakota and I issued a report on the supersonic bomber, the B-1. That report was printed in the CONGRESSIONAL RECORD for May 5, 1971, at page 13655. Our report concluded that the B-1 is a virtually useless weapons system that will cost an enormous amount of money to research and development—we estimate as much as \$47 billion, including the follow-on tanker fleet.

Since the issuance of our report, there have been various attempts at rebuttal.

My purpose is simply to point out that in all these attempts to refute the many criticisms and shortcomings of the B-1 program contained in our original report, two extremely critical areas have been left unanswered to my satisfaction, namely, that the B-1 allegedly will have a capability to penetrate a SAM-defended environment, and that the B-1 fleet, as envisioned, can be operated with the existing fleet of KC-135 tankers, designed to support the B-52's.

Any strategic bomber, be it the B-1, the FB-111, or a modified version of our existing B-52 G's and H's must have a credible ability to penetrate enemy defenses and deliver enough warheads on target to inflict unacceptable damage. In our study on the B-1 we reached the conclusion that the highly sophisticated SAM-environment that the Soviet Union will be able to achieve by the 1980's would totally deny any aircraft penetration, even to within short-ranged attack missile—SHRAM—range.

I might point out that as an alternative to the B-1, we suggested that basic research be pursued for a subsonic strategic aircraft designed exclusively for operator, as a standoff platform and on a new air-to-ground missile with the range and flight characteristics required to penetrate from beyond enemy defenses in a fashion which achieves the greatest possible variation from the nature of the SLBM—submarine-launched ballistic missile—and ICBM penetration.

At no point in the subsequent attempts

at refutation have I seen any convincing rationale to the contrary. In addressing himself to the B-1 case in yesterday's CONGRESSIONAL RECORD, my distinguished colleague (Mr. PRICE) stated that a B-1, using the same number of subsonic cruise armed decoys as a B-52, would have a probability of success in penetrating enemy defenses about 1½ times as great as the B-52. But in the 1980 time frame, the chance of success would be zero, and I submit that 1½ times zero is still zero.

I am not going to go into the details with respect to the follow-on tanker question except to say that SAC Commander, Gen. Bruce K. Holloway's statement to the Armed Forces Journal last June was as follows:

We need a new tanker no matter what kind of bombers we have. The problem is not so much the life of the tanker, but we need an aircraft that can offload more fuel.

In light of the recent total failure of the B-70 supersonic bomber program at a cost of \$1.4 billion, coupled with the untimely phaseout and scrapping of the B-58 supersonic bomber fleet after less than 10 years of combat readiness and the repeated groundings of the current FB-111 fleet I suggest that past DOD requests for supersonic bomber funding have been in error to a point where Congress must accept the responsibility for drawing the line on these exotic schemes.

After the issuance of our B-1 report I advised the Air Force that I would be glad to attend a full briefing by them, and that if they could show me that the B-1 could achieve its strategic objective I would publicly so state. To date the Air Force has made no response.

I see no reason for supporting the B-1. As stated in our report, it is a weapon system in search of a mission, because its mission is truly a "mission impossible."

Mr. HÉBERT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is with no hesitance I rise to speak against both amendments in this instance.

With the modesty that is mine, I believe I know as much about this proposition as any member of this body, because I was chairman of the committee over 6 years ago which first went into the matter of the AMSA, and for 6 years the House Armed Services Committee tried to persuade Mr. McNamara to allow this bomber to be built, knowing that we needed a follow-on bomber.

I know it was inadvertent that my friend from New York said we had forgotten the AMSA. We have not forgotten the AMSA. This is the AMSA. The B-1 is the AMSA, after 6 long years.

As I tried to point out before, this is in consonance with our defense program of the "mix": the power from the air, the power on land, and the power on and under the water. We need all three.

Let us look back and see what we would get if we do not get this B-1. We would get nothing. The F-111 was never intended to be a successor or follow-on to the B-52.

I recall again what I earlier said, that in 10 years no B-52 has been built. The

line is closed. Those who suggest slowing down, as my friend from California does, only suggest to do again that which was improperly done.

I must call special attention also to my friend from New York (Mr. PRICE) as to the indications about the attitude of the military, and bringing this into some happenings that are going on today. The Joint Chiefs of Staff, and in particular with the backing of the Air Force Chief of Staff General McConnell, insisted on the advancement of the AMSA program.

A presentation was made by the then Secretary of Defense, Mr. McNamara, and to a television audience, and it probably was over CBS, for it was that inaccurate, in which he misrepresented the facts as presented to our committee. It became necessary that I hold a conference and put on my own show in the Armed Services Committee room, to bring out the facts and to produce a document which had been refused to us.

I tell the members of this committee that there is not a more important vote than the one we are going to cast, to cast a vote in favor of the B-1, in favor of its advancement as quickly as possible.

I have told the gentleman from New York I agree with him that we should have a record vote on it, and I will stand with him to have that record vote, because I believe standing and voting against both of these amendments on the record will tell the world that this Congress is not willing to abdicate its power and is determined to follow through and give into the hands of our men in uniform the most powerful and sophisticated and effective weapons possible.

The only way to do this, the only effective way to do it and the only positive way to do it is to cast a vote against these amendments and in favor of the B-1. Let us get on with the business we have been behind in too long.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. I am trying to make up my mind on this. It has just been said in this debate that this is a bomber without a mission. Can the gentleman tell us exactly what is the mission of this aircraft?

Mr. HÉBERT. An individual who makes the statement that this is a bomber without a mission I am sure is joking and being a little facetious and trying to coin a nice phrase. The mission of the B-1 is to carry out the strategic bombing of the B-52. This is the intrinsic value of this bomber, flying supersonically, getting in and hitting the enemy fast. It is an advanced bomber. Anyone who says it is a bomber without a mission just does not know what he is talking about. I say it is the bomber with the mission of protecting this country.

Mr. LONG of Maryland. Can I ask a second question? Is it the purpose here to offer a secondary strike after a first strike against the United States; and would any B-1's survive in order to make that second strike? That is the question that bothers me.

Mr. HÉBERT. Of course, anybody who knows the problems and the weaknesses of the FB-111, which needs time for refueling in the air—and I am sure the enemy would not stop its action while we refueled—anyone who knows this knows that we need this new bomber. I repeat and again emphasize that, and perhaps due to a lack of adequacy in my presentation due to an inadequacy in the English language I have not made clear that this is the bomber we need in this Nation for the foreseeable future. Dispersal of the B-1 bomber to the many airfields of this country will reduce its vulnerability to attack from submarine launched missiles and thus increase its chances of survivability.

Mr. FASCELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask some questions if I can get the attention of whoever has that responsibility on the committee to answer, whether it is the chairman of the subcommittee or the chairman of the full committee.

I did not quite understand whether this proposed weapons system is a primary or an alternative weapons system.

Mr. HÉBERT. It is one of the three primary systems. It is a follow-on to the B-52, which is one of the primary systems. It is the primary system in the SAC Command. It is the advanced bomber, and it follows the same mission. It is a primary mission.

Mr. FASCELL. I also understood that this aircraft, if it were eventually R. & D.'ed and produced, will be a mid-1980 aircraft. Is that correct?

Mr. HÉBERT. No. It would be late 1970's, and it should have been the early 1970's if we had had an individual sitting as Secretary of Defense who could have made proper decisions and not misrepresented the facts to us.

Mr. FASCELL. In the previous language I heard it was said it was a mid-1980's bomber. Do I now understand that is an error and the chairman is setting the record straight and is now saying that the proposal is to produce this aircraft to be on the line and in the air by the late 1970's. Is that correct?

Mr. HÉBERT. Being of sound mind and sound body, I cannot tell you the date for certain, but we hope it will be in the late 1970's. This is not the 1980 version. By that time we should probably have something on the drawing boards which should be starting now to replace the B-1 in 1980. That is what we are trying to project in this bill. This is not a bill for yesterday or today, but a bill of tomorrow, and we must prepare for it now.

Mr. FASCELL. I understand the gentleman. I recall that leadtime for bombers was 8 years. Is that still the leadtime on a bomber of this configuration?

Mr. HÉBERT. Not to my knowledge. From my knowledge, it would be 6 years from the drawing boards to the shelf. It could be stretched out, of course.

Mr. FASCELL. The question is whether it can be shortened.

Mr. HÉBERT. It cannot be shortened. I do not think it can be shortened.

Mr. FASCELL. In other words, the money in this bill is based on a leadtime of 6 years. Is that correct?

Mr. HÉBERT. It is based on a leadtime of 6 years and the cost and the value of that dollar in 6 years. If the dollar does not shrink that much more, that is. If it goes for 8 years, we will need that many more dollars.

Mr. FASCELL. I understood the previous speaker to say that this was the SST military configuration. Is that correct?

Mr. HÉBERT. No. This is a supersonic bomber.

Mr. FASCELL. Yes. But it is not configured so as to be convertible?

Mr. HÉBERT. Not at this stage. It is on the drawing boards.

Mr. FASCELL. But is it planned in the R. & D.?

Mr. HÉBERT. It is in R. & D. development now.

Mr. FASCELL. But is conversion part of the R. and D.?

Mr. HÉBERT. It is a piece of military equipment.

Mr. FASCELL. I know that, but is conversion part of the R. & D.?

Mr. HÉBERT. No.

Mr. FASCELL. Could the aircraft be converted to civilian purposes?

Mr. HÉBERT. Yes.

Mr. FASCELL. I have nothing against Federal support for producing military aircraft which are really the predecessors for civilian aircraft. We have been doing that in this country for a long period of time. I am not arguing that point. I am trying to find out whether this is a military version of the SST, and if by the time this aircraft is produced it has little or no military value, it will wind up being the SST.

What is the environmental impact study that will be made? Is that study a part of the research and development of the B-1? I assume a supersonic bomber like the B-1 with both high- and low-flight capability will have greater or at least equal adverse environmental impact as the SST.

Mr. HÉBERT. Do not assume. Ask me a question and let me give you an answer and then the gentleman will not have to assume.

Mr. FASCELL. All right; that is the reason I asked the question.

Mr. HÉBERT. The answer to the gentleman's question is that it is a military aircraft. Any assumption that it is anything other than that is in error.

Mr. FASCELL. How about the environmental aspect with respect to the research and development? Is environmental impact study a part of the research and development?

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from New York.

Mr. STRATTON. The B-1 is being designed in preference to the B-70. The B-70 was a high-altitude bomber.

Mr. FASCELL. Wait a minute.

Mr. STRATTON. Let me answer the gentleman's question. The gentleman asked the question. The basic environmental problem with respect to the SST

was what it was going to do with the ozone in the troposphere. This plane is not going to be flying up there.

Mr. FASCELL. The gentleman is telling me that this aircraft is not a high-altitude bomber?

Mr. STRATTON. That is correct.

Mr. FASCELL. What are the specifications on research and development with respect to the height of the flight of this aircraft?

Mr. STRATTON. I am sure it can operate at a high altitude, but the basic purpose of the plane is to come in low.

Mr. FASCELL. All airplanes have to be able to fly low because they have to land and take off. But since the gentleman admits the B-1 has a high-altitude capability the question of adverse environmental impact is relevant to this weapons system, and the questions I have asked should be answered in this RECORD.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. LEGGETT) to the amendment offered by the gentleman from New York (Mr. PIKE).

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. PIKE).

TELLER VOTE WITH CLERKS

Mr. PIKE. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. PIKE. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Mr. HÉBERT, Mr. PINE, Mr. HALL, and Mr. LEGGETT.

The Committee divided, and the tellers reported that there were—ayes 97, noes 307, not voting 30, as follows:

[Roll No. 138]

AYES—97

Abourezk	Ford,	Obey
Abzug	William D.	O'Hara
Adams	Forsythe	O'Konski
Addabbo	Fraser	Patten
Aspin	Green, Pa.	Pike
Badillo	Gude	Podell
Begich	Halpern	Rees
Bergland	Harrington	Reid, N.Y.
Bingham	Hathaway	Reuss
Blatnik	Hechler, W. Va.	Riegle
Bolling	Howard	Rodino
Brademas	Jacobs	Rosenthal
Brinkley	Karth	Roy
Broomfield	Kastenmeyer	Roybal
Burke, Mass.	Koch	Ryan
Burlison, Mo.	Kyros	St Germain
Burton	Latta	Sarbanes
Carey, N.Y.	Link	Scheuer
Chisholm	McCormack	Schneebeli
Clay	McDonald,	Seiberling
Collins, Ill.	Mich.	Stanton,
Conyers	Madden	James V.
Corman	Mazzoli	Stokes
Cotter	Meeds	Stratton
Culver	Metcalfe	Thompson, N.J.
Dellums	Mikva	Udall
Denholm	Mink	Vanik
Drinan	Mitchell	Vigorito
Eckhardt	Monagan	Waldie
Edwards, Calif.	Moorhead	Whalen
Eilberg	Morse	Wolf
Evans, Colo.	Mosher	Yates
Fascell	Moss	
Findley	Nedzi	

NOES—307

Abbitt	Andrews, Ala.	Ashley
Abernethy	Andrews,	Aspinall
Albert	N. Dak.	Baker
Alexander	Annunzio	Baring
Anderson,	Archer	Barrett
Calif.	Arends	Belcher
Anderson, Ill.	Ashbrook	Bell

Bennett	Gross	Peyster
Betts	Grover	Pickle
Bevill	Gubser	Pirnie
Biaggi	Hagan	Poage
Biester	Haley	Poff
Blackburn	Hall	Powell
Blanton	Hamilton	Preyer, N.C.
Boggs	Hammer-	Price, Ill.
Boland	schmidt	Price, Tex.
Bow	Hanley	Fryor, Ark.
Brasco	Hanna	Pucinski
Bray	Hansen, Idaho	Purcell
Brooks	Hansen, Wash.	Quie
Brotzman	Harsha	Railsback
Brown, Mich.	Harvey	Randall
Brown, Ohio	Hastings	Reid, Ill.
Broyhill, N.C.	Hays	Rhodes
Broyhill, Va.	Hébert	Roberts
Buchanan	Heckler, Mass.	Robinson, Va.
Burke, Fla.	Henderson	Robison, N.Y.
Burleson, Tex.	Hicks, Mass.	Roe
Byrne, Pa.	Hicks, Wash.	Rogers
Byrnes, Wis.	Hillis	Roncalio
Byron	Hogan	Rooney, N.Y.
Cabell	Hofffield	Rooney, Pa.
Caffery	Horton	Rostenkowski
Camp	Hosmer	Roush
Carney	Hull	Rousselot
Carter	Hungate	Ruppe
Casey, Tex.	Hunt	Ruth
Cederberg	Hutchinson	Sandman
Celler	Ichord	Satterfield
Chamberlain	Jarman	Schmitz
Chappell	Johnson, Calif.	Schwengel
Clark	Johnson, Pa.	Scott
Clausen,	Jonas	Sebelius
Don H.	Jones, Ala.	Shipley
Clawson, Del	Jones, N.C.	Shoup
Cleveland	Jones, Tenn.	Shriver
Collier	Kazen	Sikes
Collins, Tex.	Keating	Sisk
Colmer	Kee	Skubitz
Conable	Keith	Slack
Conte	Kemp	Smith, Calif.
Coughlin	King	Smith, Iowa
Crane	Kluczynski	Smith, N.Y.
Daniel, Va.	Kuykendall	Snyder
Daniels, N.J.	Kyl	Spence
Danielson	Landgrebe	Springer
Davis, Ga.	Leggett	Stafford
Davis, S.C.	Lennon	Staggers
Davis, Wis.	Lent	Stanton
de la Garza	Lloyd	J. William
Delaney	Long, Md.	Steed
Dellenback	Lujan	Steele
Dennis	McClory	Steiger, Wis.
Derwinski	McCloskey	Stephens
Devine	McClure	Stubblefield
Dickinson	McCollister	Symington
Dingell	McDade	Talcott
Dorn	McEwen	Taylor
Dowdy	McFall	Teague, Calif.
Downing	McKay	Teague, Tex.
Dulski	McKevitt	Terry
Duncan	McKinney	Thompson, Ga.
du Pont	McMillan	Thomson, Wis.
Dwyer	Mahon	Thone
Edmondson	Mailliard	Tiernan
Edwards, Ala.	Mann	Van Deerlin
Erlenborn	Martin	Vander Jagt
Esch	Mathis, Ga.	Waggonner
Eshleman	Matsunaga	Wampler
Fish	Mayne	Ware
Fisher	Meicher	Watts
Flood	Michel	Whalley
Flowers	Miller, Calif.	White
Foley	Miller, Ohio	Whitehurst
Ford, Gerald R.	Mills, Ark.	Whitten
Fountain	Mills, Md.	Widnall
Frellinghuysen	Minish	Wiggins
Frenzel	Minshall	Williams
Frey	Mizell	Wilson, Bob
Fulton, Pa.	Mollohan	Wilson,
Fulton, Tenn.	Montgomery	Charles H.
Fuqua	Morgan	Winn
Galifianakis	Murphy, Ill.	Wright
Gallagher	Murphy, N.Y.	Wyatt
Garmatz	Myers	Wydler
Gaydos	Natcher	Wylie
Giaino	Nelsen	Wyman
Gibbons	Nichols	Yatron
Goldwater	Nix	Young, Fla.
Gonzalez	O'Neill	Young, Tex.
Goodling	Passman	Zablocki
Gray	Patman	Zion
Green, Oreg.	Pepper	Zwach
Griffin	Perkins	
Griffiths	Pettis	

NOT VOTING—30

Anderson,	Donohue	Gettys
Tenn.	Dow	Grasso
Clancy	Edwards, La.	Hawkins
Dent	Evins, Tenn.	Helstoski
Diggs	Flynt	Landrum

Long, La.	Quillen	Steiger, Ariz.
McCulloch	Rangel	Stuckey
Macdonald,	Rarick	Sullivan
Mass.	Runnels	Ullman
Mathias, Calif.	Saylor	Veysey
Pelly	Scherle	

So the amendment was rejected.

Mr. VAN DEERLIN. Mr. Chairman, I ask unanimous consent to change my vote from "aye" to "no."

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 202. There is hereby authorized to be appropriated to the Department of Defense during fiscal year 1972 for use as an emergency fund for research, development, test, and evaluation or procurement or production related thereto, \$50,000,000.

AMENDMENT OFFERED BY MR. PIKE

Mr. PIKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PIKE: Page 3, line 19, insert a new Section 203 "Notwithstanding the maximum sums heretofore authorized in this title for Research, Development, Test and Evaluation for the Army, Navy, Air Force, Defense agencies and Department of Defense during fiscal year 1972; the total amount authorized to be appropriated for such purposes shall not exceed the sum of \$7,109,200,000".

Mr. PIKE. Mr. Chairman, I would expect what I am about to say will be the only time I will be greeted with any great applause all day. This particular amendment is the last amendment which I am going to offer, and I am not going to ask for a record vote on it.

I thought that would endear me to my colleagues if nothing else did.

Mr. Chairman, what this amendment does is very big and very simple. It cuts the amount of money to be spent for military research and development, test, and evaluation back to the amount which was appropriated for the present fiscal year. That is all it does. It does not do any more than that and it does not do any less than that. It says that the R.D.T. & E. shall be the same amount as was appropriated in the current fiscal year.

Yes, of course, I am going to yield to the chairman to ask me whether this is one of those meat-ax, across-the-board, blunderbuss cuts.

Mr. HÉBERT. The gentleman anticipated me. I am not going to ask him anything. I am just waiting for time of my own.

Mr. PIKE. I see.

Well, in response, then, to what my beloved chairman is going to say on his time, that this is an across-the-board, meat-ax, blunderbuss approach to the problem, the answer is that this is an across-the-board, meat-ax, blunderbuss approach to the problem.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I am happy to yield to the gentleman from Illinois.

Mr. ARENDS. To what extent? Is it \$800 million?

Mr. PIKE. Actually it is more than that; it is \$975 million.

We have increased this particular aspect of the bill, according to the chairman's statement, I believe \$975 million over the figure appropriated last year; \$974,967,000, to be precise.

I honestly believe that the people of the United States of America do not want to spend another billion dollars this year for research on defense items.

I honestly believe that the people of the United States of America do not want to increase our military spending for such purposes.

I honestly believe that the people of the United States of America are looking for some relief from the tremendous amounts of money that we continue to spend for the military.

Some will say, "Oh, yes, this is an awful cut." Well, it is a substantial cut, but we would leave \$7.1 billion for research and development in military weapons systems.

If I really thought that spending more money would buy us greater security I would be willing to spend more money, but we have gotten to the point in our national history now that for years and years and years and years and years we have said, "I would rather err on the side of safety," and we have erred to the point that today there are approximately 15 tons of destructive power available for every man, woman, and child on this planet. Tons. I do not believe there is any safety in those statistics.

I hope this amendment will be adopted. I understand that my friend, the gentleman from Vermont, has some reservations about my approach. I do hope that somewhere in this debate on this bill we shall do something to answer the cries of the young in our country, of the poor in our country, of the oppressed in our country who need other things than more military spending.

AMENDMENT OFFERED BY MR. STAFFORD TO THE AMENDMENT OFFERED BY MR. PIKE

Mr. STAFFORD. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD to the amendment offered by Mr. PIKE: Amend the amendment offered by Mr. PIKE by striking out the figure of "\$7,109,200" on line 5 of said amendment and substituting therefor the figure \$7,456,680,000."

Mr. STAFFORD. Mr. Chairman, I want to make it plain at the outset that generally I support the bill we are considering here, H.R. 8687. I think it is a good bill which has had excellent scrutiny in the Committee on Armed Services under the distinguished leadership of the gentleman from Louisiana (Mr. HÉBERT), and the distinguished gentleman from Illinois (Mr. ARENDS).

But even in the field of defense and research and development I do not believe at this time, in view of the fiscal plight that this country is in, that we can afford to spend one more cent than is absolutely essential to the security of the United States of America.

I shall be very brief and say that what my amendment does is to permit the research and development program of the Department of Defense to continue in the coming fiscal year at exactly the

same level in real dollars that we have been proceeding at during the 12 months which will end on June 30 of this year.

The amendment offered by the gentleman from New York (Mr. PIKE) which I am in sympathy with, is something of a giant step where I think a human step is more appropriate this year. What I have done is to take the level of funding authorized for fiscal year 1971 at \$7.101 billion in round figures and added to that what I have assumed to be a 5-percent inflationary rate during the last 12 months, which would add another \$355 million to the total available last year for a total authorization for fiscal year 1972 of \$7,456,680,000.

I repeat that it will make it possible for the Nation to move forward in real dollars at exactly the same level of research and development on the part of the Department of Defense as they have been proceeding at for the past 12 months. There would be no cutback, but there would be no funding in real dollars above what we had last year. The R.D.T. & E effort would be level, consistent, and adequate.

I think, among other things, it is important to preserve the financial and fiscal viability of the Government of the United States. With the large deficits that we had for the last several years and with a \$20 billion or more deficit coming up this year; with another one projected for next year, I think it is important to spend what we have to for research and development as well as other military purposes but not to spend more than we absolutely need to.

By adopting the amendment that I offer we could save the taxpayers of this country \$506 million, which is still a tidy sum, and still fund a research and development program adequate to our national security.

For those who might question this as being a meat-ax approach, let me say that, if my amendment is adopted, it would result in the Army getting \$81 million plus more for fiscal year 1972; the Navy, \$107 million more; and Air Force, \$140 million more; the defense agencies, \$22 million more; and the emergency fund of the Department of Defense, \$2.5 million more.

Mr. Chairman, I will not take more time in behalf of the adoption of my amendment, but I hope the House will adopt it, and if there appears to be support for it, I shall ask for a record vote.

Mr. HÉBERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to both amendments and will only say one sentence in the sense of appreciation particularly to the gentleman from New York (Mr. PIKE) for making such cogent arguments against his own amendment. I agree with the gentleman's choice of words and I shall use the same. We know now what it will do. For that reason, of course, I am opposed to both amendments.

Mr. STRATTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think there is one important point that ought to be made here and that is that in the future, unquestionably, we are going to be reducing the size of our Armed Forces. We are going to be reducing the number of men in the Armed Forces and we are also going to be reducing the number of our ships. So if we are to maintain any meaningful kind of a lead over the Soviet Union, that lead has got to be in the technological field.

This is obvious in the Mediterranean where the Soviets have about twice as many ships as we have at the present time. If one talks to any admiral in the 6th Fleet, he will tell you that the only way in which we can protect ourselves against this larger force is to maintain our electronic superiority over the Soviets, to be able to spot them before they can spot us.

Mr. Chairman, Dr. Foster came before the committee, and his testimony appears in the printed hearings. And he included a chart which appears on page 3690.5, which shows very dramatically that today the Soviets have a serious technological gap over us. Each year we are spending in our total national research and development efforts \$11 billion while the Soviets are spending annually about \$16 billion. This information with regard to the Soviets was developed with some difficulty by the CIA because obviously the Russians do not publish the figures. But this technological gap is a \$5 billion gap, against us. And instead what we desperately need is a technological lead over the Soviets in order to make up for our reductions in manpower, ships, and weapons. And we certainly cannot maintain that lead unless we improve our research and development rather than cutting it back, as this amendment would do. Dr. Foster made this point very clear in his testimony.

Mr. Chairman, if we support these reductions in manpower, then we must increase our efforts in research and development.

Therefore, Mr. Chairman, I believe this amendment should be defeated.

Mr. DENNIS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have supported the committee and voted against every one of the proposed cuts all afternoon. But I am very concerned about the financial situation in this country, as I know many Members are. I have been looking for a cutting amendment which I thought it might be responsible to support. I hope that cutting amendment can be found. However, it is very difficult for a non-member of the committee to determine, and I have generally accepted the committee recommendations. But it appears to me that this amendment of my colleague, the gentleman from Vermont (Mr. STAFFORD) may well be it. It is proposed by a responsible member of the committee who has had an opportunity to hear the testimony. It provides for the inflationary situation, and allows research and development to continue at the same level of about $7\frac{1}{2}$ billion.

Mr. Chairman, I feel that I can safely support this amendment and I shall do so.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. DENNIS. I yield to the gentleman from Missouri.

Mr. HALL. Let me urge my colleague from Indiana who poses a perfectly logical question, not to choose this place in which to "cut in a responsible manner."

Now, I am not known as a "spender" on the floor of this House.

Mr. DENNIS. I will concede that to the gentleman from Missouri.

Mr. HALL. I am glad the gentleman will concede it. However, I want to say that the point in time has arrived where we have cut research and development over the last few successive years to the point where we are on a relative and percentage basis of being very dangerously close to being too far below the level of the adversary and the aggressor. Today they have among other things electronics countermeasures, closed and secure voice and command communications, and I could go on and list a great number of research and development projects. In fact, I have them here and shall insert them in the RECORD when we are back in the House and am granted permission to do so.

Mr. Chairman, we have just voted up the question of the B-1, the continuing bomber following the AMSA. Research and development that is performed today is a product that is perfected 8 years hence. Perhaps, before 1964 we did not give enough to research and development, and, thus, the technological advantage is now on the side of the adversary. However, if we are to look to the future, and that we must do, to future technological breakthroughs such as the necessary electronic countermeasures and a number of other technological developments, this is not the time to cut further.

It has been firmly demonstrated to the Members that simply maintaining parity is not enough. We must vote for superiority. So I urge my colleague, the gentleman from Indiana (Mr. DENNIS), to change his position on this matter.

Mr. DENNIS. Mr. Chairman, I appreciate the sincerity of the gentleman from Missouri. I realize, of course, the gentleman may well be right; but, on the other hand, I also respect the gentleman from Vermont (Mr. STAFFORD) who has heard the same testimony that the gentleman from Missouri (Mr. HALL) has heard on this committee. I think that if we can responsibly save money anywhere that we clearly ought to do so, and I think this seems to be a reasonable place to do so.

Mr. HALL. If the gentleman would yield further, I would say to the gentleman that this same amendment was up before the committee, and that this represents one man's opinion against the decision of both the subcommittee and the full committee. It was overwhelmingly defeated in both the subcommittee and in the full committee.

Mr. HUNGATE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to associate myself with the remarks of the gentleman from New York (Mr. PIKE) on his amendment, and in his urging that we must reduce unnecessary spending; that we have to reorder our priorities; heed the cries of our youth; and make funds available for peace as well as war, and make funds available for the poor and needy. And I hope no one will demagog on this issue.

Mr. LEGGETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I also want to join in briefly with the gentleman from Indiana (Mr. DENNIS). There was a minority on the committee for this research act. I want to reemphasize that we are raising the R. & D. budget in this bill by some 15 percent. I support the amendment being offered by the gentleman from Vermont (Mr. STAFFORD). The amendment cuts the increase about in half. One of the amendments that we did support on the committee, to show some of the ridiculous items that were presented to us, was a program to spend \$10 million at the University of Belgrade totally in Yugoslavian hands, to conduct tests on fatigue, and if those tests were successful, why, the professors at Belgrade were supposed to get on the telephone and call our Pentagon. Our committee thought that that was rather absurd. I want to tell you we did not spend enough time to go into all of the things in the bill that lacked merit, but we did a good job. Our chairman, the gentleman from Illinois (Mr. PRICE) I am sure can make a long and contradictory speech on the things that I say, but I say that there is fat in this bill, and, therefore, I do not believe that the amendment offered by the gentleman from Vermont (Mr. STAFFORD) is going to defeat our military posture in any way.

Mr. PRICE of Illinois. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendments. I will say that the gentleman from California (Mr. LEGGETT) did point out a place where the committee was alert and shows the manner in which the committee went rather thoroughly into every little item, and we cut out this certain little project that the gentleman mentioned a moment ago. Therefore, the Members can vote knowing that that item that the gentleman called ridiculous has been removed from the bill.

Mr. Chairman, the amendment offered to reduce the R.D.T. & E. authorization to the same level as authorized by the Congress last year is a reduction of approximately \$860 million in money totals—but it is a much greater reduction than that in terms of purchasing power or level of effort.

The need for this increased dollar level over last year was explained in great detail by Department of Defense witnesses before the Committee on Armed Services and the subcommittee which I was privileged to chair. It was explained that because of inflation, the increase is only about \$500 million. Of that \$500 million, about \$400 million is needed

because of increases on major development programs previously approved by the Congress. Additional funds are also needed to support some 30 different kinds of new efforts identified by the Defense witnesses.

Over the past 7 years the Congress has failed to appropriate the amounts requested for Defense R. & D. by more than \$2.2 billion. The purchasing power of the dollar has continued to decrease over this period of time and the level of effort that can be supported by the amount included in this bill is some \$1.3 to \$1.4 billion less than the level of effort supported with the fiscal year 1964 budget.

Testimony was given to the committee indicating that the cost index for a research and development technical man-year increased over 7 percent in the last calendar year and has increased over 30 percent during the past 5 years.

The Armed Services Committee and one of its subcommittees held some 24 meetings on the Department of Defense R. & D. authorization request for fiscal year 1972. During the subcommittee's markup of this bill, only three amendments were offered to reduce the R. & D. requested for specific programs. The proposed reductions totaled approximately \$422 million of which \$370 million was for the B-1 bomber program. I cite this to point out that after a thorough review by the Armed Services Committee consisting of some 24 meetings during which time the Members had every opportunity to question the witnesses on specific programs, only three amendments were offered to reduce individual programs and each amendment was rejected by the committee.

Mr. Chairman, this is not the time to reduce defense research and development. The funds authorized for the coming fiscal year to support R. & D. will provide the weapons systems of the future to enable us to maintain a defense posture that continues to offer a creditable deterrent to aggression. R. & D. is not like a water faucet that can be turned on and off without having an adverse impact on our future defense posture. We must maintain an adequate level of effort to cope with the threat, not only of today but for the tomorrows.

The new policy of this administration to "fly before you buy" tends to increase R. & D. costs but offers the benefit of reduced production costs and improved reliability of the operational weapons systems. In my opinion, this new approach is highly cost effective and will reduce cost overruns on future programs.

Mr. Chairman, I urge the committee to reject the amendment.

Mr. Chairman, as I indicated in my remarks during general debate, the amount recommended by the Armed Services Committee for R.D. & E. during fiscal year 1972 in terms of purchasing power or level of effort is almost \$1.4 billion less than was appropriated 7 years ago, for fiscal year 1964, in terms of fiscal year 1972 dollars.

I also indicated that approximately 40 percent of the increased dollar amount in fiscal year 1972 over fiscal year 1971 will be eaten away by inflation.

Another 40 percent of the dollar increase is needed for new initiatives—or new programs—to be started in the coming fiscal year.

The remaining increase is needed to continue major programs approved by the Congress last year.

According to Dr. Foster, Director of Defense Research and Engineering:

If you look at all the major programs that have increased or decreased by more than \$25 million each, you find that the increases exceed the decreases by about \$400 million.

In my earlier remarks I also pointed out to the House the need for the United States to maintain technological superiority—and not merely parity—over any and all of our competitors. In my opinion, we will lose that technological superiority which we presently enjoy if we do not fund our research and development efforts to at least the level recommended by the Committee on Armed Services.

The basic reason for defense research and development in the United States continues to be the threat. If the threat from the Communist nations did not exist, we could drastically reduce our efforts in the area of research and development for military purposes.

The Department of Defense does not do research and development for the mere sake of doing research and development. They do it only because of the threat. Evidence was presented to the Armed Services Committee during our lengthy hearings which convinced me that the threat is increasing and not decreasing and that the research and development level of effort by the Communist nations has steadily increased over the past several years to a point where they are now spending at a higher level than the United States.

I urge the House to reject the amendment and support the position of the Committee on Armed Services.

PARLIAMENTARY INQUIRY

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. STAFFORD. Mr. Chairman, my parliamentary inquiry is this: Will the vote now occur on the amendment offered by the gentleman from Vermont?

The CHAIRMAN. The Chair will state that the gentleman is correct, that the next vote will be on the amendment offered by the gentleman from Vermont (Mr. STAFFORD), to the amendment offered by the gentleman from New York (Mr. PIKE).

Mr. STAFFORD. I thank the Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. STAFFORD) to the amendment offered by the gentleman from New York (Mr. PIKE).

The question was taken; and on a di-

vision (demanded by Mr. STAFFORD), there were—ayes 67, noes 111.

TELLER VOTE WITH CLERKS

Mr. STAFFORD. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. STAFFORD. Mr. Chairman, I demand tellers with Clerks.

Tellers with Clerks were ordered; and the Chairman appointed as tellers Mr. HÉBERT, Mr. STAFFORD, Mr. DENNIS, and Mr. PRICE of Illinois.

The Committee divided, and the tellers reported that there were—ayes 135, noes 258, not voting 41, as follows:

[Roll No. 139]

AYES—135

Abourezk	Foley	Mitchell
Abzug	Forsythe	Monagan
Addabbo	Fraser	Moorhead
Anderson,	Frenzel	Mosher
Calif.	Fulton, Tenn.	Nedzi
Anderson, III.	Gallagher	Obey
Ashley	Gaydos	Pike
Aspin	Green, Oreg.	Podell
Badillo	Green, Pa.	Pucinski
Begich	Gross	Quie
Bell	Halpern	Rallsback
Bergland	Hamilton	Rees
Blester	Hammer-	Reid, N.Y.
Bingham	schmidt	Reuss
Boland	Harrington	Robison, N.Y.
Bolling	Harvey	Rodino
Brademas	Hathaway	Roe
Brasco	Hechler, W. Va.	Roncalio
Brown, Mich.	Heckler, Mass.	Rosenthal
Burke, Mass.	Horton	Roush
Burton	Howard	Roy
Carey, N.Y.	Hungate	Roybal
Celler	Hutchinson	Ruppe
Chisholm	Jacobs	Ryan
Clay	Kastenmeyer	St Germain
Cleveland	Keith	Sarbanes
Collier	Koch	Scheuer
Collins, III.	Kyros	Schneebeli
Conte	Leggett	Seiberling
Conyers	Link	Snyder
Coughlin	Long, Md.	Stafford
Culver	McClory	Stanton,
Dellenback	McCormack	James V.
Dellums	McDade	Steiger, Wis.
Denholm	McDonald,	Stokes
Dennis	Mich.	Symington
Dingell	McKinney	Thompson, N.J.
Drinan	Macdonald,	Thone
Dulski	Mass.	Tiernan
du Pont	Matsunaga	Udall
Dwyer	Mayne	Vank
Edwards, Calif.	Mazzoli	Waldie
Eilberg	Meeds	Whalen
Esch	Meicher	Yates
Evans, Colo.	Mikva	Yatron
Findley	Minish	Zwach
Fish	Mink	

NOES—258

Abbitt	Buchanan	Delaney
Abernethy	Burke, Fla.	Devine
Adams	Burleson, Tex.	Dickinson
Albert	Burlison, Mo.	Dorn
Andrews, Ala.	Byrne, Pa.	Dowdy
Andrews,	Byrnes, Wis.	Downing
N. Dak.	Byron	Duncan
Annunzio	Cabell	Eckhardt
Archer	Caffery	Edmondson
Arends	Camp	Edwards, Ala.
Ashbrook	Carney	Erlenborn
Aspinall	Carter	Eshleman
Baker	Casey, Tex.	Evins, Tenn.
Baring	Cederberg	Fascell
Barrett	Chamberlain	Fisher
Belcher	Chappell	Flood
Bennett	Clancy	Flowers
Betts	Clausen,	Ford, Gerald R.
Bevill	Don H.	Fountain
Biaggi	Clawson, Del	Frelinghuysen
Blackburn	Collins, Tex.	Frey
Blanton	Colmer	Fulton, Pa.
Boggs	Conable	Fuqua
Bow	Corman	Galifianakis
Bray	Cotter	Gettys
Brinkley	Crane	Gaiamo
Brooks	Daniel, Va.	Gibbons
Broomfield	Daniels, N.J.	Goldwater
Brotzman	Danielson	Gonzalez
Brown, Ohio	Davis, Ga.	Goodling
Broyhill, N.C.	Davis, S.C.	Gray
Broyhill, Va.	Davis, Wis.	Griffin

Griffiths	Mailliard	Sebelius
Grover	Mann	Shibley
Gubser	Martin	Shoup
Gude	Mathis, Ga.	Shriver
Hagan	Metcalfe	Sikes
Haley	Michel	Sisk
Hall	Miller, Calif.	Skubitz
Hanley	Miller, Ohio	Slack
Hanna	Mills, Ark.	Smith, Iowa
Hansen, Idaho	Mills, Md.	Smith, N.Y.
Hansen, Wash.	Minshall	Spence
Harsha	Mizell	Springer
Hastings	Mollohan	Staggers
Hays	Montgomery	Stanton,
Hébert	Morgan	J. William
Henderson	Murphy, Ill.	Steed
Hicks, Mass.	Murphy, N.Y.	Steele
Hicks, Wash.	Myers	Stephens
Hillis	Natcher	Stratton
Hogan	Neisen	Stubblefield
Holifield	Nichols	Talcott
Hosmer	Nix	Taylor
Hull	O'Konski	Teague, Calif.
Hunt	O'Neill	Teague, Tex.
Ichord	Passman	Terry
Jarman	Patman	Thompson, Ga.
Johnson, Calif.	Patten	Thomson, Wis.
Johnson, Pa.	Pepper	Van Deerlin
Jonas	Perkins	Vander Jagt
Jones, Ala.	Pettis	Vigorito
Jones, N.C.	Peyster	Waggonner
Jones, Tenn.	Pickle	Wampler
Karth	Pirnie	Ware
Kazen	Poage	Watts
Keating	Poff	Whalley
Kee	Powell	White
Kemp	Freyer, N.C.	Whitehurst
King	Price, Ill.	Whitten
Kluczynski	Price, Tex.	Wiggins
Kuykendall	Pryor, Ark.	Williams
Kyl	Rarick	Wilson, Bob
Landgrebe	Reid, Ill.	Wilson,
Latta	Rhodes	Charles H.
Lennon	Roberts	Winn
Lloyd	Robinson, Va.	Wolf
Lujan	Rogers	Wright
McCloskey	Rooney, N.Y.	Wyatt
McClure	Rooney, Pa.	Wyder
McCollister	Rostenkowski	Wylle
McEwen	Russelot	Wyman
McFall	Ruth	Young, Fla.
McKay	Sandman	Young, Tex.
McKevitt	Satterfield	Zablocki
McMillan	Schmitz	Zion
Madden	Schwengel	
Mahon	Scott	

NOT VOTING—41

Alexander	Garmatz	Randall
Anderson,	Grasso	Rangel
Tenn.	Hawkins	Riegle
Blatnik	Helstoski	Runnels
Clark	Landrum	Saylor
de la Garza	Lent	Scherie
Dent	Long, La.	Smith, Calif.
Derwinski	McCulloch	Steiger, Ariz.
Diggs	Mathias, Calif.	Stuckey
Donohue	Morse	Sullivan
Dow	Moss	Ullman
Edwards, La.	O'Hara	Veysey
Flynt	Pelly	Widnall
Ford,	Purcell	
William D.	Quillen	

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now occurs on the amendment offered by the gentleman from New York (Mr. PIKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. ASPIN

The Clerk read as follows:

Amendment offered by Mr. ASPIN: Page 3, between lines 19 and 20, insert the following:

"TITLE III—AUTHORIZATION LIMITATION

"SEC. 301. Notwithstanding any other provision of this Act, the aggregate amount of funds authorized to be appropriated for the use of the Armed Forces of the United States for procurement, research, development, test, and evaluation under titles I and II of this Act may not exceed the aggregate amount of funds which were authorized to be appropriated under titles I and II of Public Law 91-441 (84 Stat. 905-908)."

Redesignate the succeeding titles accordingly.

Mr. ASPIN. Mr. Chairman, I am of-

fering an amendment here which may be the last teller vote that we have today. This is an amendment which I think takes care of some of the questions that were raised in the percentage cut offered by the gentleman from New York (Mr. PIKE) and the gentleman from Vermont (Mr. STAFFORD).

Mr. Chairman, I believe in the circumstances under which we live today we should not vote this defense authorization bill, without making every effort to keep defense spending from increasing.

Mr. Chairman, I have an amendment which I believe will do that. Simply stated, it says that this amendment shall keep the defense spending from rising above last year's level. This year's authorization is \$21.8 billion. Last year we authorized \$19.9 billion. What I am recommending here is that we institute a ceiling at \$19.9 billion and do not go above it. That would be equivalent to a \$1.9 billion cut.

Mr. Chairman, several points should be made about this defense ceiling. The distinguished chairman of the Committee on Armed Services, the gentleman from Louisiana (Mr. HÉBERT), has already helped by taking out approximately \$800 million. So, that leaves only \$1.1 billion to be cut in order to get back to the level of last year.

The second point which should be made is that this amendment would not put a squeeze on defense spending. There are two factors. The first is inflation. To buy last year's defense budget at this year's prices would cost more, \$1.2 billion more. But we will be saving some money because of the wind down of the war in Vietnam. Vietnam is costing us less in this bill this year than it cost last year. In fact, it cost \$1.6 billion less this year than last year. So taking these matters into consideration we will actually have more money to spend.

The third point I wish to point out is that we are talking about authorizations and not appropriations. Last year, although \$19.9 billion was authorized, only \$18.6 billion was appropriated. So, if we authorize the same amount that we authorized last year and then appropriate the full amount we would actually, even with the ceiling, have a considerable increase in spending for the military.

Mr. Chairman, this amendment is not intended to tell the Defense Department or the military where to cut. They can cut on procurement or they can cut R. & D. They can cut programs or just put into effect more efficiencies.

Mr. Chairman, I think we should emphasize the importance of an efficiency cut in this budget. There is not any budget, any military budget, without places where efficiencies can be made. The efficiency deficiencies are well known in the Defense Department budget. For instance, there is duplication as for example with the Cheyenne helicopter, the A-X, and the Harrier.

There is slack in this budget. This budget was based upon estimates of end year troop strength in Vietnam of 150,000 men. That is now out of date. There will be no more than 100,000 men and, maybe, only 50,000 men in Vietnam by the end of fiscal year 1972. That would mean a substantial amount of slack of up to \$800

million in this procurement and research and development budget.

The third deficiency in the Defense Department is cost overruns. The only way that Congress can cut through the cost overrun problem of spare parts, of redesigning, of buyins, is to put a ceiling on the budget and hold the Department of Defense to institute the proper procedures so that cost overruns do not occur.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

(By unanimous consent Mr. ASPIN was allowed to proceed for 1 additional minute.)

Mr. ASPIN. Mr. Chairman, we live in a time when we hear the cry of the taxpayers' revolt and the cry for changing national priorities. I repeat I believe that under these circumstances we should not vote for this authorization bill until we have made every effort to keep defense spending from increasing.

Mr. PRICE of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the committee report contains an extensive discussion, beginning on page 8, on the trend in defense authorizations and I hope that the Members have had an opportunity to look that over.

It is pointed out that in terms of actual buying power, the trend of defense expenditures is downward, our outlays for national defense both as a portion of the total budget and as a percentage of the gross national product have declined. Defense outlays for fiscal 1972 if approved in the full amount requested will cost 32.1 percent of the total Government outlays proposed for fiscal year 1972 and would constitute 6.8 percent of the estimated gross national product for fiscal year 1972.

This compares with 32.9 percent and 7.4 percent of last year; 38.4 percent and 8.1 percent for fiscal 1970; 42.5 percent and 9.5 percent for fiscal 1968; and 41.8 percent and 8.3 percent for the last peacetime year, fiscal year 1964.

So we have gone down in defense expenditures in relation to our gross national product year by year.

The hearings and the committee report clearly spell out the increased effort which is being made by the Soviets particularly in the areas of strategic weapons and in naval power and research and development. The increases in the fiscal 1972 authorization are intended to cope with this increased threat.

The major increases in our bill are: \$250 million to support additional modernization of our land-based strategic missiles, and \$617 million for the modernization of our naval forces—and who in this House does not realize the necessity of this particular item, \$617 million in this bill for the modernization of our naval forces. And it is a sad commentary that we talk about the modernization of our naval forces, because I imagine all of us have assumed that we always maintained the most modern naval force in the world.

There is \$100 million to improve the

penetration capability of our strategic bombers.

And approximately another \$860 million in research and development needed to maintain technological superiority.

Mr. Chairman, I do not think any Member of this House wants to go below the figure that we have brought to the floor here this afternoon. In the interests of national security, I plead with you to reject this amendment.

Our outlays for national defense, both as a portion of the total budget and as a percentage of the gross national product—GNP—have declined.

Mr. SIKES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment which is before the House has as its purpose a reduction in fiscal 1972 procurement and research to the amount which was approved for fiscal 1971. Now let us see what the amendment actually does.

It fails to take into account inflation in costs, something that plagues all aspects of the defense program. Inflation alone has already cut the fiscal 1972 procurement to the level of fiscal 1971. If the amendment were approved, you would have a reduction of an additional 10 percent below the 1971 procurement—not just a reduction to that level.

All procurement bills are different. They place differing emphasis on different weapons systems. There is an item of nearly \$200 million in the 1972 bill for torpedoes. There is no similar item in the 1971 bill. Under the terms of the 1971 bill, prior year authorizations in the amount of nearly a billion dollars were available for that year's progress. By any terminology, the fiscal 1971 bill was much more favorable to defense procurement than the 1972 bill which has been submitted by the committee.

Further cuts could be ruinous. For instance, in the field of research it will come as something of a shock to the House to learn that the research funding level which is proposed for fiscal 1972 is 15 percent lower than that in fiscal 1964 in constant dollars. Now please bear in mind at that time the Russian research programs were much lower than ours. Now their research spending is half again as high as ours. Research is where the future lies in defense programs. If we further cripple defense research, we are asking for early and severe headaches in our efforts to maintain a defense comparable to that of the Soviets.

We are spending less money for defense in constant dollars than we have spent in years. Danger signals are flying all over the world. The Soviets have more weapons than we in nearly every category except Navy carriers. They have cruise missiles—we do not. They are passing us in numbers of strategic weapons. Warsaw Pact countries in Europe have three times as many tanks as NATO forces. The Soviets have greater numbers of fully modern aircraft. They have some that now are flying when we have only comparable designs on the drawing boards. We cannot afford to cut back any more unless we are prepared to accept a second-rate status for our Armed

Forces and unless we are prepared to be blackmailed by Communist Russia whenever world problems arise.

Do not pin your hopes on diplomacy or on SALT talks with Red Russia. Neither prospect is worth a hill of beans when it comes to insuring world peace and the protection of America's interests at home and abroad.

The House is being asked to set the stage for the slaughter of America's defense forces in future wars. Do not do it.

Mr. ARENDS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not enjoy taking up the time of the House. But what we are discussing at this particular moment is so important.

Early this afternoon I carefully went into the details of why we had increased this budget somewhat for the anticipated fiscal year. It is very easy to understand if you stop for just a moment and look at it. I want to make these points quickly:

First. There is inflation. Figured on the basis of 5 percent—that would reduce the cost of the budget by \$977 million.

Second. There is the fact that we are starting to build ships that have been long delayed, ships that we absolutely need; \$617 million is added for ships over last year's authorization. Who is going to vote against building more ships at a time like this?

Third. We have to increase research and development. That is \$860 million over last year.

Just a moment ago the House indicated that that was the proper thing to do, add \$360 million for R. & D. over last year.

Fourth. We have increased by \$250 million our strategic missile budget for modernization—and added \$100 million to improve the penetration capability of our strategic bombers.

Fifth. For the first time this year we are putting in \$193 million for torpedoes—which we never had authorized before.

So add it all up and you will see that we have done relatively little in the way of increasing the cost of our defense.

Not long ago we passed in this House, and many people voted for it—for an immediate rather substantial pay increase for all servicemen of our country. I am not going to argue the point, but it is very substantial. The end result will be that by next year in the defense appropriation bill approximately 55 percent of all expenses for the Department of Defense will go for pay.

I ask you very seriously—where are you going to get the money to pay for the defense forces of this country unless you do exactly the things we are doing in this bill. I plead with you here today for the defense of our country. Certain eventualities may follow. I hope and trust nothing does happen. But we just have to be ready for any emergency that might occur in this country within the next few years and not find ourselves in the position that we were in after World War I and World War II and again at the time of the Korean conflict when we

were almost naked, militarily speaking. We cannot let ourselves get back in that position in this troubled and upset and disturbed world such as we find ourselves in today.

Mr. Chairman, I plead with the Members of the House at this particular time not to adopt these reduction amendments.

I would like to mention one more thing, if I may. This afternoon the other body voted on the so-called Chiles amendment which is somewhat similar to the amendment that will be offered here later today—the Nedzi-Whalen proposal. The other body defeated the Chiles amendment which set withdrawal date for Vietnam of June, 1972, by a vote of 52 to 44.

Just now I am informed that the other body in voting on the so-called McGovern-Hatfield amendment which set a date of December 31, 1971, defeated that amendment at 5:24 p.m. this afternoon by a vote of 55 to 42.

Mr. WOLFF. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. WOLFF. I take this time to ask the chairman of the full committee for some information regarding the authorization. On the question of transfer funds, transfer without reimbursement to DOD from funds that are appropriated pursuant to the Foreign Assistance Act, according to information that has been furnished me, military assistance service funding for fiscal year 1972 is \$2,230,000,000; is that correct?

Mr. HÉBERT. That is correct.

Mr. WOLFF. Is that included in this funding that we are voting on now?

Mr. HÉBERT. That is included in this funding that we are voting on now; that is, the authorization.

Mr. WOLFF. In other words, that is about 16 percent of the total for procurement that is going to the Governments of Thailand and Vietnam and the Laotian Government; is that correct?

Mr. HÉBERT. No, no. That total amount is for military personnel, transportation, subsistence, operation, maintenance, equipment, procurement, and military construction. That does not go to those Governments.

Mr. WOLFF. How is it then called "transfer funds"?

Mr. HÉBERT. There is a transfer of money.

Mr. WOLFF. In other words, we are transferring funds over to these Governments.

Mr. HÉBERT. No; the funds are for military purposes in the protection of our troops. We are not giving money to governments in the places the gentleman mentioned. We provide equipment, yes; something of that nature, but not hard dollars.

Mr. WOLFF. Is any of this in excess?

Mr. HÉBERT. We do not vote anything in excess. We vote what is needed and justified before the committee.

Mr. WOLFF. In other words, is excess equipment included in this transfer?

Mr. HÉBERT. Excess equipment is not included in here because equipment does

not become excess until it is bought. Then it may become excess. It has not been bought, and therefore it cannot be in excess until it is in being.

Mr. WOLFF. Do we have any figures on excess equipment that is being turned over?

Mr. HÉBERT. No, sir; we do not.

Mr. WOLFF. I thank the gentleman.

Mr. MOORHEAD. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. MOORHEAD. I merely wish to ask a brief question of the distinguished author of the amendment. I would like to ask him whether the amendment, if adopted, will limit the amount above or below the amount actually appropriated under the authorization of Public Law 91-441?

Mr. ASPIN. There is a considerable increase that can be obtained under this bill. Last year we authorized \$19.9 billion; we appropriated \$18.6 billion. If we pass this authorization bill and appropriate the full amount, we can increase defense spending considerably over last year's amount, even though there is a ceiling. I think that is a very important point that you raise. Second, the effect of inflation has been netted out in this bill. This is unlike the previous R. & D. amendment that we were discussing. The effect of inflation is not reflected here at all. There will be an inflation factor, but it is more than offset by the amount we would save, because we are not spending as much in Vietnam in this bill as we did last year. So what we have is a combination of factors which cancel out. We would save money in Vietnam and we would lose money on inflation. It cancels out.

But the fact that we can authorize the same amount of money as last year and then appropriate up to the full amount that we authorize means that we can actually increase defense spending a very great amount, even with this amendment and the ceiling.

Mr. MOORHEAD. I thank the gentleman and commend him for his amendment. I yield back the remainder of my time.

Mr. STRATTON. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. STRATTON. Mr. Chairman, I rise in opposition to the amendment, and would like to make a couple of comments that may be useful. This amendment represents of course, the meat-ax approach. There is no attempt here to try to zero in on specific weapons systems. It is merely an attempt to try to establish an overall figure and then leave it up to the Defense Department to make specific cuts. I am a little surprised that the gentleman from Wisconsin (Mr. ASPIN), who used to be a distinguished member of the systems analysis group in the Pentagon, which makes detailed studies of weapons systems, could not have come up with some specific recommendations with respect to specific systems, but instead has come in with the old meat-ax approach.

What he wants to do, basically, is go back to last year's figure. And that means, if it means anything, that he would eliminate all of the new programs that are being included in this bill for the first time.

Well, let us take a look at what we would have to cut out, if we were going to cut out the programs that are new this year.

As the gentleman from Illinois (Mr. ARENDS) mentioned a moment ago, we have in here the new MK-48 torpedo for the first time. This is the torpedo that is going to make our submarine force effective against enemy shipping. Are we going to build submarines and then not have any torpedoes to do the job? Well that is what the gentleman's amendment would seem to do.

Also new in this bill are the submarines of the SSN-688 class. That is Admiral Rickover's new fast submarine. That is the one we are beginning to build because the Soviet submarines today go a lot faster than ours. Are we to eliminate those new submarines so that we will not be able to keep up with the Soviet submarine force? That is what would happen if we take out all the new things in this bill.

Also new in this bill are funds for the procurement of the DD-963, a new class of antisubmarine destroyers.

We are putting a lot of old Navy ships in mothballs these days, especially our antisubmarine warfare fleet. We are mothballing our antisubmarine carriers. And we have practically nothing left, it seems, to deal with the really massive Soviet submarine threat. Well this is exactly what the DD-963 is designed to do.

Let us face it. The U.S. Navy has an over-age fleet today. The Soviets have a modern fleet. Here we are beginning in this bill, the job of trying to modernize our present fleet. Admittedly we are cutting down the numbers of our ships and we are cutting down our personnel. But we are trying hard to get new modern ships. And yet the gentleman from Wisconsin would have us cut out that novelty and just go back to the same tired old stuff. But if you agree with me that we must build a modern fleet to meet the threat in the Middle East, and the threat posed by the Soviets in Egypt, then we must vote down this amendment.

Mr. HARRINGTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Wisconsin.

Mr. ASPIN. Mr. Chairman, I should like to say in response to the gentleman from New York that when he talks about my amendment cutting programs he obviously has not read the amendment. This is a ceiling amendment to hold spending to last year's level.

I pointed out in my remarks and in the appendix to the committee report a number of places where savings could be made which would not involve cutting programs.

First of all, there is duplication. We have tremendous duplication in the Armed Forces with the Cheyenne, the A-X and the Harrier all doing essentially the same thing, and all in the development stages. The military should be

forced to make a choice among those three close aircraft support systems.

Second, there is a good deal of slack in this budget. There is slack because the budget was originally designed and originally drawn up at a time when it was estimated 150,000 Americans would be in Vietnam at the end of fiscal year 1972. That is now out of date. According to the President's present timetable there will be only 100,000, and that timetable may be adjusted again and it may be a lower figure, more like 50,000. If that is true, there is slack to the tune of \$800 million.

There is the cost overrun problem. The only way this body, the Congress of the United States, can get some control over the cost overrun problem is to institute a defense ceiling saying we will not spend more than this thereby forcing the Defense Department to institute the necessary procedural reforms.

Let me point out once again, as I have twice so far, that last year we did not appropriate the full amount. If we authorize this year's amount at last year's level, if we authorize \$19.9 billion, we can increase appropriations and actually with this ceiling spend more on defense, \$1.3 billion more, than we spent last year.

Mr. SEIBERLING. Mr. Chairman, I rise in support of the amendment.

We heard this called a meat-ax approach. Perhaps I have tendencies in that direction. The chairman of my campaign committee last year was the business representative of the Meat Cutters Union. However, I think the remarks of the gentleman from New York were obviously inappropriate, as the gentleman from Wisconsin (Mr. ASPIN) has already pointed out.

Not being a member of the Committee on Armed Services—and, of course, most of us here are not—I cannot go into it in the depth that the committee members could. But this does not relieve us of our individual responsibility.

Yesterday, those of us who attended the Democratic Study Group briefing had the privilege of hearing for a couple of hours three former members of the previous administration, high in the Defense Department. They were Mr. Paul Warnke, the former Under Secretary of Defense; Mr. Robert Anthony, the former Comptroller of the Department of Defense; and Mr. Robert Benson, the former Assistant Comptroller of the Department of Defense. We heard some very interesting testimony by those gentlemen. They pointed out the obvious, that the armed services always ask for more than they expect to get and can always come up with arguments as to why they should get what they ask for. These gentlemen, all former top officials of the Defense Department, pointed out that, despite the winding down of the Vietnam war, the obligating authority in this budget is \$4 billion higher than last year, that practically all of the increase is in nonstrategic forces, that inflation would account for a very small percentage, of the increase, and that there is a productivity increase not figured in, that largely cancels out the inflation.

It used to be considered the "safe" thing to vote without question for all the

billions that the military claimed was needed for national defense. But the question of national priorities is no longer an academic question. The question as to whether we are spending too much money on defense is not academic. In the questionnaire that I sent out to 138,000 people in my district in April, from which I got 28,000 replies, I asked: "What is your position on the present level of military spending?" As a result, 71.6 percent of the people answered, "Too much"; 11.8 percent said "About right"; and 3.5 percent said "Too little."

I spent many years in private industry, and I will say this: If the board of directors of a corporation continually overspent to the extent of billions of dollars the way this Government is doing, and did it in ways that do not best serve the stockholders or the consumers served by that company, then the stockholders would get rid of them. That is what the people of this country are going to do to the Members of this House unless we start doing our homework and reduce these extravagant and unnecessary expenses.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman.

Mr. WAGGONNER. Is that the reason why Penn Central might be in trouble, then, and wants help from the Government?

Mr. SEIBERLING. I think it might well be a reason why Penn Central is in trouble.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. ASPIN).

TELLER VOTE WITH CLERKS

Mr. ASPIN. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. ASPIN. Mr. Chairman, I demand tellers with Clerks.

Tellers with Clerks were ordered, and the Chairman appointed as tellers Mr. HÉBERT, Mr. ASPIN, Mr. PRICE of Illinois, and Mr. SEIBERLING.

The Committee divided, and the tellers reported that there were—ayes 118, noes 278, not voting 38, as follows:

[Recorded Teller Vote No. 140]

AYES—118

Abourezk	Denholm	Jacobs
Abzug	Dow	Karth
Adams	Drinan	Kastenmeier
Addabbo	du Pont	Koch
Anderson, Calif.	Eckhardt	Kyros
Ashley	Edwards, Calif.	Leggett
Aspin	Eilberg	Link
Badillo	Esch	Long, Md.
Begich	Evans, Colo.	Lujan
Bergland	Fish	McCormack
Biester	Forsythe	McDonald,
Bingham	Fraser	Mich.
Blatnik	Frenzel	McKay
Boland	Fulton, Pa.	Mazouzi
Brademas	Fulton, Tenn.	Melcher
Brasco	Gallagher	Mikva
Burke, Mass.	Gaydos	Mink
Burton	Gibbons	Mitchell
Carey, N.Y.	Green, Pa.	Moorhead
Celler	Gude	Mosher
Chisholm	Halpern	Nedzi
Collins, Ill.	Hamilton	Obey
Conte	Hanley	O'Hara
Conyers	Harrington	O'Neill
Corman	Hathaway	Pike
Culver	Hechler, W. Va.	Podell
Dellenback	Heckler, Mass.	Pryor, Ark.
Dellums	Hicks, Wash.	Pucinski
	Howard	Quie

Rees	Foley	Sarbanes	Tiernan
Reid, N.Y.	Scheuer	Schneebeli	Udall
Reuss	Schwengel	Schwegel	Vander Jagt
Riegle	Seiberling	Smith, Iowa	Vanik
Rodino	Roe	Snyder	Waldie
Roe	Roncallo	Stanton,	Whalen
Roncallo	Rosenthal	James V.	Wolf
Rosenthal	Roush	Symington	Yates
Roush	Roy	Terry	Yatron
Roy	Roybal	Thompson, N.J.	Zwach
Roybal	Ryan		

NOES—278

Abbitt	Foley	Mollohan
Abernethy	Ford, Gerald R.	Montagan
Albert	Fountain	Montgomery
Anderson, Ill.	Frelinghuysen	Morgan
Andrews, Ala.	Frey	Morse
Andrews, N. Dak.	Fuqua	Moss
Annunzio	Galifianakis	Murphy, Ill.
Archer	Gettys	Murphy, N.Y.
Arends	Gialmo	Myers
Ashbrook	Goldwater	Natcher
Aspinall	Gonzalez	Nelsen
Baker	Goodling	Nichols
Baring	Gray	Nix
Barrett	Green, Oreg.	O'Konski
Belcher	Griffin	Passman
Bell	Gross	Patman
Bennett	Grover	Patten
Betts	Gubser	Pepper
Bevill	Hagan	Perkins
Blagel	Haley	Pettis
Blackburn	Hall	Peyster
Boggs	Hammer-	Pickle
Bolling	schmidt	Pirnie
Bow	Hanna	Poage
Bray	Hansen, Idaho	Poff
Brinkley	Hansen, Wash.	Powell
Brooks	Harsha	Preyer, N.C.
Broomfield	Harvey	Price, Ill.
Brotzman	Hastings	Price, Tex.
Brown, Mich.	Hays	Purcell
Brown, Ohio	Hébert	Railsback
Broyhill, N.C.	Henderson	Randall
Broyhill, Va.	Hicks, Mass.	Rarick
Buchanan	Hillis	Reid, Ill.
Burke, Fla.	Hogan	Rhodes
Burleson, Tex.	Holfield	Roberts
Burison, Mo.	Horton	Robinson, Va.
Byrne, Pa.	Hosmer	Robison, N.Y.
Byrnes, Wis.	Hull	Rogers
Byron	Hungate	Rooney, N.Y.
Cabell	Hunt	Rooney, Pa.
Caffery	Hutchinson	Rostenkowski
Camp	Ichord	Rousselot
Carter	Jarman	Ruppe
Casey, Tex.	Johnson, Calif.	Ruth
Cederberg	Johnson, Pa.	St Germain
Chamberlain	Jonas	Sandman
Chappell	Jones, Ala.	Satterfield
Clancy	Jones, N.C.	Schmitz
Clausen,	Jones, Tenn.	Scott
Don H.	Kazen	Sebellus
Clawson, Del.	Keating	Shipley
Cleveland	Kee	Shoup
Collier	Keith	Shriver
Collins, Tex.	Kemp	Sikes
Colmer	King	Sisk
Conable	Kluczynski	Skubitz
Cotter	Kuykendall	Slack
Coughlin	Kyl	Smith, N.Y.
Crane	Landgrebe	Spence
Daniel, Va.	Landrum	Springer
Daniels, N.J.	Latta	Stafford
Danielson	Lennon	Staggers
Davis, Ga.	Lloyd	Stanton
Davis, S.C.	McClory	J. William
Davis, Wis.	McCloskey	Steed
de la Garza	McClure	Steele
Delaney	McCollister	Steiger, Wis.
Dennis	McDade	Stephens
Derwinski	McEwen	Stratton
Devine	McFall	Stubblefield
Dickinson	McKevitt	Stuckey
Dingell	McKinney	Talcott
Dorn	Madden	Taylor
Downing	Mahon	Teague, Calif.
Dulski	Mailliard	Teague, Tex.
Duncan	Mann	Thompson, Ga.
Dwyer	Martin	Thomson, Wis.
Edmondson	Mathis, Ga.	Thone
Edwards, Ala.	Matsunaga	Van Deerlin
Erlenborn	Mayne	Vigorito
Eshleman	Meeds	Waggonner
Evins, Tenn.	Metcalfe	Wampler
Fascell	Michel	Ware
Findley	Miller, Calif.	Watts
Fisher	Miller, Ohio	Whalley
Flood	Mills, Ark.	White
Flowers	Mills, Md.	Whitehurst
Flynt	Minshall	Whitten
	Mizell	Widnall

Wiggins
Williams
Winn
Wright

Wyatt
Wydler
Wyllie
Wyman

Young, Fla.
Young, Tex.
Zablocki
Zion

NOT VOTING—38

Alexander
Anderson,
Tenn.
Blanton
Carney
Clark
Clay
Dent
Diggs
Donohue
Dowdy
Edwards, La.
Ford,
William D.

Garmatz
Grasso
Griffiths
Hawkins
Helstoski
Lent
Long, La.
McCulloch
McMillan
Macdonald,
Mass.
Mathias, Calif.
Minish
Pelly

Quillen
Rangel
Runnels
Saylor
Scherle
Smith, Calif.
Steiger, Ariz.
Stokes
Sullivan
Ullman
Veysey
Wilson, Bob
Wilson,
Charles H.

So the amendment was rejected.

Mr. BIAGGI. Mr. Chairman, I voted "aye." I meant to vote "no." I wish the RECORD to indicate that, and ask unanimous consent for that purpose.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HÉBERT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise at this time in order to inform the House of the situation as related to the consideration of this legislation.

In the very beginning, I told Members that I would not cut off debate or initiate any effort to cut off debate. I think that has been demonstrated as there has been absolutely no cutting off of debate.

It has been my intention and the intention of the minority side to get to the so-called Nedzi-Whalen amendment tonight as quickly as we can. We have made every effort in that direction. But we cannot control the requests for teller votes, the outcome of which is obvious before they are even taken. I have no control over that. Any Member who wants a teller vote can have a teller vote, but I think the outcome of these teller votes is obvious. But we will stay here as long as teller votes are called for. It is up to the Members of the House to decide what they want to do.

Of course, we will consider every amendment and when we get to the so-called Nedzi-Whalen amendment, we will have the amendment read and then recess until tomorrow.

So I repeat, Mr. Chairman, I have no control over how long a time you stay here. You are restless, I am restless too. We are all restless, but we will stay here as long as teller votes are demanded on the amendments.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Illinois.

Mr. ARENDS. There is a possibility that we might come in early tomorrow. I heard the subject discussed, and I hope it will materialize.

Mr. HÉBERT. I, too, hope that is so. I also heard it discussed. I trust the request will be made at the appropriate time and that we will arrange to come in at 11 a.m. tomorrow. However, we will finish today's business. Nobody will be cut off. There will be free and open debate.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

TITLE III—RESERVE FORCES

Sec. 301. For the fiscal year beginning July 1, 1971, and ending June 30, 1972, the Selected Reserve of each Reserve component of the Armed Forces will be programed to attain an average strength of not less than the following:

- (1) The Army National Guard of the United States, 400,000.
- (2) The Army Reserve, 260,000.
- (3) The Naval Reserve, 129,000.
- (4) The Marine Corps Reserve, 45,849.
- (5) The Air National Guard of the United States, 88,191.
- (6) The Air Force Reserve, 49,634.
- (7) The Coast Guard Reserve, 15,000.

Mr. HÉBERT (during the reading). Mr. Chairman, I ask unanimous consent that section 301 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there any objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. If there are no amendments to section 301, the Clerk will read.

The Clerk read as follows:

Sec. 302. The average strength prescribed by section 301 of this title for the Selected Reserve of any Reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever any such units or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such Reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

Mr. HÉBERT (during the reading). Mr. Chairman, I ask unanimous consent that section 302 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. If there are no amendments to section 302, the Clerk will read.

The Clerk read as follows:

Sec. 303. (a) Title 10, United States Code, section 270(a), is amended by adding:

"However, no member who has served on active duty for one year or longer shall be required to perform a period of active duty for training if the first day of such period falls during the last one hundred and twenty days of his required membership in the Ready Reserve."

(b) Title 32, United States Code, section 502(a) (2) is amended by adding:

"However, no member of such unit who has served on active duty for one year or longer shall be required to participate in such training if the first day of such training

periods falls during the last one hundred and twenty days of his required membership in the National Guard."

AMENDMENT OFFERED BY MR. NEDZI

Mr. NEDZI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NEDZI: Page 5, line 6, after the word "member" strike out "who has served on active duty for one year or longer."

And on Page 5, line 13 after the word "member" strike out "who has served on active duty for one year or longer."

Mr. MONTGOMERY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will try to be brief. I hope I may have the attention of Members. This is a very important and serious amendment. It is not an insignificant amendment at all.

In fact, what we are getting ready to do is to reduce a reservist's or guardsman's obligation almost by 1 year, from 6 years to 5 years. What the amendment does is say that a person who goes in the Reserve for a 6-year obligation, if he has less than 120 days to serve, does not have to go to summer camp.

Here is the problem. After these men have served for 5 years they have become E-4's, or sergeants, or key men in the units. So under the amendment we would be saying to the man who has only 120 days or less to serve that he could volunteer, or he could say, "I do not want to go to summer camp," where we really need him, and he would not have to go.

The most important part of the training of these reservists is at the camp for the 15 days. In effect we would be letting this man sit around the armory while his unit went to camp. I believe it is very important.

The Defense Department has said that the paperwork which will go on will actually cost more than if we kept the man in.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Texas.

Mr. FISHER. I believe the gentleman is eminently correct in his analysis of the situation. Our committee considered this quite thoroughly. The language contained in the bill is in accordance with the judgment and the assessment of the committee after consideration was given to the problem.

There is the situation of the 6-month trainee, for example, who then continues for about 5½ years of Reserve training, including summer camp.

One of the reasons for the provision which the gentleman from Michigan would strike out is to prevent the 6-month trainee from having that 120 days free at the end of his obligation.

One of the principal complaints made here about this proposal is that during the last 120 days it would apply to any noncommissioned officers who do the training, who provide the leadership and provide the direction for the trainees. They themselves could walk out, and a lot of times their billets would not be readily fillable.

I believe it would be a serious mistake to adopt the amendment. We should leave the situation as it is.

Mr. MONTGOMERY. Mr. Chairman, to get back on the track, I will say to the Members if they want these men to fulfill their obligation, these persons who joined the Guard or the Reserve not to be drafted, they should vote against the amendment. If they want to cut them back, vote for the Nedzi amendment, but if they want to be fair, vote against the Nedzi amendment.

Mr. FISHER. Precisely.

Mr. NEDZI. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Michigan.

Mr. NEDZI. I just want to make clear I was not motivated by any sympathy for those who serve 6 months of active duty. The only motivation I had was to make some sense out of the summer training. It does not make sense to have individuals trained and for them to be discharged within 120 days.

I recognize what the gentleman said about these men being required to perform their services. I believe every Member can judge for himself how motivated are the individuals who are going to be let out of the service, if they have this staring them in the face.

When we talk about 120 days we are really talking about a mean average of 60 days.

How motivated are these men going to be, who were forced to get into the Reserves in the first place, essentially? I admit they were all volunteers largely because of the draft.

Mr. MONTGOMERY. I want to make one further comment. Actually, when the 6-year obligation is over, he goes in the Standby Reserves, so he does not get out of going in the Reserves.

I think it is a bad amendment and should be defeated.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from New York.

Mr. PIRNIE. The point that the gentleman is making is the impact on the unit. We are not talking about the training of that particular individual.

Mr. MONTGOMERY. That is correct.

Mr. PIRNIE. He is required to be present in order that the unit will function in complete rapport. Is that correct?

Mr. MONTGOMERY. That is correct. You take key personnel out of the unit and let them sit back in the armory when they should be in training operating as a unit.

Mr. HUNT. Mr. Chairman, I am opposed to this amendment. It simply permits a person who has gone into the National Guard or into the Reserve components under an obligors system to escape his last duty as a soldier or as a member of the armed services.

The language in this bill that we are considering today was carefully gone over. This amendment was discussed in the committee and defeated. The language in the bill is quite clear. The lan-

guage in the bill itself says that no member who has served on active duty for 1 year or longer shall be required to perform a period of active duty for training if the first day of such period falls during the last 120 days of his required membership in the Ready Reserve. Likewise it applies in the next section to the National Guard.

This simply means that anyone who has served on active duty and, as an example, someone who has served in Vietnam and comes back into the Reserve or the National Guard unit and only has 120 days to serve after having performed his active duty of 1 year or more, not for training but in actual service, will be permitted to choose whether he would or would not go to summer camp during his last 120 days of Reserve service. So you come down to a basic premise; namely, that those men who have gone into the Reserve and the National Guard who only served the maximum of 6 months of active duty training and then reverted to 5½ years obligors status are required to serve 2 weeks of each year for the ensuing 5 years in what is known as active duty for training.

I served in the Reserve 23½ years, and any man with a legitimate excuse who is called to active duty, who has any emergency arising, will be excused. However, I do not believe a man who is an obligor and a man who has served on active duty but only for training purposes should be excused from that last 2 weeks of his duty. That is the obligation he took and he knew it when he took it. There is no excuse for anyone trying to evade it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. NEDZI).

The amendment was rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

TITLE IV—GENERAL PROVISIONS

SEC. 401. Subsection (a) of section 401 of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, is hereby amended to read as follows:

"(a) (1) Not to exceed \$2,500,000,000 of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (A) Vietnamese and other free world forces in support of Vietnamese forces, (B) local forces in Laos and Thailand; and for related costs, during the fiscal year 1972 on such terms and conditions as the Secretary of Defense may determine. None of the funds appropriated to or for the use of the Armed Forces of the United States may be used for the purpose of paying any overseas allowance, per diem allowance, or any other addition to the regular base pay of any person serving with free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the Armed Forces of the United States (under section 310 of title 37, United States Code) serving in Vietnam or in any other hostile fire area, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970. Nothing in clause (A) of the first sentence of this paragraph shall be construed as author-

izing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos: *Provided*, That nothing contained in this section shall be construed to prohibit support of actions required to insure the safe and orderly withdrawal or disengagement of United States Forces from Southeast Asia, or to aid in the release of Americans held as prisoners of war."

Mr. HÉBERT (during the reading). Mr. Chairman, I ask unanimous consent that title IV be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AMENDMENT OFFERED BY MR. FISHER

Mr. FISHER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FISHER: On page 7, following line 4 in the bill, add the following new section:

"SEC. 402. No part of the funds appropriated pursuant to this Act may be used at any institution of higher learning if the Secretary of Defense or his designee determines that at the time of the expenditure of funds to such institution recruiting personnel of any of the Armed Forces of the United States are being barred by the policy of such institution from the premises of the institution except that this section shall not apply if the Secretary of Defense or his designee determines that the expenditure is a continuation or a renewal of a previous grant to such institution which is likely to make a significant contribution to the defense effort. The Secretaries of the military departments shall furnish to the Secretary of Defense or his designee within 60 days after the date of enactment of this Act and each January 31st and June 30th thereafter the names of any institution of higher learning which the Secretaries determine on such dates are barring such recruiting personnel from the campus of the institution."

Mr. FISHER. Mr. Speaker, I ask unanimous consent to withdraw temporarily the amendment which I have just offered.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. NEDZI

Mr. NEDZI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NEDZI: On page 7, line 4, after the period insert:

"SEC. 402. (a) No funds authorized to be appropriated pursuant to this Act may be expended after December 31, 1971, to support the deployment of U.S. military personnel or the conduct of any U.S. military operations in or over South Vietnam, North Vietnam, Cambodia, or Laos.

"(b) If the President determines that the above limitations will not permit the safe and orderly withdrawal of all U.S. military personnel from Vietnam, or ensure the return of prisoners of war, he shall recommend to the Congress legislation setting another date within the fiscal year which will permit the accomplishment of these objectives.

"(c) This section shall not be construed to affect the constitutional power of the President as Commander-in-Chief.

"(d) This section shall not be construed

to affect the power of the President to provide for (1) asylum or other means to provide for the safety of citizens of the Republic of Vietnam who may be endangered by withdrawal of U.S. forces, and (2) military and economic assistance to Cambodia, Laos, or the Republic of Vietnam consistent with the objectives of this section.

"(e) This section shall not be construed to limit the use of funds for purposes which may be necessary to ensure the return of prisoners of war.

"(f) This section shall not be construed to prohibit the assignment of customary military personnel to diplomatic missions."

Mr. NEDZI (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HÉBERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8687) to authorize appropriations during the fiscal year 1972 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, had come to no resolution thereon.

HOOR OF MEETING TOMORROW

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 a.m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ORDER OF BUSINESS ON TOMORROW

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time for the purpose of asking the distinguished majority leader a question.

Mr. Speaker, as I understand it, the first order of business tomorrow will be the move to send the education appropriation bill to conference?

Mr. BOGGS. Mr. Speaker, if the distinguished minority leader will yield, that is my understanding I will say in reply to the gentleman.

Mr. GERALD R. FORD. Then after that has been decided we will get back into the consideration of the bill, H.R. 8687, that has been pending before us?

Mr. BOGGS. That is correct.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. BOGGS. Mr. Speaker, I take this time to again call to the attention of the House that the travel resolutions for ILO will also be considered tomorrow. I made that announcement earlier.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I will be glad to yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I would ask the distinguished gentleman from Louisiana whether those will come after the consideration of the Defense procurement authorization bill that we are now considering and have been considering?

Mr. BOGGS. I have not discussed the timing of this with the Speaker, but I would assume that it would come at that time.

Mr. FULTON of Pennsylvania. Mr. Speaker, if the gentleman will yield, I would ask the gentleman whether there has been any plan made for a Friday session?

Mr. BOGGS. Yes, there are plans for a Friday session. It is the Friday that is scheduled for a session. As the gentleman knows, we made that announcement earlier.

Mr. FULTON of Pennsylvania. But a Friday session is definitely scheduled?

Mr. BOGGS. We have four additional bills after we complete the defense procurement bill.

Mr. FULTON of Pennsylvania. So a Friday session is definitely set as of now?

Mr. BOGGS. Of course, it is conceivable that we could get through tomorrow, but I use the word "conceivable" advisedly.

TRANSFER OF SPECIAL ORDER

Mr. DAVIS of South Carolina. Mr. Speaker, I ask unanimous consent that the special order granted the gentleman from Maryland (Mr. MITCHELL) for Thursday, June 17, be vacated, and that he be permitted to address the House for 60 minutes on Friday, June 18.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

THANKS, PRESIDENT PUSEY, FOR WAKING UP TOO LATE

(Mr. ASHBROOK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ASHBROOK. Mr. Speaker, I read with interest an article in today's New York Times which was heralded by the following three-column heading: "Pusey Calls Revolutionaries 'Deluded.'"

In it, the remarks of President Nathan M. Pusey of Harvard are outlined and he is quoted as denouncing the power-hungry revolutionaries who have made the last few years so difficult for him. He termed them grievously, even malignantly, deluded. This is fine but where has President Pusey been these past few

years when Harvard was besieged by rioters and radicals, many of them students, who did everything from taking over the dean's office to dynamiting college buildings?

It is all well and good to speak now in strong, forthright terms but where was he when his responsibilities of office demanded that he take prompt action? He vociferously articulates, after the fact, the problem but even now he apparently sees little need for decisive action. At least, I do not read where he indicates he would now do something he did not do when the situation required decision and action.

Like all too many liberal, permissive educators he is a victim of his own folly. He joins the ranks of President Kirk of Columbia, President Kerr of Berkeley, President Perkins of Cornell and others who, confronted with a responsibility, chose to let their institution down as well as society as a whole. President Perkins of Cornell even sat back when black militants were brandishing guns in a building takeover.

President Pusey is retiring this year after 18 years at the helm at Harvard. As a graduate of Harvard and a noncontributor to its many fund appeals and causes, I say to President Pusey, "Thanks for waking up too late."

The New York Times article follows: PUSEY CALLS REVOLUTIONARIES "DELUDED"

(By Robert Reinhold)

CAMBRIDGE, MASS.—In his last speech to students before retiring as president of Harvard University, Nathan M. Pusey denounced today the "power-hungry revolutionaries" who have made the last few years so difficult for him. He termed them "grievously, even malignantly, deluded."

"In recent years," Mr. Pusey said, "campus revolutionaries, here and elsewhere, have held that a debilitating and dehumanizing contagion, allegedly springing from the interests and arrangements of the world outside, has so deeply penetrated and widely infected the activities and structures of academic societies, and has so controlled them—has made them so thoroughly deceitful and corrupt—that the only acceptable attitude toward them must also be one of hatred, denigration and attack."

"This has disturbed me more than any other development during recent years."

"If they are to be believed, the world, unready as yet to be set right by them, is totally corrupt—governed, controlled and manipulated by schemers, of whom I suppose, at least in the minor way, I must be considered one," he went on.

He said he could not "see any significant correspondence between the world which I have experienced and have come to respect and the world they describe."

Mr. Pusey, a 64-year-old classicist who will retire on June 30 after 18 years as head of the country's oldest college, spoke at the school's annual baccalaureate service. About 200 of the 1,337 Harvard and Radcliffe seniors who will be graduated Thursday attended the service in Memorial Church.

LEGACY SEEN INFLUENCED

After retirement, Mr. Pusey will head the Andrew W. Mellon Foundation in New York. He stepped down, two years earlier than had been expected in the wake of sometimes tumultuous student demonstrations in 1969 and 1970.

The bitter legacy of those days appeared to influence his words today.

"We profess to eschew materialism, aggressive self-interest, competition and derogation," he said. "We talk endlessly of love and of escape from crassness of feeling. Yet we manifest less and less regard for others, or the opinions of others outside the immediate circle of our intimates."

"In the midst of much bitter name-calling, love or even charitable regard for others—unmarred by self-seeking or the desire to impress or to impose a personal viewpoint on others—would seem rapidly to be vanishing from the earth," he said.

Specifically, Mr. Pusey complained about those who express rhapsodic concern for the environment, yet who burn automobiles and buildings, tack posters on trees, spray-paint walls and public monuments, break down bushes, trample grass, discard trash by the roadside."

And he decried those who "amplify their rhetoric in public parks, shriek their calls to action over bullhorns and sound trucks within the groves of academe, repetitively spreading private—and usually very inane—doctrines."

"It is hard to discern in all this just who is kidding whom, but surely something is sadly mixed up, and there is room in our society for serious doubts about motives and behavior," he added.

MODERN NEWSPAPER PLANT DEDICATED

(Mr. HANLEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HANLEY. Mr. Speaker, on Sunday, June 20, 1971, the most modern newspaper plant in America will be dedicated in Syracuse, N.Y. Both Syracuse daily newspapers, the Herald-Journal and the Post-Standard are housed in this magnificent new facility overlooking the original pathway of the canal that created Syracuse, the Erie. But more than a great building will be dedicated in Central New York Sunday. An idea will also be honored. The idea that providing people with information about what is going on around them is both critically important and tremendously satisfying. It is also risky as evidenced by the more than 50 newspapers that have been born and died in Onondaga County.

The first daily newspaper that lasted was the Daily Journal, begun by Silas Smith in 1844. But the newspaper business in the mid-1800's was a fragile and sometimes erratic thing. Until the then 27-year-old Arthur Jenkins started the Evening Herald in Syracuse in 1877, with a couple of hundred dollars and infinite determination, eight dailies had started with the announcement they had come to stay and ended with the remark that they "had stayed long enough."

The Herald and the Journal were joined in 1939. Syracuse's present morning daily, the Post-Standard, traces its origins to Vivus Smith's Onondaga Standard, first published in September 1829, as a weekly.

So it is obvious that journalism in central New York has a long history. The building formally dedicated in Syracuse this Sunday will house both the "Herald-Journal" and "Post-Standard." It will be dedicated also to the memory of those thousands of newspapermen beginning

in the early 1800's and continuing to the present who have chronicled the life and times of this thriving, vibrant area of America.

Men who left and are leaving a stamp and a character on the world around them—Lewis Redfield, Vivus and Silas Smith, Arthur Jenkins, Harvey Burrill, E. A. O'Hara, Alexander "Casey" Jones, former managing editor of the Washington Post who brought to Syracuse a writing style with an edge of flint—down to Leonard Gorman, today's Post-Standard editor, William Cotter, editor of the Herald-Journal and publisher Stephen Rogers, head of the Herald Co., parent corporation of the Syracuse newspapers, city editors Edward Sabine and Mario Rossi, Ollie Sheremeta, editorial writers Harold Addington and William Cole, Maurice Lee, Ken Sparrow, and Brohmann Roth, men who regard writing and reporting of the world around them not simply a job, but a commitment to understanding the what and why of everyday life.

The Herald Co. is a major economic enterprise, employing 700 people in its ultra-modern plant on Syracuse's Clinton Square. Millions of lines of advertising carried in its pages daily and Sunday are evidence of a vigorous, dynamic local economy that it has helped create.

Within its circulation area are 1,700,000 consumers with over \$4,100,000,000—4.1 billion—spendable income. A daily circulation of over 217,000 makes it a medium of communication of tremendous influence.

We hear much today about "life style;" it is really an old-fashioned word dressed up with a bit of 1970 polish, meaning a combination of a standard of living and a personal scale of values.

The Syracuse newspapers help to shape the attitudes, the political philosophies and the social awareness of their readers, probably more profoundly than we realize, thus contributing extensively to the current "life style" in central New York.

The role of the press has gone so far beyond the recording of events, that it is today a major power in and of itself. With this power goes responsibility to match. The Syracuse Herald-Journal and Post-Standard are meeting this.

I would be the first to point out that I do not always agree with them, but I read them and in this frenetic world, that is the first step to mutual understanding. We salute the Syracuse newspapers on the dedication of their new plant and offices and pray that the devotion and energy they bring to the task of publishing in the years ahead may, in the inaugural words of John F. Kennedy—

Light our country—and all who serve it—and the glow from that fire can truly light the world.

TOP SECRET CHARADE

(Mr. MOORHEAD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOORHEAD. Mr. Speaker, as chairman of the Government Operations

Subcommittee which is responsible for the Freedom of Information Act, I feel impelled to comment on the current dispute between the New York Times and Defense Department, the Justice Department, the executive branch, and all else who have been dragged into this charade.

I am very disturbed when a newspaper is enjoined from publishing information which, to me, should be clearly in the public domain and which, in fact, the public must know if our system of government is to endure. Our people must know about the mistakes as well as the successes of those who govern.

I think that it is incredible that the Secretary of Defense yesterday would refuse to give these papers to Congress, and in effect invoke Executive privilege, before the President has even made a decision regarding employing Executive privilege. Yet Secretary Laird flatly refused to give to Congress these documents which most of us are reading daily over our orange juice and eggs. That is presupposition of the worst order—and only adds disrespect to deception.

I have always been intrigued with the procedure our Government uses to classify documents which some bureaucrat feels must be permanently labeled "top secret." It certainly makes one wonder how much other vital information, no longer of any security value, is hidden under that rubber stamp marking.

In the current case—where the papers being published by the Times all are at least 3 years old—I think the classification ruse is being erected not in the name of national security but to save some red faces among current and former war planners and other officials.

It is conceded these papers reflect little on the current administration, but it is fast becoming part and parcel of the believability-gap-syndrome by its loud exhortations and legal action against publication of these documents.

I think the papers should be published—in the name of the public's right to know—and I only hope that there will be true administration of justice in this case.

THE HISTORY OF U.S. DECISION-MAKING PROCESS ON VIETNAM POLICY

(Mr. McCLOSKEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. McCLOSKEY. Mr. Speaker, on the previous 2 legislative days, it has been my privilege to place in the RECORD certain documents and articles published by the New York Times and relating to a 1968 Defense Department study of our involvement in Vietnam.

Yesterday, however, the Attorney General of the United States was successful in obtaining a temporary restraining order which prohibited publication of the 4th and 5th installments of such documents which the Times had stated it intended to publish today and tomorrow.

The Attorney General contends that publication of these documents in the press will constitute a violation of the Espionage Act.

The first amendment question is, of course, one for the courts to determine.

In this House, however, it seems to me that the grave responsibility or our pending decisions on Vietnam make it imperative that we be fully informed of previous decisions of the executive branch as to the war in Vietnam and the basis for those decisions. The Congress, through a committee of appropriate jurisdiction, has previously requested the Defense Department study from which the documents in question were prepared, but I am advised that such request has been refused and that the administration continues to refuse this request.

This of course raises a grave constitutional question. This House can never purport to meet our constitutional obligations if we are not fully informed.

Therefore, at an early point in this afternoon's debate I intend to move to adjourn the proceedings of the House until such times as the administration provides us with the 1968 Defense Department study, entitled, "The History of U.S. Decisionmaking Process on Vietnam Policy." Should the House upon receipt of these documents determine that the 1968 study justifies continued secrecy in 1971, then of course we need only exercise our power under article I, section 5 of the Constitution to delete these documents from the public sections of the CONGRESSIONAL RECORD. Article I, section 5 of the Constitution provides in part:

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy.

This should properly be our judgment, not that of the executive branch, at least as to matters now 3 years old.

LAW AND ORDER AT SHARPSTOWN

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GONZALEZ. Mr. Speaker, early this year Texans and the Nation were shocked to learn of the fantastic stock manipulations and frauds perpetuated by Frank W. Sharp, according to charges filed by the Securities and Exchange Commission. Revelation of the charges, which included information that three companies had been systematically looted, that hundreds of thousands of dollars had been paid out by Sharp to persons in high office, apparently through a stock manipulation scheme, and wild financial manipulations that led to millions of dollars in losses by a Jesuit school and many others—and finally to the collapse of the Sharpstown State Bank, a failure that cost the Federal Deposit Insurance Corporation millions of dollars.

The penalty for all this? You might expect a trial, and conviction.

But the penalty is a \$5,000 fine, arranged through plea bargaining handled by the U.S. Department of Justice.

Mr. Speaker, it cannot be said in this case that justice is blind. The truth is that the Department of Justice arranged

its plea bargaining without any consultation with the attorneys who investigated the Sharp case, and who revealed the massive frauds and manipulations carried out. Evidently the principal will not be held accountable in a court of law through trial. It is possible that the lesser fish will be tried.

But one thing is clear—the big one got away.

Mr. Speaker, the handling of this case will probably preclude any public disclosure of what really happened. The people of the country may never know how these frauds were arranged. The victims may never know how they were skinned.

The big one got away. The people will never know what happened at Sharpstown, or why. Justice is the loser. And the Department of Justice lost deliberately.

FEDERAL JOB TRAINING, YES— BUT WHERE ARE THE JOBS?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. VAN DEERLIN) is recognized for 1 hour.

Mr. VAN DEERLIN. Mr. Speaker, I have been moved to reserve this time this afternoon by the evidence that has come to me of the misdirected thrust of some of our Federal job training programs.

I refer specifically to the efforts of the Labor Department, under the Manpower Development and Training Act, to retrain the thousands of laid-off aerospace workers in California as well as other parts of the country.

In California alone, I am advised, some 55,000 former aerospace employees are today unemployed—the innocent victims of defense cutbacks and an unstable economy.

These men are eager to work. They have abundant skills, and for the past two decades they have been the cream of our labor force.

Now the Government holds out a helping hand. It offers them new jobs, at comparable pay and with a permanent future in a suitably altruistic field.

The basic goal, helping these able men to help themselves, is certainly most laudable—one we obviously all support.

But while splendid in theory, in practice these retraining projects for the highly skilled are proving in many instances a cruel hoax for the presumed beneficiaries.

The reason: Many of these men are being prepared for jobs that simply do not exist.

A case in point is southern California's Pollution Management Institute—PMI, which was set up specifically to retrain jobless engineers from San Diego and Orange Counties as "environmental managers." The 16-week PMI course, funded under a \$180,000 Labor Department grant and administered by the California Department of Human Resources Development, ended last week. A total of 97 trainees attended the classes, held in a rented store in a Anaheim shopping center.

By the most optimistic reports, no more than 17 of the trainees had actually found jobs as the course neared completion; and of these, only five or six were hired for work directly related to curbing pollution. The rest evidently were left to wait and wonder, and try to skim along on unemployment or welfare payments.

When the course started, last February 22, prospective trainees, who had been culled from an original list of about 200 applicants, were advised that not less than 256 positions in pollution control would be available to them upon graduation.

Unfortunately, most of the jobs existed only on paper, in State and local governments throughout the country, and had not been funded at the time the assurances were so blithely given.

Several weeks ago, I visited the PMI "campus," and talked with many of the students and staff. The students were pleased with the quality of the instruction they had received to become managers of air, water, noise and solid waste pollution—but bitterly disappointed by the inability of PMI to place them in positions for which they had trained.

PMI, meanwhile, is under the gun to get jobs for these men, since its contract contains a 20-percent penalty provision that is triggered if at least 80 percent are not placed within 90 days of graduation.

If all the men are not placed, it certainly would not be for lack of effort by the institute, which stands to lose more than \$30,000 if the 80-percent goal is not achieved.

The fault here, of course, is with shortsighted Federal policies that raise and dash false hopes among the growing legions of unemployed.

For the still-jobless trainees, the fact the PMI is continuing to sound out prospective employers, in and outside the Government, may be scant comfort, when matched against the harsh reality of the loss of stipends that ended with the conclusion of the course.

Unfortunately, the sad history of PMI may be somewhat typical of current job-training efforts, at insofar as they apply to the skilled victims of the current recession.

Our colleague, DICK HANNA, whose Orange County district includes a sizable chunk of the southern California aerospace complex, will detail other examples of programs where performance has fallen far short of promise.

The failings of these programs are pervasive enough to suggest that we should be looking hard for new approaches.

Within the past several weeks, the House has passed two bills, H.R. 3613, the emergency public service jobs legislation, and, yesterday, S. 575, which would revive the successful accelerated public works program of the 1960's.

These bills have two things in common: They would create new jobs, and they are both threatened with a Presidential veto.

As the experience of PMI and like enterprises has demonstrated, training, no matter how elaborate, for positions that do not exist is so much pie in the sky—

misleading, improvident, and ultimately heartbreaking.

If he cannot find a job, how does the graduate of one of these courses utilize his training? As an avocation, perhaps—but that is hardly going to help him feed his family and meet all the other obligations of a self-sustaining citizen.

What is the administration's problem?

Do they not want these people to be gainfully and permanently employed, but instead to exist for a few weeks on Federal subsidies while—and only while—they undergo futile training?

I am at a loss to understand why the President would want to veto H.R. 3613 and S. 575—if that is really his intention.

But the Congress, at least, is off to a promising start in emphasizing jobs, and I would hope that the House and Senate would follow through on this good beginning and override whatever veto messages may be in the offing.

Mr. HANNA. Mr. Speaker, I want to commend Mr. VAN DEERLIN for calling this special order. What is being said here gets to the core of the problem of jobs for unemployed engineers, scientists, and technicians.

The current emphasis on retraining suggests that there are new jobs available for all the thousands who take advantage of reeducation. This is not the case. Jobs are available for only a very few. Retraining, under these circumstances, is nothing more than a holding action, and such a policy should not be acceptable.

During the past 2 months, I have on two occasions reported to the House that the job placement experience of retrained aerospace workers in my area has not been encouraging. In one instance, 98 men were retrained so they could go into business for themselves. The cost of the program was \$60,000. Today, only six of those 98 people are in business.

During the past few days I have attempted to put together statistical information which would show the number of job placements that have resulted from retraining programs aimed at aerospace unemployed. I found this to be a particularly frustrating assignment. Al-

though there is a great deal of rhetoric about the plight of the aerospace jobless, there is very little in the way of consistent and detailed information on the scope of the problem or the progress of Government programs designed to aid these people.

The most recent announcement by the administration of an emergency allocation of \$42 million for retraining and relocation grants to unemployed EST's—engineers, scientists, technicians—tells us nothing of what progress the Government has already made, or how many will be helped by the allocation. Most importantly, it does not tell us whether there will be jobs for those who are able to take advantage of the grants.

My discussions with California Human Resources Department officials have led me to conclude that all the retraining money in the world will not make any significant impact on reducing the number of jobless EST's. One official told me that even jobs in the health care delivery area, an area supposedly short of trained manpower, are beginning to dry up. He informed me of a program in San Diego designed to retrain jobless EST's for positions as medical assistants that is having great difficulty placing their graduates in jobs. Apparently, a large number of hospitals, especially public hospitals, in southern California, in order to cut costs, are cutting back on medical assistant staffs.

While I was singularly unsuccessful in getting meaningful data from the Department of Labor, I was able to get some information for the California Department of Human Resources, and its Orange County office. This information enabled me to put together the following picture for California:

Unemployed Aerospace retraining effort in California

Unemployed Aerospace Workers as of Nov., 1970 (latest available figure from H.R.D.)	55,800
Dollars being spent for retraining	\$11,627,000
Number who have either graduated or are currently being retrained	4,700
Job placements of retrained	no precise information

After considerable discussion with Department of Human Resources officials, I found myself unable to draw any accurate conclusions on the number of job placements obtained in California. Clear and concise statistical information on this particular component, the most important component as far as I am concerned, is obscured in a jumble of statistics that does not adequately separate a placement made because of retraining from a placement made for any number of other reasons.

I was able to obtain my most precise information from the Human Relations Department office in Orange County. Orange County has the second largest number of unemployed aerospace workers in California. The State Department of Human Resources office estimates that there are 8,300 jobless aerospace workers now living in Orange County. This compares with 36,700 in Los Angeles County.

The State Department of Human Resources office and the county office have somewhat different figures on the money being spent for retraining. However, their figures are close enough to estimate that approximately \$2.6 million is available for retraining. Of this, about \$1.9 million was just made available from the President's E.S.T. program. The remainder has been largely spent.

The State and county department of human resources offices have a serious discrepancy in the number of people being serviced by the retraining program. The State reports some 800 have been in retraining, while the county figures I have, show approximately 300 have taken retraining.

The county provided me with the only relevant statistics I have been able to find on job placements from retraining programs. The figure appears to be 28 jobs obtained so far. Of course, it is important to point out that many of those taking retraining have not yet completed their course. But of those that have, the job placement record is miserable.

At this point I would like to include the detailed material provided to me by the Orange County Department of Human Resources office.

ORANGE COUNTY
RETRAINING PROGRAMS FOR UNEMPLOYED SCIENTISTS AND ENGINEERS

Name of program	Source of funds	Duration	Amount	Students in programs	Now working or in business	Name of program	Source of funds	Duration	Amount	Students in programs	Now working or in business
1. Dental assistants	MDTA	IP	\$623	1	1	13. Civic oriented workshop (public administration)	MDTA	Ends July 9	\$47,600	40	4
2. Medical assistants	MDTA	IP	623	1	1	14. Environmental engineers	MDTA	Ends Nov. 28	23,730	28	10
3. Environmental aides	MDTA	IP	14,364	19	7	15. Color TV repair	MDTA	½ still in school	23,000	140	10
4. Closed-circuit TV technicians	MDTA	IP	6,965	7	2	16. Self-employed (new age school)	MDTA	Comp	59,150	98	6
5. Auto mechanic	MDTA	IP	3,223	2	1	17. Household appliance repair	MDTA	Comp	17,689	20	1
6. TV service (B/W)	MDTA	IP	1,422	1	1	18. Pollution management institute ³	MDTA	Comp	161,658	445	1
7. Ticket agent	MDTA	IP	1,201	1	1	Subtotal			366,299	312	28
8. Electric contractor	MDTA	Comp	207	1	1	Allowances			\$301,520		
9. Bookkeeper	MDTA	Comp	607	1	1	Total			667,819		
10. Truckdriver	MDTA	Comp	186	1	1						
11. Apartment manager	MDTA	Comp	1,380	4	3						
12. System analyst	MDTA	Comp	2,678	1	1						

Note: No EST money yet spent.
¹ ½ graduated.
² In business.

³ Orange County portion only. San Diego County also had a number of students in this program.
⁴ Graduated.
⁵ This figure is based on an average living allowance.

The information in the above chart is very discouraging. It is especially so when one looks at the most highly touted opportunities for jobs. The pollution and environment retraining efforts have the poorest records of job placements. The self-employed program is apparently a failure in terms of the number of people who have actually been able to go into business. And I would venture to guess that job placements in public administration positions will not be very encouraging. Preliminary indications suggest another disaster. Of the class of 40, only four have jobs waiting, and there is less than a month before the course is completed.

Based upon this admittedly limited information, I think it still safe to conclude that emphasis on retraining as a cure to the aerospace unemployment problem is misplaced. Retraining people for jobs that do not exist is among the most destructive emotional experiences to which a person can be subjected. To offer hope and then dash it against the realities of the job market is cruel and wasteful.

I am unaware of any real constructive program within the administration to create needed jobs. I am unaware of any meaningful effort within the administration to make either Government expenditures or the private sector of the economy responsive to channeling money into the new areas of national need. Only when we do this will we create the job demand that will provide employment opportunities on the scale necessary to solve the aerospace unemployment dilemma.

Yesterday, the chairman of the Science, Research, and Development Subcommittee announced that it will hold hearings on precisely the program I just suggested. This will be the first attempt by the Congress to examine the scope of the problem, and consider various methods for channeling resources into programs that will create jobs for scientists, engineers, and technicians. This will be the first comprehensive examination of the kinds of technical jobs necessary to meet the environmental and social problem in our society. The subcommittee will hold hearings in June and July. As a member of that subcommittee, I am encouraged for these hearings clearly suggest that we are considering at last the real substance of the problem and are looking for lasting and meaningful solutions.

Mr. ANDERSON of California. Mr. Speaker, I commend my colleague, Mr. VAN DEERLIN, from San Diego for his forthright statement, and I want to associate myself with his remarks.

Unemployment among aerospace workers in southern California approaches catastrophic conditions. It is a catastrophe that people with so much proven ability are not putting their skills to use in order to better society. It is a catastrophe that a government that encouraged people to enter the aerospace field has now turned its back.

The men and women who comprised the aerospace team in the 1960's are

talented people who can make outstanding contributions to our society in the fields of pollution control, housing, transportation, crime control, and health delivery systems. Many of them are available to apply their skills immediately to these fields without being retrained.

What is needed is the creation of new jobs in both the private and the public sectors of our economy.

What is needed is a greater Federal incentive for the aerospace industry to convert part of its resources to the needs of our citizens here at home.

What is needed is legislation such as the two bills which have passed the House, such as the Emergency Employment Act, designed to create public service jobs, and the Accelerated Public Works Act, designed to put people to work on necessary public works projects such as hospitals, roads, and the like.

Mr. Speaker, we must redirect our efforts toward getting people to work on time with a minimum time lost; we must make greater efforts toward cleaning up our environment; we must provide more housing—at a price the average wage earner can afford.

The former aerospace worker has the ability to help in these projects. The Federal Government has an obligation to point these people in that direction by, first, increasing incentives to the aerospace industry to convert, and, second, by providing jobs in necessary domestic fields.

Mr. MCFALL. Mr. Speaker, I am pleased to join our colleague, Congressman VAN DEERLIN, in this critique of the administration's manpower programs.

Yesterday the House adopted the conference report on S. 575, which among other features would reinstitute the accelerated public works program that was so successful in creating jobs and spurring the economy in the 1960's.

The House also has approved H.R. 3613, which would provide about 150,000 public service jobs in State and local governments during periods of high national unemployment.

Both of these measures are urgently needed as an antidote to the inaction of the administration in the manpower development area. I would hope enough of our colleagues on the other side of the aisle would share this sense of urgency to provide the votes to override the threatened Presidential vetoes of these bills.

As Messrs. VAN DEERLIN and HANNA have brought out, it is certainly the cruelest kind of deception to offer the promise of jobs that do not exist to men and women desperate for work.

Let us give the administration the tools to deal effectively with the unemployment problem, through creation of new job opportunities for all who are willing and able to work.

GENERAL LEAVE TO EXTEND

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative

days in which to extend their remarks on the subject of my special order today on Federal job training.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

DRUG ABUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FREY) is recognized for 60 minutes.

Mr. FREY. Mr. Speaker, as chairman of the Republican Task Force on Drug Abuse, I am today introducing together with the other members of the task force a package of bills for the treatment and rehabilitation of drug users in the military.

This package corresponds very closely to that which the administration will probably introduce next week. Our task force met last evening with administration officials in the White House to discuss the new Nixon drug program and make recommendations. The approach they are taking to the military drug addict or dependent, it was discovered, corresponds to the package which we have been preparing for some time. The administration encouraged us to make reference to this fact. I might point out that the administration's program will be the first massive effort to get to the root of the drug problem and provide the means to both stop the spread of drug users and help those who are already "hooked."

We are all aware, I am sure, of the seriousness of the situation in the Armed Forces. The figures, however, bear repetition. During calendar year 1970 alone, there were 160 drug-related deaths in the military alone. The Armed Services Committee in the report which they released on April 23, 1971, on "Drug Abuse in the Armed Services" approximated that 10 percent of our personnel in Vietnam could be using hard narcotics and 20 percent of our total military personnel may be marijuana users. The Navy hospital admission tables illustrate the rapid rise in the military drug abuse situation. The figures tripled from the 173 admissions in 1967 to 566 in 1969.

Instead of placing the burden of solving this problem entirely on the military or entirely on the civilian community, as other bills do, our legislative package recognizes that both have separate but related roles to play. We build upon present drug treatment and rehabilitation programs run by the Department of Defense, the Veterans' Administration, the Public Health Service, and local and State agencies, and expand them in areas where each has the responsibility and capability of providing additional needed assistance.

The Military Drug Rehabilitation Act of 1971 has several major provisions: First, a servicewide system of identifying narcotic drug use by urinalysis; second, short-term treatment for military personnel under the amnesty program, military personnel to be returned to ac-

tive duty, treatment for civilian dependents, centralized treatment facilities; third, the counseling and referral of those to be released to civilian agencies for treatment; and, fourth, the classification of all persons to be released with a drug problem as an "addict" or "drug dependent."

A periodic urinalysis of each member will be made, beginning initially at the point of discharge and moving back in time, to identify those with a drug problem. Those so identified and who are to be returned to active duty or those who volunteer for the amnesty program will be treated by the military, if the treatment will not be protracted. The military has both the capability and responsibility of treating these persons. In addition, civilian dependents whose treatment will not be protracted will also be treated in military facilities. At the present time, many civilian dependents have drug problems and are not being treated by the military.

Decisionmaking on drug cases in the military will be centralized. The office of the chief of personnel of each branch, after receiving the recommendations of the local commander, will decide whether to institute disciplinary action, grant amnesty, and treat in the military or refer to a civilian agency. At the present time, except for the Navy, decisions on how to process a drug case are made by the local commanders who lack the expertise. The result: lack of consistency and uniformity of approach.

Separate companion legislation will make the penalty for use or possession a maximum of 1 year, comparable to the Comprehensive Drug Abuse Act of 1970. Penalties for "pushers" in the military, however, will be raised to 10 years for marihuana and 20 years for narcotics.

Centralized treatment facilities will be established for each branch to provide more professional treatment, and remove the user from the environment in which the problem originated. The Air Force presently has such facilities at Lowry Air Force Base and the treatment and rehabilitation program there is the most successful in all of the Armed Forces.

An amnesty program will be established in all branches to provide immunity from prosecution under the UCMJ for possession or use. At present not all branches have an amnesty program and there is still a threat of prosecution. The immunity would be only from prosecution for use and possession and not other drug-related offenses. Also, a volunteer will be granted a limited privileged communication right: information volunteered to one's commander or medical personnel when seeking medical assistance for drug usage will not be used against that person in actions under the UCMJ for use or possession or to support an administrative discharge on other than honorable conditions. Recent polls in Vietnam suggest that few servicemen volunteer for treatment because of the fear of prosecution or giving incriminating evidence that will be used against them.

The President, furthermore, is requested to enter into agreements with the host country where our troops are stationed to modify existing status of forces agreements to prevent the prosecution of a service member for a drug offense after he has been granted immunity from military prosecution under the amnesty program.

Those whose treatment will be protracted or who will be administratively discharged and do not desire to be "retread" will be counselled and referred by a referral program established in the Department of Defense to either the Veterans' Administration, the Public Health Service, or local or State agencies near the person's home.

A final provision provides that all addicts or drug dependents will be so identified when they are released. They will not be discharged as mentally unfit under section 208 of the UCMJ. About 5,000 were discharged as mentally unfit in 1970 because their commanders did not want to be known as having drug addicts in their units. The result: Many addicts were discharged without being identified as such.

Two other companion bills we introduce will increase the capability of civilian agencies to handle those drug dependent servicemen who are referred to them.

One bill will establish special services in the VA for drug dependent former servicemen for treatment and rehabilitation. At the present time, there is no separate drug program run by the VA and additional funds cannot be provided for drug treatment without separate legislation. Moreover, individuals who were discharged with bad conduct discharges or administratively with undesirable discharges will be eligible for VA treatment if the discharge was due to use or possession of drugs. Discharge for other drug-related offenses will not qualify for VA treatment. Last year over 2,000 men discharged undesirable were unable to qualify for VA treatment.

Amendments will also be added in a separate bill to the Narcotic Addict Rehabilitation Act to enlarge the scope of their program and the facilities eligible under it. The definition of "hospital of the Public Health Service" will be broadened to include other treatment facilities approved by either the Surgeon General or Attorney General including State and local agencies. Also the act is expanded to include not only persons addicted to the opiates, but also persons dependent on amphetamines, marihuana, barbiturates, and the hallucinogens.

These two measures should expand the availability of civilian treatment and rehabilitation programs sufficiently to insure that all service addicts or dependents that are to be referred can easily be referred.

Mr. Speaker, this legislative package, we feel, offers a realistic and comprehensive solution to the problem. It is the result of intensive study by members of the task force and conversations with all those individuals and agencies who are vitally involved and concerned with

this problem. I invite other Members on both sides of the aisle to call my office to join us as sponsors of this legislation.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield?

Mr. FREY. I am delighted to yield to the gentleman from New York.

Mr. HASTINGS. I would like to join with the gentleman from Florida (Mr. FREY), in the sponsorship of his package of drug-related legislation. I would like to commend the gentleman for his leadership on the Republican Task Force on Drug Abuse. At the same time I would like to commend the President for the drug legislation that will be submitted to this House tomorrow. We had an opportunity to review part of that legislation, and I think it will go a long way toward meeting some of the problems that we are experiencing in the field of drug abuse, particularly as it relates to the military.

The legislation that has been introduced by this task force is, I think, most meaningful legislation and speaks to the military problem of drug abuse far more effectively than any legislation that I have seen thus far. I once again commend the gentleman for his leadership in this field. I thank the gentleman.

Mr. Speaker, the Nation today is confronted with a peril which threatens its very existence. What a few years ago was a distant rumble has now become a deafening roar, warning of the terrible dimensions which the drug plague has reached in our society.

Five years ago heroin addiction was a problem of the ghettos in our big cities. Today users of heroin are found in the affluent suburbs and the country communities of rural America as well. Sons and daughters of all classes are being exposed to drugs.

And now the scourge has spread to our Armed Forces. Between 10 and 15 percent of the servicemen in Vietnam are said to be addicted to heroin in one way or another. They either sniff it, smoke it, or inject it.

Authorities have estimated that at least 45 percent of all members of the Armed Forces have used drugs in some form.

Many programs have been instituted to combat the drug problem here in America. But little attention has been paid to the plight of the serviceman.

Reports during the past few weeks attest to the magnitude of the drug problem in the military. It is tragic that these men who are sent to distant lands to serve their country must endure the added danger of drug addiction.

And what is even more tragic is that little effort has been made to help the serviceman once he has fallen victim to drugs. In most cases, he has been discharged as "mentally unfit" and sent home to shift for himself.

Subject to the pressure of combat and the boredom of rear area duty, the GI finds the easily obtained and cheaply purchased drugs a tempting antidote.

But when he comes home, hooked on drugs, there is no place to turn for help.

Nor has he been given any help while in service.

Today the House Republican Task Force on Drug Abuse, of which I am a member, is introducing a package of five bills aimed at correcting this failing.

Basically these bills are intended to provide drug-addicted servicemen treatment and rehabilitation while in service and extends this help through civilian facilities after they leave military life.

The most important of these legislative proposals is the Military Drug Rehabilitation Act of 1971. It would establish a standard policy for judging drug abuse cases in the military under the direction of the chief of personnel in each branch. Heretofore such determinations have been made by local commanders, who in many instances lack the knowledge needed for these decisions or do not care what happens to the drug-dependent serviceman.

The measure also would establish treatment and rehabilitation facilities for the drug-addicted within the military system. In situations where a serviceman has been convicted of a drug offense or where he is scheduled for discharge, the legislation provides that he will receive treatment at civilian facilities such as the Veterans' Administration, the National Institute of Mental Health, or other public health facilities.

In addition, counseling and referral programs would be set up to insure that the ex-GI is fully informed of the treatment programs available to him.

An important aspect of the proposed legislation involves the establishment of a policy of amnesty for servicemen to encourage them to seek treatment. Investigation has shown that in the past GIs have been reluctant to volunteer for treatment because of the fear of prosecution.

These proposals also broaden the Narcotic Addict Rehabilitation Act to include not just those addicted to hard drugs such as heroin but also those with a dependency on such drugs as amphetamines, barbiturates, and marijuana.

The legislation represents the first attempt to develop a comprehensive program for the treatment and rehabilitation of servicemen. It is very compatible with a plan scheduled to be announced by President Nixon and provides a highly effective method to meet the tragic plight which so many of our servicemen find themselves in today.

There can be no overstating the gravity of the drug problem, either in or out of the military. Not only is the health and future well-being of the individual serviceman at stake but also in danger is the morale and effectiveness of our entire defense structure.

Time is running out. This legislation demands the speedy attention of the Congress and I would earnestly request that all Members of this House give it close consideration and full support.

Mr. FREY. I thank the gentleman for his remarks. Certainly I commend the gentleman from New York, who has been involved not only in the House and its committees but in the Senate of New

York, and for years has been working on this problem. He is one of the most knowledgeable Members of the House on this subject.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. FREY. I yield to the gentleman from Ohio.

Mr. KEATING. Mr. Speaker, I would also like to add that I, too, am a cosponsor of the legislation being introduced by the gentleman from Florida, and I want to extend my congratulations to him for the leadership that he has demonstrated in presenting this legislation at this time on one of the most important subjects facing our country. The plight of the servicemen in South Vietnam in relation to their difficulty with drugs and the like situation in this country require a massive effort in research, rehabilitation, and education directed to the ultimate goal of taking every narcotic user, the heroin user, into a complete rehabilitation situation.

The problem we have today is that we attempt to maintain programs that do not produce the desired results. In meeting the addiction problem the methadone method of treatment does not provide the full answer. An effort must be made in many areas, particularly in research, which will bring us to the total objective of complete cure.

The gentleman from Florida (Mr. FREY) has demonstrated the proper leadership, and I commend him for the extreme vigor with which he has attacked the problem.

Today, while Federal officials, the medical profession and drug experts argue the harmful effects of marijuana, the country is slipping into a dangerous psychological environment which has been labeled the "drug culture."

In this environment, many of our young people are being lured into using dangerous drugs such as heroin—uppers and downers—and hallucinogens—LSD. There is no doubt that the time for stepped-up action in this area has come.

John E. Ingersoll, Director of the Bureau of Narcotics and Dangerous Drugs, while testifying before the House Select Committee on Crime, recently pointed to the situation which has developed. He stated:

We are now at the point where we are in an environment of people who are highly susceptible to drug abuse. This is a reputation which Americans are getting around the world.

This critical situation is even more dramatized by the serious drug abuse problem which has plagued our servicemen in Vietnam. While the legislation being introduced today is aimed at the military problem, this is only a start in the massive effort which must be directed at the problem of drug abuse.

In examining the errors made in the past, widespread use of heroin by the American military in Southeast Asia would not have reached the present epidemic proportions if more preventive action had been taken against the use of marijuana when it was a relatively minor problem in Vietnam.

The tolerance of drug abuse and the

usage of drugs such as marijuana provides an environment into which the drug pusher can find a receptive group.

The same holds true on the homefront in the United States. Those who espouse the legalization of marijuana fail to recognize that the tolerance of any form of drug abuse provides an environment for a greater use of drugs, such as heroin.

The tragedy which the drug problem has brought to the domestic scene was dramatically demonstrated by two recent deaths in New York City.

A 16-year-old girl, whose older brother died of a heroin overdose several weeks earlier, was discovered dead from a narcotic overdose. Her head was in the lap of a male companion, who was also dead. Their bodies were found on the steps of a city hospital. These two youngsters were the 423d and 424th drug-related deaths in the New York City area this year.

What makes these deaths even more tragic is that the drug they died of was methadone.

Last Monday, Dr. Milton Halpern, chief medical examiner for New York City, informed my office that these were the fourth and fifth deaths attributed to methadone this year.

The 16-year-old girl took the drug from her brother, who was on a methadone program and her male companion had stolen the methadone from a clinic where he had been a patient. I bring this case up to show the complexity of the problem.

Methadone has been offered as a substitute for heroin, and as use as a blockage drug.

We should not feel that methadone maintenance, or any maintenance of an addict on another drug which is just as addictive, is the answer.

Yet, it does have some positive results in that it dramatically reduces the crime rate by placing the addict back on his job and back in the home and family environment.

The real answer is the development of an antagonist drug where the individual is completely and totally rehabilitated.

Massive efforts into the area of research, education, identification, treatment, and law enforcement at all levels, can be the only solution.

The future of our youth of this country is at stake, and no effort can be spared to achieve this result.

Mr. FREY. I thank the gentleman from Ohio. I certainly thank him for his contributions. His work in this field has been most helpful. Frankly, all members of the committee have done a good job.

It is not a parochial issue. It is one that cuts across the Nation, urban, and suburban. Every person in the Nation is affected. I certainly hope every Member will look over the proposed legislation and join us in supporting it.

Mr. RUTH. Mr. Speaker, while we were expending considerable effort and money here at home in fighting drug abuse, we are suddenly awakened by facts showing that drug abuse is also a serious problem in parts of our military.

The House Republican Task Force on

Drug Abuse has been working on this problem, and today, we submit legislation for the control and treatment of drug addicts in the military.

Since we cannot turn our backs on the problems of our returning veterans, I am confident that this effort by the task force will be given very careful consideration by all Members of the House of Representatives.

We all know that drug addiction has rapidly become a serious health and social concern for our country. The very serious affects of drug addiction have come home to many families in America. So common is drug addiction in some areas that it has become another of the trials and tribulations the young must face in growing up.

And now, this new danger of drug addiction in the military adds to all the complications of trying to defeat this problem. While it would be easy for us to lay the blame for the problem of drug addiction in the military, especially in South Vietnam, it is more important right now that we establish some safeguards against its further occurrence.

While the legislation we introduce today concerns the addicts in the military, there is still the need for a "total approach" to the problem we have with drug addiction and narcotic peddling.

There are four essential steps this Government must take to bring this problem to a point where it can be controlled. It has often been said that education and law enforcement together could stem the use of narcotics, but there will be no success in this approach unless we view the problem as a worldwide responsibility.

First, the supply of narcotics to our country must be stopped. This means that we must let the foreign governments where the drugs come from know that we mean business.

Second, continued assistance to law enforcement agencies in the areas of both locating the source of and the users of narcotics.

Third, methods and facilities for treating the addicts who cannot by themselves withdraw from their sickness.

And finally, we need a massive program for information for parents, ministers, schoolteachers, police officers and civic officials, to help them understand how the drug habit begins, and what to do when addiction is spotted.

While we have made some strides to solve the drug problem, we continue to find that it is still among us, at all social levels, professions, and ages. While we have recognized the problem for some time, we still have not found the means for its total defeat.

I am hopeful that this legislation proposed by the task force is another firm step toward a "total approach" for the control of drug addiction in America.

Mr. MCKINNEY. Mr. Speaker, today, I join with Congressman Lou FREY and the other members of Republican Task Force on Drug Abuse in introducing a total approach to the terrible problem of drug addiction in the armed services.

With 60 percent of our men in Viet-

nam reportedly habitually using marijuana and up to 10 percent of our soldiers addicted to heroin, the time has come that we in Congress enact comprehensive legislation to control the spread of this health crisis and to rehabilitate those already afflicted.

The most important bill of the five we are introducing is the Military Drug Rehabilitation Act of 1971 which responds to the lack of uniform, centralized administration of present military drug programs, and the issuance of dishonorable discharges which precludes their receiving treatment at Veterans' Administration hospitals.

This bill would accomplish the following:

First. The establishment of an amnesty program coupled with a privileged communication right insures the serviceman that he can receive treatment without the threat of prosecution or dismissal from the service. Without such a proposal, any program we could have developed would operate under a severe handicap.

Second. Those whose treatment will be protracted or who will be administratively discharged and who do not desire to remain in the armed services will be counseled and referred by a referral program established in the Department of Defense to either the Veterans' Administration, the Public Health Service, or local or State agencies near the person's home for treatment.

Third. Centralized decisionmaking and treatment facilities in each branch will insure a consistent and uniform approach to the problem.

Fourth. A servicewide system of identifying drug addiction by urinalysis will substantially aid in the control of drug use.

An important companion bill will establish a separate drug treatment and rehabilitation program in the Veterans' Administration. This measure will allow veterans discharged with bad conduct and undesirable discharges to be eligible for treatment.

Our approach strikes a balance between those measures which would place the burden either on the military or civilian sector. In this regard we recognize the need for viewing drug addiction in the military as a national problem which warrants the marshaling of all our resources to combat the disabling effects of drug addiction.

Mr. McCLORY. Mr. Speaker, one aspect of the problem of drug abuse is the rapidity with which this problem has grown in our society. A very few short years ago, the nightmarish tales of narcotic addiction were mostly brought before the American people through the medium of television and motion pictures. The subject of drug abuse generally was discussed in connection with the overall problem of organized crime in our large cities. Few Americans actually experienced the horror of witnessing an individual who was subjected to a "cold turkey" withdrawal from narcotic addiction, and the unfortunate few who were involved in this ignominious ad-

venture were those who normally escaped the public eye and were lost in a sea of ghetto anonymity.

Mr. Speaker, such is not the case today. Statistics show that an increasingly large number of Americans are not only confronted with the problem of drug abuse indirectly, but are themselves becoming involved in this dangerous escape from reality. Parents who state that their children could not possibly become involved in drug abuse also report that their children have frequently witnessed sales of pot and addictive drugs on college campuses, high school grounds, and even in our elementary schools. Furthermore, there is enough evidence today to verify some of the suspicions which many of us have had for a long time that is, that drug abuse is rapidly becoming the most menacing problem in our Armed Forces.

Mr. Speaker, drug abuse is a most frightening problem. Also, the answers to the problem are extremely elusive. And one of the most foreboding aspects of this problem is that the most frequent asked question in connection with drug abuse is, "What can we do to help?" This question is especially poignant since it is often asked in response to another pleading question: "Where can we go for help?"

Mr. Speaker, it is plain to me that the very first step which we as lawmakers must take is to assume the responsibility for educating our Nation's youth about the dangers of drug abuse. Many communities are taking this responsibility upon themselves and are learning from past mistakes that they cannot ignore the problem of drug abuse. Accordingly, parents are being instructed to listen carefully to what their children are really saying. They are told to learn the facts about drugs and to share them with their youngsters. This educational activity often requires discipline, and parents are being instructed by local drug abuse control centers to be firm but fair with their children and to seek outside counsel at the earliest signs of drug use. Furthermore, John Finlator, Deputy Director of the Bureau of Narcotics and Dangerous Drugs, recently said:

We may hope that the young people will take a more serious look at some of the really dangerous drugs, and make better judgments about them.

Mr. Speaker, it is my hope that this Congress will reflect the attitude of the Nation that drug abuse is rapidly becoming our most pressing social problem, and will respond with all the wisdom and compassion which this menacing problem demands.

Mr. Speaker, I am proud to be a co-sponsor of a series of bills aimed at meeting the critical needs which we are experiencing. This legislative package is intended to aid the young veterans who have been subjected to the pervasive, corrupt drug trafficking in South Vietnam. We must meet that problem immediately—and head-on.

Mr. Speaker, I commend the President on his leadership, and wish to express

my cooperation with the other members of the Republican Task Force on Drug Abuse. I join with them in a sincere desire to meet our legislative responsibilities on this complex and highly critical problem.

Mr. HOGAN. Mr. Speaker, I am pleased to join my colleagues on the Drug Task Force in introducing today a legislative package to combat comprehensively the problem of drug abuse in the military.

I believe that the bills which we are introducing today represent a realistic and viable solution to this staggering problem which is confronting our armed services. This legislative package builds upon present drug treatment and rehabilitation programs run by the military, the Veterans' Administration, the National Institute of Mental Health, and other Federal and State agencies and expands them in areas where each has the responsibility and the capability for providing additional needed assistance. Last year, I supported the Comprehensive Drug Abuse Prevention and Control Act of 1970. I think it is absolutely essential that this program for the military be carried out within the prescribed procedures for education, prevention and rehabilitation as outlined in the comprehensive legislation enacted last year.

The most important bill of the package being introduced today is the Military Rehabilitation Drug Act of 1971. Briefly, this bill includes provisions to cover the following areas of concern: identification of drug users by urinalysis; short-term treatment in the military; centralized decisionmaking and coordination of facilities; and the referral of addicts or their dependents to civilian agencies. The bill also includes a servicewide amnesty program with a limited privileged communication right. Any information volunteered to one's commander or medical personnel when seeking medical assistance for drug usage will not be used against that person in actions under the Uniform Code of Military Justice for use or possession or to support an administrative discharge on other than honorable conditions.

Mr. Speaker, I am pleased that the task force accepted my recommendation to include in this bill the provision to extend the urinalysis test for detection of drug users to a servicewide program on a periodic basis. It simply is not adequate to limit the urinalysis tests only to servicemen who are about to return to the United States or to another post of duty after service in Vietnam. By instituting periodic urinalysis tests, perhaps whenever a routine physical is given, drug usage and/or addiction can be detected prior to the servicemen's release from duty. Perhaps, with early detection of drug usage, potential GI drug addicts can be diverted from this path before the point of no return.

This legislative package also includes establishment of a drug rehabilitation program in the Veterans' Administration; amendment of the Uniform Code of Military Justice to make the penalties for use or possession comparable to those under the Comprehensive Drug Abuse

Act of 1970; and amendment of the Narcotic Addict Rehabilitation Act to expand civilian treatment and rehabilitation programs.

As a result of the White House meeting attended by members of the task force yesterday afternoon, it is my understanding that this legislation is very similar to that which the President will propose. We desperately need a comprehensive approach to the drug problem and I feel that the solutions envisioned by the task force are a sound approach.

Another aspect of the problem which needs attention is cutting off the supply of drugs to our country. This is one of the most important facets of the drug problem in our country. If the importation could be halted, it stands to reason that drug traffic would decrease significantly within the United States itself. To achieve this end, on April 27 of this year I cosponsored a bill to cut off foreign aid funds to those countries failing to exercise adequate control over the illegal flow of drugs into this country.

The growing volume of heroin smuggled into the United States is an overwhelming danger which affects us all. Strong measures must be taken, and I am hopeful that the threat of withdrawing economic assistance will provide an impetus for control and cause those countries where opium is grown to curtail the exportation of drugs.

Mr. Speaker, it has been estimated that approximately 250,000 young people are already addicted to heroin in the United States, with an additional 30,000 to 40,000 servicemen addicted in Southeast Asia. This represents approximately 10 to 15 percent of our military personnel in that area.

I think these shocking statistics make it obvious that the problem has reached magnitudinous proportions and that something must be done. I believe the legislation we are sponsoring today is the only realistic and viable approach to a solution of the drug problem confronting our military establishment. I urge my colleagues to take a close look at this package and assign to it the highest priority for action.

Mr. HALPERN. Mr. Speaker, I am tremendously pleased with the President's responsiveness to the drug crisis that has developed in our Nation.

The tragic scourge of narcotics has reached epidemic proportions and calls for innovative and enlightened action on all levels. That is exactly the thrust of the President's program as the preliminary review of it reveals. It recognizes the enormity and severity of the problem and offers new attitudes and realistic approaches to combat it.

In general, as I see it, the President's message contains the machinery and provides the tools to do the job. I will thoroughly review his specific recommendations and give full evaluation to them. I realize, of course, that the proposals are not the ultimate answers to the problem, but they certainly are long steps forward and they are in the right direction.

The President's program is a forceful,

bold, and all-out attack on the drug problem, particularly, as it affects the members of the Armed Forces.

It hits at the crisis on all levels: The source, education, detection, treatment, and rehabilitation. The program must be fully implemented and further supplemented as we move forward in the quest for solutions.

I wish to compliment the President on his leadership and the able members of the administration who have helped so effectively in developing this program.

GENERAL LEAVE TO EXTEND

Mr. FREY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

COMMENDATION OF THE NEW YORK TIMES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York (Mr. PODELL), is recognized for 15 minutes.

Mr. PODELL. Mr. Speaker, I wish to congratulate Messrs. Arthur Ochs Sulzberger, A. M. Rosenthal, and other members of the New York Times editorial board for their enterprise and judgment in publishing documents on the Vietnam war that have once and for all provided the American people with a true perspective of the roots and conduct of that tragic conflict.

I do not see how the publication of documents having nothing to do with the present military situation in Indochina can in any way jeopardize the lives of our boys fighting in that fruitless war. These revelations might cause political embarrassment to those national leaders who have misinformed the public in the past, and may be doing so now, but since when has political embarrassment been grounds for censoring the press?

Is it not unfortunate enough that these leaders have for so long misled the people who put them in power without having to compound this show of contempt for our democratic traditions by violating one of our most basic freedoms—freedom of the press?

The American people have a right to know why their sons are dying in a distant, wasteful war. And they have a right to know how they were deceived. The New York Times has acted in the finest traditions of the American press in trying to let the people know.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's

great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation.

Our way of life is dependent upon vast amounts of energy which must be gathered, ever mindful of our efforts to protect the environment.

One measure of this is the increase in the total power for all engines, turbines, and work animals over the past 3 decades. Records show the increase from 2.7 billion horsepower available in the United States in 1940 to 17.9 billion for 1968. Of this, engines in trucks, buses, and automobiles accounted for by far the largest part, increasing from 2.5 billion horsepower in 1940 to 16.9 billion horsepower in 1968. Over the same period, the power of electric generating stations increased from 53 million horsepower to 371 million horsepower.

DRUGS IN THE MILITARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. STEELE) is recognized for 5 minutes.

Mr. STEELE. Mr. Speaker, in return for the sacrifice of 50,000 American lives and billions of dollars in military hardware, the United States is getting a homeward-bound military force riddled with drug addicts.

Like snowflakes, a white plague of deadly heroin has blanketed the U.S. military command in Vietnam. As this Asian version of an ancient Greek tragedy winds down, the bleak prognosis is that thousands upon thousands of American boys will be discharged into American society hooked on heroin.

Only now, has this mainline to mainstream horror dawned on shattered military commanders who have, through their own back-turning, witnessed the decay of a once-proud and competent Army.

As many as two American GI's die everyday from overdoses of the super-grade heroin supplied by our "allies" and marketed with the blessing and corruption of Southeast Asian government officials.

During my recent nine-nation narcotics probe for the House Foreign Affairs Committee, I bared the chilling statistics that 10 to 15 percent of all American troops in Vietnam—between 30,000 to 40,000 men—are addicted to the heinous white poison called heroin. Now, top Government officials have not only verified the epidemic troop addiction rate, but reported that my statistics, fearfully, may be on the "conservative" side.

In recent days, both Army Secretary Stanley R. Resor and John E. Ingersoll, Director of the U.S. Bureau of Narcotics and Dangerous Drugs, have been in Saigon giving President Nguyen Thieu belatedly blunt list of demands to curb the burgeoning heroin traffic directed almost exclusively at American servicemen.

It could be a case of too little, too late. At least 1,000 tons of raw opium are illicitly produced yearly in the Shan States of Burma, the border area of Yunnan Province, China, northern Thailand,

and northwestern Laos—the so-called "Fertile Triangle." In laboratories in the Burmese-Laotian border area, in Vientiane, Laos, and in Bangkok, Thailand, the bulk of the opium is eventually refined into a No. 4 heroin—produced exclusively for the U.S. market and for U.S. troops in South Vietnam.

The problem is that the stuff can be bought anywhere, from combat zone to Saigon cabaret and that by American standards of income—even military income—it is dirt cheap. A 97-percent pure gram sells for as little as \$1.80. In New York City, a fourth as much sells for an estimated \$8, and nowhere near as pure. In this country, the strength of heroin is usually only 46 percent.

Although marihuana has always been a problem, there was very little heroin use among U.S. troops in Vietnam until December 1969. Then the GI's discovered that this almost pure heroin could be smoked or snuffed, receiving the same "high" they would from injecting American heroin directly into the blood stream. Also, there is no odor from smoking heroin, as there is with marihuana. It is less bulky to carry and easier to conceal.

And suddenly, the Army found itself in a new crisis. Between 55 to 90 overdose deaths were reported last year. At first, commanders refused to believe they had a troop addiction problem; then they refused to confirm it, and now, they are scurrying to find a solution.

But the sorry fact remains that the discipline, morale, and effectiveness of a once-magnificent fighting machine has been ground to a halt not by the enemy, but by an insidious white powder. The No. 1 domestic crisis facing this Nation in the days to come will be in dealing with these users and addicts when they come home. After using the pure "stuff" in Vietnam, many will be forced to "mainline" when they return to the States to achieve the "high" they are now used to.

And this means higher crime rates to pay for the higher priced, less pure heroin available stateside.

Until last summer, the services simply kicked out drug users with dishonorable or bad conduct discharges. But when the scope of the problem hit home, a Department of Defense directive was issued in late October which, in part, offered a rehabilitation program with an olive leaf of amnesty held out to those turning themselves in. Few servicemen, however, for varying reasons, have availed themselves of the program.

The big reasons are that there are no "cookbook" solutions to drug rehabilitation and the ready availability of narcotics. The Veterans' Administration started a program only a year ago. At present there are five facilities with eight more planned by 1972. Adequate funds, oddly enough, are not a problem. But finding trained personnel and workable techniques is a thorn.

There are, of course, a few bright spots. Administration officials are quietly making control of the international traffic in narcotics a top priority of U.S. foreign

policy. The Bureau of Narcotics and Dangerous Drugs, the Customs Bureau, and other law enforcement agencies have intensified crackdowns on the flood of high-grade heroin and other hard narcotics coming into the country—a lot of it in military mail parcels.

In Vietnam, the II Field Force has opened a "Pioneer House" which realistically provides drug information, counselors, and medication with complete amnesty. At home, similar projects have been started at various bases. And, the Department of Defense has finally formed an all-service drug abuse committee.

All in all, there is now a great awareness of the scourge of our services—drug abuse. But it took, frankly, a congressional trip to bring home the horrendous statistics and focus unswerving attention on the fact that this Nation has one helluva problem on its hands.

In a recent editorial, the Asheville, N.C., Citizen-Times said:

The Indochinese war is not . . . worth the hell of narcotics addiction that can make its victims envy the quiet death.

Many may agree with that view. But I found one solid thing that is certain: Vietnam unquestionably proves that the availability of narcotics breeds users. Until we dry up the sources, we have not got a prayer of combatting the problem.

LEGAL SERVICES CORPORATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BELL) is recognized for 15 minutes.

Mr. BELL. Mr. Speaker, today I am introducing legislation to create an independent, expanded, and publicly accountable legal services corporation. The corporation would be insulated from political tampering but held accountable to the client community and to the public.

Two legal services corporation bills have already been introduced during this session of Congress. Both bills are before the Education and Labor Committee and have been the subject of much discussion in the legal community.

I have studied both the administration bill—H.R. 6360—very carefully. I have bill—H.R. 8163—and the Steiger-Meeds attended hearings and held discussions with numerous attorneys both inside and outside the present legal services program. I have concluded that the private, nonprofit corporation concept is a good one, but that both bills introduced thus far contain serious flaws and lack some provisions which I feel are essential to an effective and expanded legal services program for the future.

The bill, which I am introducing today, would incorporate the best concepts of the bills introduced thus far and would add a number of additional provisions to meet six essential objectives:

First. To guarantee independence of the program from political interference while carefully insuring accountability to the client community, the courts, and the public.

Second. To insure the most effective utilization of resources which are unfortunately always too meager; to insure that the most urgent grievances of those unable to afford legal services gain redress in courts of law.

Third. To insure that the program will experiment with methods of delivering legal services to individuals who are legally indigent but who have been denied the benefits of the antipoverty program thus far, because they are not financially indigent, and to experiment with improving the delivery of legal services to rural areas and improving the presently overburdened court system in areas heavily used by the poor such as housing, domestic relations, and so forth.

Fourth. To guarantee the continued support of the client community and the organized bar—support which has been so important to the success of the program thus far.

Fifth. To safeguard the attorney-client relationship to give that relationship the same dignity for the poor that it enjoys with those hiring private attorneys.

Sixth. To assure continuity and minimize disruption as the present program is transformed into the corporate form and to insure that the program remains identified as part of the overall Federal effort to combat poverty in America.

INDEPENDENCE AND ACCOUNTABILITY

Members of both political parties and leaders in the organized bar, the White House, and the Congress have recognized the need to insulate the legal services program from political attacks which can pose a constant threat to the professional integrity of the program.

At the same time, it would be most undesirable for the public, the client community, and the corporation itself were we to create a self-generating bureaucracy accountable to no one. Accountability must be built in to the corporate mechanism from top to bottom so that the meager resources available will be used to the best advantage.

INDEPENDENCE

My bill creates a politically insulated private, nonprofit National Legal Services Corp. It is entitled "National" to protect the program from threats to regionalize or decentralize the program and possibly subject it to politically sensitive local officials. In addition, unlike either the administration or the Steiger-Meeds bill, my bill insures central integration by establishing the central offices of the corporation in Washington, D.C.

The bill contains specific safeguards throughout to guarantee that the corporation and its attorneys will not be subject to political interference, and no department or employee of the Federal Government is to have control over the corporation or its guarantees.

Furthermore, to allow the President to appoint all of the board of directors, as in the administration bill, would subject the entire direction of the program to political motivations. Instead, my bill would establish a 15-member board—not as unwieldy as the 19-member board in the Steiger-Meeds bill—of which five

members would be selected by the President, five would be heads of legal organizations, two would be selected by the National Clients Council, and two by the project attorneys. The 15th member would be the executive director, who must be an attorney.

My bill further insures both independence and accountability in the program regarding the controversial question of the Governor's veto. The administration bill would establish a modified Governor's "veto" by requiring a 30-day submission of a proposed program to the Governor of a State for his recommendations. Such a requirement runs the risk of continuing to embroil the program in allegations of political pressure, and it puts the Governor in the difficult position of being pressured to respond to the urgencies of special interests.

The Steiger-Meeds bill, on the other hand, fails to provide for any input of local expertise or helpful comment from the local area before the national office makes a grant or decides whether or not to continue a program.

My bill offers an adaptation of the provision in the present statute requiring a submission of an account of proposed and existing programs to State and local bar associations for their recommendations and comments. The bar associations clearly possess more appropriate expertise than the Governor to provide constructive suggestions regarding a legal services program in the local community.

Finally, the bill provides that a "matching funds" requirement shall not be a prerequisite to a grant or contract, although such local contributions are to be encouraged. This provision, absent in the other bills, will insure that adequate funding of a program in an economically depressed community or a hostile community will not be precluded through making such a contribution a prerequisite to a grant or contract.

ACCOUNTABILITY

My bill offers careful requirements to insure that the program will be accountable to those with "stock" in the corporation—the public and the client community. It is my feeling that neither the administration bill nor the Steiger-Meeds bill offers strict accountability while protecting the attorney-client relationship and professional integrity of the program.

Accountability to the public would first be enhanced through the requirement of submission to the State and local bar associations for their suggestions and comments. All decisions of the corporation will be subject to the Freedom of Information Act, as the Steiger-Meeds bill provides but the administration bill does not. My bill further provides in detail for the submission of records, annual reports, and an annual independent audit—all to be made available to the public, to Congress, and to the President.

To aid accountability to the client community, both the administration bill and the Steiger-Meeds bill create new bodies to advocate the interests of the clients. The Steiger-Meeds provision

would make client representatives a part of the Board of Directors, while the administration bill would use the group merely in a consultant capacity.

My bill legitimates a presently-existing and highly valuable organization—the National Clients Council—and makes it a part of the corporate structure. The NCC would continue to use its presently existing democratic procedures to elect its council representing clients throughout the country. Furthermore, the NCC would have two members of the Board of Directors itself so that the client viewpoint would help shape corporation policy. The president of the NCC would also be a member of the incorporating trusteeship during the 6-month transition period.

The National Clients Council is an ongoing organization which has served the public well as the recognized monitoring agent for the client community. The NCC has kept project attorneys "on their toes" and accountable for the quality of their services. The Council should be allowed to continue its proven record of effectiveness in monitoring the program to insure that the poor and the public are served well as resources are used to best advantage by taking care of the most essential needs of the client community.

These provisions should insure that while we insulate this private corporation from political pressures, we will not create a large, unregulated organization without obligation to explain its policies and actions.

EFFECTIVE UTILIZATION OF RESOURCES: PRIORITIES

A major consideration to which the Steiger-Meeds bill does not address itself, and on which the administration bill is vague, is the need to insure that traditionally insufficient funds available to the corporation will be utilized with a clear priority for fulfilling the most essential legal needs of those unable to afford legal services. Under the present program we are affording services to only 20 to 28 percent of those in need of them. We must insure that 72 to 80 percent of those in need do not remain excluded while less essential but perhaps more glamorous cases are attended to.

CRIMINAL REPRESENTATION

The Steiger-Meeds bill would open up the area of criminal representation to the resources of the program. The administration bill, on the other hand, goes further than the present law and would, in blanket fashion, ban all criminal representation including cases involving the use of extraordinary writs.

My bill would adopt the provision of the present statute so that the meager resources of the corporation will not be devoured by criminal representation; yet provision is made for representation before a defendant has been proceeded against by indictment or information. The provision also permits the executive director to waive the prohibition in an extraordinary circumstance where he determines that no representation would otherwise be available.

Thus, we recognize that while it may

be desirable to offer original representation to those in need, the program should avoid this area and allow local public defender programs to carry on their efforts as long as the resources of the Corporation will be limited. The emphasis in this program should be to offer legal services where they are least available now.

LOBBYING

While the Steiger-Meeds bill would allow totally unrestricted use of resources for lobbying activities, the administration bill would place such harsh restriction on legislative advocacy that the poor would be harmed.

My bill would prohibit the program and its attorneys from supporting a candidate in a partisan or a nonpartisan election. Such activities should not be supported with funds supplied by the public and could bring the program into disrepute.

My bill would not prohibit legislative drafting or legislative—as the administration bill does—advocacy when such services have been requested by an eligible client or by a legislative body. On the other hand, the corporation would be required to issue guidelines to restrict lobbying to cases where the client or the legislative body has requested the services.

Thus, we recognize that legislative measures may be the means most useful to the poor in given cases, and such services would be no different than those available to a well-to-do client or a member of a labor union. At the same time, such activities should not be permitted to consume an inordinate amount of time and resources or to permit poor persons a substantial advantage over members of the middle-income group who cannot afford such services in a given instance.

PRO BONO WORK

While the Steiger-Meeds bill places no restrictions on an attorney's use of corporation time for pro bono work on behalf of ineligible clients, the administration bill would forbid such work even on an attorney's own free time after work or during his holiday.

My bill would only bar "extracurricular" legal representation during working hours. It is important again to insure that the inadequate financial resources and attorneys' time will not be frittered away on an attorney's own "pet" cases on behalf of ineligible clients. On the other hand, there is no reason—and it may well be unconstitutional—to restrict an attorney's efforts to do pro bono work on his own time, during vacations or after work.

PRIORITIES

Recognizing that only 20 or 28 percent of the poor for legal services is presently being fulfilled, my bill would require that the most essential needs of the poor be represented first. The bill recognizes that a lack of resources has meant that those with legal problems in the areas of housing, domestic relations, consumer and credit matters, rights to benefits under Government programs, and similar matters involving fundamental rights regarding economic and physical well-being of these individuals.

Again, the corporation must endeavor to make its resources available first to those who need them most. We must recognize that there are now in existence a substantial number of "public interest," civil liberties, and public defender programs which can fulfill some of the need for services in the environmental, civil liberties, and criminal areas. We need more of them. But our emphasis in this program should be to offer legal services first where they are least available now.

OTHER RESTRICTIONS

I have refrained from including a number of additional limitations proposed in the administration bill because I feel that they would only hamper the program. Thus, the vague provision requiring the establishment of a "user charge" has not been included. Nor does the bill place restrictions to inhibit appeals or to bar suits seeking broad law reform. Such vague and potentially unethical provisions would do little to make the program more effective or accountable.

EXPERIMENTATION AND INNOVATION

It would be a mistake, in my view, to create a National Legal Services Corporation without providing legislative guidance for the corporation to provide new ways to deliver and improve legal services to those who need them. Neither the administration bill nor the Steiger-Meeds bill provides such guidance.

RURAL AREAS

My bill specifically encourages the development of unconventional mechanisms in rural areas to improve access to the courts by increasing mobility of the program in these sparsely populated areas. It has been recognized that the format of the legal services office may not be appropriate for all areas of the Nation, and it may be useful to fund private attorneys on a part-time or full-time basis in some areas, using a "judicare"-type scheme as a supplementary source and on an experimental basis.

"BLUE-COLLAR WORKERS"

We must not forget that many persons in the middle-income bracket may be legally indigent and denied access to the courts. So many of these people feel shortchanged by the poverty program thus far, and it would be useful to experiment on a moderate scale with provision of legal services on a sliding-scale user fee basis of payments determined by income.

INMATES OF PUBLIC INSTITUTIONS

My bill provides that the corporation should experiment with new programs to expand delivery of legal services to inmates of prisons and other public institutions. Those who populate correctional institutions, mental institutions, homes for the aged, and similar public institutions have traditionally been shortchanged on legal representation and advice in civil matters due to their lack of funds.

Under my bill, the corporation would be encouraged to train and use ombudsmen and paraprofessionals to improve the delivery of legal services to redress

the grievances of inhabitants of these institutions.

Another provision in the bill authorizes the corporation to experiment with alternative administrative mechanisms and to work with the courts to unburden and speed up the judicial system in areas where the poor utilize it so heavily. The corporation could fund experiments to create new avenues of extra-judicial dispute settlement to improve the functioning of the legal system in areas of law which the poor utilize so much.

SUPPORT OF POOR AND BAR

It will be essential that the corporation continue to have the support of both the client community the program serves and the organized bar. The bill I am introducing is designed to maintain that support and utilize the expertise of both the client community and the bar.

Thus, State and local bar associations, rather than Governors, will be afforded the opportunity to make comments and recommendations on new and existing programs. Another provision insures that attorneys must make up at least half of local program boards and members of the client community at least one-third, although this is not made inflexible, as there may be programs at universities, for instance, where such a requirement would not be desirable. The executive director of the corporation must be an attorney.

The Board of Directors is carefully structured to insure accountability to the public, the organized bar, the attorneys in the program, and the client community. Comprised of 15 members, like the corporation for public broadcasting, the board will not be of unwieldy size, yet it will be representative of all those with essential interests in the program.

PRESERVATION OF ATTORNEY-CLIENT RELATIONSHIP

Provisions throughout the bill stress that the sanctity of the attorney-client relationship is to be preserved as carefully as it is preserved for those who are able to afford to pay private attorneys.

Unlike either bill introduced thus far, we have carefully instructed that, while the Freedom of Information Act is to apply and records and reports are to be made available to the public to insure accountability, no such provision will permit disclosures which will interfere with the attorney-client relationship. Such provisions are essential to insure the dignity and professional integrity of the program.

PRESERVATION AND EXPANSION OF THE PROGRAM

In such a great transformation as the one we envision in creating a legal services corporation, it is essential to insure that the change is made as smoothly and with as little disruption of the current program as possible. Such a transition is not adequately protected by either bill introduced thus far.

We have provided for a transition period of 6 months before the corporation will become fully operative. In incorporating trusteeship will include the legal organization members as well as the

president of the National Clients Council. The trusteeship is instructed to work closely with the already existing National Advisory Committee on Legal Services which has acquired great expertise in the operation of the program.

Additionally, the Director of OEO is instructed to provide all the necessary support to aid the transition, and on-going programs are given priority to insure continuity.

We have been careful to provide that this private corporation is to be regarded as an integral part of the Federal Government's effort to combat poverty in America. The program will remain a part of that antipoverty program and will submit its annual report to the Director of OEO as well as the President and the Congress. In this way, we will insure that the program will contribute its expertise to the antipoverty effort, and we utilize the success of the program as part of the overall Federal Government effort to fight poverty, while maintaining the independence of the program from any interference by OEO or any other Government agency.

CONCLUSION

I am confident that my colleagues will agree that we must afford all our citizens access to our judicial system to encourage the peaceful process of redress of grievances. Our court system is based on the concept that all men are equal before the law.

The present legal services program has provided an economical and effective means for enabling the poor to use our judicial system to redress the grievances which make poverty so unbearable.

Now is the time to perfect that program by insuring that it will continue to offer high quality services free from destructive attacks by those who may resent its successes or by those who have legitimate complaints against its activities.

To insure such protection it is vitally important that the legislation we enact be as carefully thought out as possible. If we create a corporation capable of offering a high quality of legal services to those who have been denied access to the courts, Government by law will be enhanced.

My legislation is designed to incorporate the very best of the recommendations made thus far to provide the freedom and the checks and balances necessary to guarantee a legal services program of the highest quality.

Mr. Speaker, I include the text of my bill in full at this point in the RECORD:

H.R. 9202

A bill to amend the Economic Opportunity Act of 1964 to establish a National Legal Services Corporation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Legal Services Corporation Act".

Sec. 2. The Economic Opportunity Act of 1964 (42 U.S.C. 2701 et seq.) is amended by adding after title VIII thereof the following new title:

"TITLE IX—NATIONAL LEGAL SERVICES CORPORATION

"DECLARATION OF POLICY

"Sec. 901. The Congress hereby finds and declares that—

"(1) It is in the public interest to encourage and promote resort to attorneys and appropriate institutions for the orderly redress of grievances and as a means of securing orderly change, responsiveness, and reform;

"(2) many Americans are unable to afford the cost of legal services but should rightfully have access to such services regardless of income;

"(3) access to legal services and appropriate institutions for all citizens of the United States not only is a matter of private and local concern, but also is of appropriate and important concern to the Federal Government;

"(4) existing legal services programs have provided economical, effective, and comprehensive legal services to many individuals in the client community so as to bring about a peaceful redress of grievances through resort to orderly means of change;

"(5) It is essential that the nonprofit Corporation created by this title ensure that the available resources be utilized with top priority to the redress of grievances related to the economic and physical freedom and well-being of persons living in poverty;

"(6) the integrity of the attorney-client relationship and of the adversary system of justice in the United States requires that there be no political interference with the provision and performance of legal services;

"(7) a private nonprofit corporation should be created to encourage the availability of legal services and legal institutions to all citizens of the United States, accountable to the client community and to the courts and the public, but free from political interference and control.

"ESTABLISHMENT AND ORGANIZATION OF THE CORPORATION

"Sec. 902. (a) There is established in the District of Columbia a nonprofit corporation to be known as the 'National Legal Services Corporation' (hereinafter referred to as the 'Corporation') which will not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this title, and, to the extent consistent with this title, to the District of Columbia Nonprofit Corporation Act. The right to repeal, alter, or amend this title is expressly reserved.

"(b) No part of the net earnings of the Corporation shall inure to the benefit of any private person, and it shall qualify as an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code.

"(c) There shall be a transition period of six months following the date of enactment of the National Legal Services Corporation Act for the process of incorporation and initial organization of the Corporation.

"(d) There is established an incorporating trusteeship comprised of the following persons: the president of the American Bar Association, the president of the National Legal Aid and Defenders Association, the president of the American Association of Law Schools, the president of the American Trial Lawyers Association, the president of the National Bar Association, and the Chairman of the National Clients Council (referred to in section 904). The incorporating trusteeship shall meet within 30 days after the enactment of the National Legal Services Corporation Act to carry out the provisions of this section. The incorporating trusteeship shall consult with the National Advisory Committee on Legal Services during the initial period of organization and

incorporation for assistance in carrying out the provisions of this section.

"(e) Not later than sixty days after the enactment of the National Legal Services Corporation Act, the incorporating trusteeship shall establish a Project Attorneys Council which shall be composed of eleven attorneys who are actively engaged in providing legal services under any existing legal services program. The initial members of the Project Attorneys Council shall be selected, in accordance with procedures established by the incorporating trusteeship, by attorneys actively engaged in providing legal services under existing legal services programs. Members subsequently selected shall be selected in accordance with procedures established by the Board.

"(f) Not later than ninety days after the enactment of the National Legal Services Corporation Act the National Clients' Council (referred to in section 904) and the Project Attorneys' Council shall each meet and each appoint two representatives to serve on the initial Board of Directors of the National Legal Services Corporation.

"(g) During the ninety day period after the enactment of the National Legal Services Corporation Act, the incorporating trusteeship shall take whatever actions are necessary to incorporate the Corporation, including filing of articles of incorporation under the District of Columbia Nonprofit Corporation Act, and to prepare for the first meeting of the Board of Directors, except for the selection of the Executive Director of the Corporation.

"(h) During the ninety day period immediately following the period specified in subsection (g) of this section, the Board shall take whatever action is necessary to prepare to begin to carry out the activities of the Corporation six months after the enactment of the National Legal Services Corporation Act.

"(i) To assist in carrying out the provisions of this section, the Director of the Office of Economic Opportunity shall compile a list of all legal services programs publicly funded during the fiscal year ending June 30, 1971, and the subsequent fiscal year, and furnish such list to the incorporating trusteeship. The Director of the Office of Economic Opportunity shall make available to the incorporating trusteeship such administrative services as it may require in order to carry out the provisions of this section.

"Governing body: Directors, officers, and employees

"Sec. 903. The Corporation shall have a board of directors (hereinafter referred to as the 'Board') consisting of fifteen individuals one of whom shall be elected annually by the Board to serve as chairman. Members of the Board shall be appointed as follows:

"(1) Public members.—Five members of the Board shall be appointed by the President, by and with the advice and consent of the Senate. In making his appointments, the President shall give due consideration to individuals recommended by bar associations or associations of attorneys whose membership is actively engaged in the conduct of legal services programs, and to individuals recommended by the Judicial Conference of the United States.

"(2) Legal organization members.—Five individuals shall be members of the Board by virtue of holding the following offices:

"(A) The president of the American Bar Association.

"(B) The president of the National Legal Aid and Defender Association.

"(C) The president of the American Association of Law Schools.

"(D) The president of the American Trial Lawyers Association.

"(E) The president of the National Bar Association.

"(3) Attorney-client members.—Two members of the Board shall be selected by the National Clients Council and two shall be selected by the Project Attorneys Council. Members of the Board selected by the respective councils (other than those selected under section 202(f)) shall be selected in accordance with regulations prescribed by the Board, in consultation with such councils.

"(4) The executive director of the Corporation.

"(b) (1) Members appointed under paragraph (1) of the preceding subsection shall be appointed for terms of three years, except that—

"(A) the terms of the members first taking office shall be effective on the ninety-first day after the enactment of the National Legal Services Corporation Act and shall expire, as designated by the President at the time of appointment, one at the end of three years, two at the end of two years, and two at the end of one year; and

"(B) any member so appointed to fill a vacancy occurring before the expiration of the third term for which his predecessor was appointed shall be appointed for the remainder of such term.

"(2) The members selected under paragraph (2) of the preceding subsection shall serve for the term of office by virtue of which they become members of the Board except that in no case shall a term exceed three years. If any one of such member's term will exceed three years by virtue of holding a position more than three years, the Board shall provide the appointment of a successor by the appropriate organization.

"(3) The members selected pursuant to paragraph (3) of the preceding subsection shall serve for a term of three years, except that—

"(A) the terms of the members first taking office shall be effective on the ninety-first day after the enactment of the National Legal Services Corporation Act and shall expire as designated by the selecting council, one at the end of three years, two at the end of two years, and one at the end of one year after such date; and

"(B) any member so appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"(c) The Corporation shall have an executive director, who shall be an attorney, and such other officers as may be named and appointed by the Board, at rates of compensation fixed by the Board, and who shall serve at the pleasure of the Board. No individual shall serve as executive director of the Corporation for a period in excess of four years.

"(d) No political test or qualification shall be used in selecting, appointing, or promoting any officer, attorney, or employee of the Corporation. No officers or employees of the Corporation shall receive any salary from any source other than the Corporation during the period of employment by the Corporation.

"NATIONAL CLIENTS COUNCIL

"Sec. 904. (a) There is hereby established a National Clients Council which, at the time of the enactment of the National Legal Services Corporation Act, shall be the organization of that name which is recognized and funded by the Director. As soon as practicable after the incorporation of the Corporation, the Board shall designate an organization of the National Clients Council which (1) is organized on a nationwide basis with local organizations in areas served by legal services programs—such local organizations being composed of representatives of members of the client community, and with democratically selected representatives of such

local organizations serving on regional and national boards, and (2) the principal functions of which is to advise the persons carrying out legal services programs on the needs of members of the client community and of means of improving the services provided under such programs. The organizations designated by the Board may be the organization referred to in the first sentence of this section or any successor or other organization.

"(b) The National Clients Council shall be available to advise the President and Congress on general policy matters relating to the needs of the members of the client community and to select members of the Board in accordance with section —.

"(c) The National Clients Council shall be the accredited representatives and monitoring agents of the client community.

"PROJECT ATTORNEYS COUNCIL

"Sec. 905. The Project Attorneys Council (established under section 902(e)) shall be available to advise the President and Congress on general policy relating to the furnishing of legal services to members of the client community and to select members of the Board in accordance with section 903.

"POWERS, DUTIES, ACTIVITIES, AND LIMITATIONS

"Sec. 906. (a) To the extent consistent with this title, the Corporation shall have the usual powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act.

"(b) In addition to the powers conferred by subsection (a), the Corporation shall have authority, effective six months after the enactment of the National Legal Services Corporation Act—

"(1) to make grants to, or contracts with, qualified programs for furnishing legal services to members of the client community;

"(2) to carry out research, technical, assistance, training, experimental, and clinical assistance programs designed to improve the provision of legal services to the client community;

"(3) to collect and disseminate information for the coordination and evaluation of the effectiveness of programs furnishing legal services in various parts of the country;

"(4) to assist, coordinate, and evaluate all programs for the provision of legal services to the client community conducted or assisted by the Federal Government, including—

"(A) reviewing all grants and contracts for the provision of legal services to the client community made under other provisions of Federal law by any agency of the Federal Government together with making recommendations to the appropriate Federal agency;

"(B) reviewing and making recommendations to the President and Congress concerning any proposal, whether by legislation or executive action, to establish a federally assisted program for the provision of legal services to the client community; and

"(C) upon request of the President, providing training, technical assistance, monitoring, and evaluation services to any federally assisted legal services program;

"(5) to make grants, contracts, leases, cooperative agreements, or other transactions in accordance with bylaws established by the Board appropriate to conduct the activities of the Corporation;

"(6) to accept unconditional gifts or donations of services, money, or property, real, personal, or mixed, tangible or intangible, and to use, sell, or otherwise dispose of such property for the purpose of carrying out its activities;

"(7) to appoint attorneys and other professional and clerical personnel as may be required and fix their compensation;

"(8) to promulgate regulations containing criteria specifying the manner of approval of applications for grants and contracts based upon the following considerations—

"(A) the most economical, effective, accessible, and comprehensive delivery of legal services to the client community;

"(B) programs which indicate a clear priority to fulfilling the needs of members of the client community for a redress of grievances related to the economic well-being of such members; and

"(C) maximum utilization of the expertise and facilities of organizations presently specializing in the delivery of legal services to the client community; and

"(8) to establish and maintain a law library.

"(c) The Corporation is authorized to encourage and carry on the following activities—

"(1) provide experimental mechanisms and programs to improve mechanisms of delivery of legal services to members of the client community residing in rural areas, including funding of private practitioners on a part-time or full-time basis, methods of mobilizing services, and other appropriate experimental means;

"(2) work with Federal, State, and local courts and State and local legislatures and executives to experiment with and develop alternative mechanisms to reform and improve the machinery of justice by—

"(A) increasing the effectiveness of the overburdened court system, and

"(B) expanding the court system by developing new administrative tribunals and other means of extrajudicial dispute settlement which can relieve the burden on the courts;

"(3) provide for the extension of legal services to those who are legally indigent, though not financially indigent, and cannot afford to pay the full cost of an attorney's services, through the use of—

"(A) funding of private practitioners of law on a part-time basis or full-time basis, or

"(B) the institution of a reasonable user fee based upon income level, but applied only to those who are deemed otherwise not eligible for legal services under the programs of the Corporation, or

"(C) any other appropriate means which would preserve the right of the financially indigent to be served first, but would fulfill the need of all individuals for legal services to redress grievances;

"(4) provide for delivery of legal services to poor persons who are inhabitants of correctional institutions, mental health facilities, homes for the aged, and similar institutions, in noncriminal matters, and to—

"(A) train, utilize, promote, and accredit paraprofessionals to assist in the delivery of legal services, and

"(B) supervise and train ombudsmen, and other paraprofessionals, who will assist in the delivery of legal services to members of the client community who inhabit correctional institutions, mental health facilities, homes for the aged, and similar institutions.

"(d) In making grants or contracts for the provision of legal services, the Corporation shall—

"(1) establish guidelines to insure that the eligibility of members of the client community for such services will be determined on the basis of factors which include—

"(A) his assets and income level,

"(B) his fixed debts, medical expenses, and other financial liabilities which affect his ability to pay,

"(C) the size of his family and number of dependents,

"(D) the cost of living in the locality, and

"(E) such other factors as relate to financial inability to afford legal assistance; and

"(2) establish priorities to insure that those least able to afford legal services are given definite preference in the furnishing of such services;

"(3) establish such procedures and guidelines, and take such other measures as may be necessary, to insure that each attorney employed by the Corporation or paid in whole or in part from funds provided by the Corporation will be protected in fulfilling his duties to the attorney-client relationship as if such attorney were hired directly by the client;

"(4) establish policies and procedures to insure the maintenance of the highest quality of integrity, effectiveness, and professional quality of the attorneys providing legal services to eligible clients;

"(5) establish procedures by which the State bar association and the principal local bar associations in the community to be served by any proposed program shall be consulted and afforded an adequate opportunity to submit, to the Board, comments and recommendations on the proposed project before such project is approved or funded, and to submit to the Board comments and recommendations on the operations of such project, if approved and funded;

"(6) furnish to the Director of the Office of Economic Opportunity an annual report concerning the successes and special difficulties experienced in the program in matters involving the problems and needs of the client community from the Corporation in its role as an essential part of the Federal Government effort to deal with the problems of poverty through this Act;

"(7) establish guidelines to insure that no activities will be undertaken by attorneys employed by the Corporation to influence the passage or defeat of any legislative bodies or by citizen referendum, by representations to such bodies, their members or their committees, while engaged in activities carried on by legal services programs funded by the Corporation, except where—

"(A) such activities are undertaken at the request of an eligible client, or

"(B) such bodies, their members, or their committees request that the attorney make such representations to them.

"(e) The Corporation shall—

"(1) insure that no funds made available by the Corporation pursuant to this title, either by grant or contract, may be used for the defense of any person indicted (or proceeded against by information) for the commission of a crime, except in extraordinary circumstances where, after consultation with the court having jurisdiction, the Executive Director has determined that adequate legal assistance will not be available for an indigent defendant unless such services are made available;

"(2) insure that attorneys funded by the Corporation do not carry on activities involving the use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting, or resulting in the identification of the program with, any partisan political activity or any activity designed to further the election or defeat of any candidate for public office;

"(3) insure that attorneys employed full-time in legal services programs funded by the Corporation represent only members of the client community during working hours and refrain from any outside practice of law: *Provided*, That this paragraph shall not prohibit such attorneys from engaging in outside practice during their authorized vacations or during nonworking hours;

"(4) insure that any requirement for a matching local share contribution from a State or locality not be made a prerequisite for any grant or contract to a program to be established or continued in that State or lo-

cality: *Provided*, That nothing in this paragraph shall preclude encouragement of or acceptance of a local share or contribution from that State or locality;

"(5) insure that applicants for grants will be required to give assurances that the program will be supervised by a policymaking board on which members of the legal profession constitute a majority and members of a client community constitute at least one-third of the membership, unless such a requirement would, due to the particular nature of the program or the grantee, be unwise or unwarranted.

"RECORDS

"SEC. 907. (a) The Corporation shall have authority to require the keeping of records with respect to funds provided by grant or contract and shall have access to such records at all reasonable times for the purpose of insuring compliance with the grant or contract and insuring accountability of the grantee to the grantor.

"(b) Copies of all records and documents pertinent to each grant and contract made by the Corporation shall be maintained in a place readily accessible and open to public inspection during ordinary working hours for a period of at least five years subsequent to the making of such grant or contract.

"(c) All books and records of the Corporation shall be maintained in the principal offices of the Corporation which shall be in the District of Columbia.

"(d) The Corporation shall be subject to the Freedom of Information Act.

"(e) Notwithstanding this section, the Corporation shall not have access to individual case records subject to the attorney-client privilege.

"REPORTS

"SEC. 908. (a) The Corporation shall have authority to require such reports as will provide adequate accountability of programs to the Corporation by recipients with which the Corporation has made contracts or grants.

"(b) Copies of all reports pertinent to the evaluation, inspection, or monitoring of grantees and contractees shall be maintained for a period of at least five years, subsequent to such evaluation, inspection, or monitoring visit. Upon request, the substance of such reports shall be furnished to the grantee or contractee who is the subject of the evaluation, inspection, or monitoring visit.

"(c) Copies of all such reports shall be maintained in the principal offices of the Corporation which shall be in the District of Columbia.

"(d) The Corporation shall prepare an annual report for transmittal to the President, the Congress, and the Director of the Office of Economic Opportunity, on or before the 30th day of January of each year, summarizing the activities of the Corporation and making such recommendations as it may deem appropriate for dealing with the problems of poverty from the standpoint of the Corporation as an essential part of the program to combat poverty under this Act. The report shall include a comprehensive and detailed account of the operations, activities, financial condition, and accomplishments, and problems of the Corporation together with dissenting views and recommendations, if any, of members of the Board.

"(e) Notwithstanding this section, the Corporation shall not have access to individual case records subject to the attorney-client privilege.

"AUDITS

"SEC. 909. (a) The accounts of the Corporation shall be audited annually in accordance with generally accepted auditing standards by any independent licensed public accountant certified or licensed by a regulatory authority of a State or other political subdivision of the United States.

Each such audit shall be conducted at the place or places where the accounts of the Corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audit, shall be made available to the person conducting the audit and full facilities for verifying transactions with the balance or securities held by depositories, fiscal agents, and custodians shall be afforded to any such person. The report of each such independent audit shall be included in the annual report required under this title. The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the Corporation's assets and liabilities, surplus or deficit of the Corporation, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the income and expenses of the Corporation during the year, and a statement of the sources and application of funds, together with the opinion of the independent auditor of those statements.

"(b) (1) The financial transactions of the Corporation for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places where accounts of the Corporation are normally kept. The representative of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation pertaining to its financial transactions and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers, and property of the Corporation shall remain in the possession and custody of the Corporation.

"(2) A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform Congress of the financial operations and condition of the Corporation, together with such recommendations with respect thereto as he may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the executive director and to each member of the board at the time submitted to the Congress.

"(c) (1) Each grantee or contractee, other than a recipient of a fixed-price contract awarded pursuant to competitive bidding procedures, under this section shall keep such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(2) The Corporation, or any of its duly authorized representatives, shall have access for the purpose of audit and examination of any books, documents, papers, and records of the recipient that are pertinent to assistance

received under this section. The Comptroller General of the United States, or any of his duly authorized representatives, shall also have access thereto for such purpose during any fiscal year for which Federal funds are available to the corporation.

"(d) Notwithstanding this section, neither the Corporation nor the Comptroller General shall have access to individual case records which are subject to the attorney-client privilege.

"FINANCING

"SEC. 910. (a) There is authorized to be appropriated such sums as may be necessary to carry out the activities of the Corporation, including funds necessary to assist the Corporation in meeting its organization expenses. Appropriations to carry out this title shall be for three-year periods or such other periods as appropriation Act may designate, and, if for more than one year, shall be paid to the Corporation in annual installments at the beginning of each fiscal year in such amounts as may be specified in the appropriation Acts. Funds made available to the Corporation from appropriations for any fiscal year shall remain available for expenditure during the subsequent fiscal year.

"DEFINITIONS

"SEC. 911. For purposes of this title, the term—

"(a) 'members of the client community' means (1) individuals who are unable to obtain private legal counsel because of inadequate financial means, (2) individuals who are members of groups defined in regulations of the Board who are able to pay part, but not all, of the cost of obtaining private legal counsel, and (3) individuals whose participation in this program is determined by the Board will carry out the purposes of this title because of their special circumstances, or because of the need of their participation in research, experimental, or demonstration projects.

"(b) 'legal services' includes legal advice, legal representation, legal research, education concerning legal rights and responsibilities, and similar activities;

"(c) 'legal profession' refers to that body composed of all persons admitted to practice before the highest court of at least one State.

"(d) 'nonprofit', as applied to any foundation, corporation, or association, means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure to the benefit of any private shareholder or individual.

"FEDERAL CONTROL

"SEC. 912. Nothing contained in this title shall be deemed to authorize any department, agency, officer, or employee of the United States Government to exercise any supervision or control over the Corporation or any of its grantees or contractors or employees, or over the charter or bylaws of the Corporation, or over the attorneys providing legal services pursuant to this title, or over the members of the client community receiving legal services pursuant to this title.

"RIGHT TO APPEAL, ALTER, OR AMEND

"SEC. 913. In the absence of specific reference to this title, the provisions of other titles of this Act and references to this Act and other statutes shall not be construed to affect the activities and powers of the Corporation or to have any applicability with respect to activities and programs assisted by the Corporation."

SEC. 3. (a) During the fiscal year 1972 the Director of the Office of Economic Opportunity shall take such action as may be necessary, in cooperation with the executive director of the National Legal Services Corporation, to arrange for the orderly continuance by such Corporation of financial assistance to legal services programs assisted pur-

suant to sections 222(a)(3), 230, 232, or any other provision, of the Economic Opportunity Act of 1964. Whenever the Director of the Office of Economic Opportunity determines that an obligation to provide financial assistance pursuant to any contract or grant agreement for such legal services will extend beyond six months after the date of enactment of this Act, he shall include in any such contract or agreement provisions to assure that the obligation to provide such financial assistance may be assumed by the National Legal Services Corporation, subject to such modifications of the terms and conditions of that contract or grant agreement as the Corporation determines to be necessary.

(b) Effective six months after the date of enactment of this Act, section 222(a)(3) of the Economic Opportunity Act of 1964 is repealed.

SEC. 4. Notwithstanding any other provision of law, after the enactment of this Act but prior to the enactment of appropriations to carry out the Economic Opportunity Act of 1964 for the fiscal year ending June 30, 1972, the Director of the Office of Economic Opportunity shall, out of appropriations then available to him, make funds available to assist in meeting the organizational expenses of the corporation and in carrying out its activities.

TWO BASIC DIRECTIONS OF AMERICAN POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. RUPPE) is recognized for 10 minutes.

Mr. RUPPE. Mr. Speaker, I have recently returned from Southeast Asia where I was able to visit both Thailand and South Vietnam. My experiences there, as well as the specific responses I received to the questions I asked, have led me to conclude that there are two basic directions American policy must now follow.

First, I am firmly convinced that, with the exception of air support units, and for a short period of time, some artillery support units, we should remove all combat units from South Vietnam, accelerating our present withdrawal rate. I do not believe that American ground combat troops are vital or essential to the security of South Vietnam.

Second, we must make the South Vietnamese leadership understand that there are definite, definable limits to our economic and military assistance programs. We must determine what is essential to maintain a national government in South Vietnam, and what they could not reasonably be expected to supply for themselves. Only when the South Vietnamese have exhausted their best efforts, should we determine what assistance should be forthcoming from the American people.

Mr. Speaker, I believe that American combat forces now assigned to I Corps and II Corps in the northern half of South Vietnam could well be replaced by South Vietnamese units. It was evident that such units were available in other corps areas, and that South Vietnam must initiate the necessary redeployment—regardless of the resistance offered by the generals involved. In my mind, this redeployment will only come about if American forces are withdrawn.

South Vietnam has over 1 million men under arms. We have now spent in ex-

cess of \$130 billion in that country and I must presume that the South Vietnamese are well trained and equipped. If there is any lack of motivation on the part of the South Vietnamese military, then I feel the Saigon government must undertake the necessary reforms of its armed forces. These reforms must include the elimination of the corruption which is so much a part of the South Vietnamese military system. We simply cannot support a military organization that tolerates the sale of provisions, rations, promotions, and personnel transfers. The glaring corruption of some South Vietnamese province and district chiefs is a national scandal that no longer can be supported or protected by American military might.

America has already suffered 54,833 deaths, 299,924 wounded, and some 1,492 prisoners of war and missing in action. Now the specter of widespread drug addiction has been added to the list. Conservative estimates indicate that 10 percent of the American men in Vietnam are addicted to heroin. That means that some 25,000 to 30,000 confirmed heroin addicts will be returning home in the next year. The cost in terms of human suffering, and in terms of care and, hopefully, rehabilitation, will be staggering. Too long have we responded to requests for military assistance with a blanket commitment of men and material. From this date on, let us supply only what is absolutely essential—only what cannot be supplied by an honest, dedicated, and motivated South Vietnamese Government.

I will support the retention of American air and artillery support units, but only if and when their need can be documented and proven to my satisfaction.

Mr. Speaker, I am vitally interested in the maintenance of an independent non-Communist South Vietnam. It is deadly important for the millions of South Vietnamese who have fought for freedom and have sacrificed so much in the struggle for independence. These people have merited our assistance and I am proud, as an American, that we have fought and sacrificed in their behalf. However, I strongly believe that the time has come when the likelihood of South Vietnam's survival as an independent nation can only be achieved if the South Vietnam Government is forced to live up to its military, political, and economic responsibilities.

Only when the Saigon government uses its resources effectively, only when it initiates land and tax reform and curbs its obvious abuses and corruption can it secure the kind of broad-based support, popular support, necessary for an independent democratic state. If they carry out these reforms and if they mobilize their resources, then I believe the goal of a stable, secure South Vietnamese Government can be achieved. Millions of Vietnamese now support the Thieu government, but millions more antigovernment nationalists could only be impressed with a government that was free of corruption and bent on a policy of nationalism and reconciliation.

It has been suggested that some \$2.5

billion annually would provide the essential military and economic assistance to South Vietnam. I am prepared to support such a commitment, but only when I have been assured that South Vietnam has taken the necessary steps to eliminate internal corruption and utilize its own resources to the maximum extent. I will support only those efforts which are truly beyond the best efforts of the South Vietnamese themselves—and only when those efforts produce the kind of progress that can be clearly measured by this Congress. We must constantly monitor our assistance effort and be prepared to terminate those parts of the program which are touched with corruption or inefficiency.

The ability of this Congress to effectively monitor our policies and assistance efforts is crucial. At this point, we are sadly lacking in this ability. Perhaps the most shocking aspect of my trip was the complete lack of candor on the part of our Government's representatives in Southeast Asia. My questions about the extent of American involvement in Laos, about our military strengths there and elsewhere, inquiries about the goals and costs of our assistance programs, all went unanswered. I had the distinct impression that I was considered an intruder in someone's private domain of interest, an interloper who could not be trusted with knowledge of American policy in Southeast Asia. If that is the considered treatment of the U.S. Congress, then Mr. Speaker, it is no wonder that the American people feel misled, frustrated, and angry. The people who elected me have not sent their representative to be a tourist in Vietnam, blithely following a crucial war policy with only a tourists knowledge of what is going on.

One of my last official meetings was with Ambassador Ellsworth Bunker. In response to my questions about measures taken to eliminate the scandalous sale of heroin in Vietnam, he replied that effective measures had been taken, particularly by placing drugstores off limits to American GI's. If Ambassador Bunker really believes that heroin is primarily sold in drugstores, he must be the only man—military or civilian—who holds this unique line of reasoning. When I asked about the extent of corruption in the South Vietnamese Government, he advised me that, at the lower levels, there was indeed some "carelessness and, perhaps, some slippage." With smuggling rampant throughout South Vietnam and the recently publicized brass shell casing scandal likely to reach the \$50 million proportions I found this explanation to be totally inadequate.

Mr. Speaker, I can no longer accept any kind of open-ended commitment in Southeast Asia. Militarily, we should bring home all but the most essential air and artillery support units and economically we should confine our assistance effort to a level that will require maximum development and utilization of South Vietnam's own resources and bring about the elimination of corruption. This is not a policy of abandonment; it is the only policy that can lead to a responsible and, ultimately, stable South Vietnamese Government.

BALTIC NATIONS HAVE A RIGHT TO SELF-DETERMINATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, while this country trades with and aids the Soviet Union, which continues to supply 80 percent of the war materials to the enemy to kill American servicemen in Vietnam, the more than a million Latvians, Lithuanians, and Estonians in the United States commemorated with a special church service on Sunday, June 13, the 30th anniversary of the mass deportations of the Baltic peoples to slave-labor camps in Siberia, where most perished under inhuman conditions.

While we hear a clamor for one-man, one-vote in Rhodesia and South Africa and in the United Nations General Assembly where the smallest of African nations has a vote equal to that of the United States, silence prevails regarding the right of the peoples of the Baltic nations to vote at all. The opinionmakers in this country refuse to advocate self-determination for the captive nations, yet are vociferous in demanding this for emerging underprivileged nations.

While any violation of rights of Jews in the Soviet Union receives front page coverage in newspapers, scant mention is made of the human rights violations against untold numbers of Christians and others which occur daily in all countries dominated by the Soviet Union. This spring, Congress unanimously condemned the Soviet Union for its treatment of the Jewish minority. Similar actions have not been accorded other oppressed peoples.

The 86th Congress adopted a resolution which became Public Law 86-90. This resolution assails the imperialistic policies of Communist Russia which have led, through aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Urel, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others. It also resolves that the President is authorized and requested to issue a proclamation each year designating the third week of July as "Captive Nations Week" until such time as freedom and independence shall have been achieved for all the captive nations of the world.

This was 11 years ago. The captive nations are still captive. The Soviets are still aggressors. Only we have changed—why?

In the 89th Congress just 5 years ago, both Houses of Congress adopted without a single negative vote House Concurrent Resolution 416—proclaiming the rights of the Baltic peoples of Estonia, Latvia, and Lithuania as well as all other peoples to self-determination and national independence. Again the Soviet Union was condemned for its subjugation and deprivation of the right to self-determination of the Baltic peoples. The resolution urged the President to

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

Despite these resolutions expressing the sense of the U.S. Congress, the President, in his so-called state of the world message, made no mention of the Baltic nations nor the captive nations. But he did refer to Russia and Red China though not in this vein of thought.

In view of the many documented violations of human rights against the people of the captive nations by the Soviet Union extending from the time of the Bolshevik Revolution to the present day and in view of two resolutions expressing the sense of Congress regarding the right of self-determination by the captive nations, it would seem to be incumbent upon our President and all freedom-loving peoples to identify the Soviet dictators for what they are—the enemy of free peoples—international gangsters—and demand the dissolution of their imperialistic colonial empire. The time to do this is now, not next week, nor next year.

I call upon our colleagues to speak out for the right to self-determination by Latvians, Lithuanians, and Estonians, and other enslaved peoples and to support my House Concurrent Resolution 61 and House Concurrent Resolution 63 that it be the sense of Congress that the question of human rights violations, including genocide, in Soviet-occupied Lithuania and Estonia be placed on the agenda of the United Nations Organization.

I insert at this point a news release of the Joint Baltic American Committee, a letter from the Lithuanian Roman Catholic Priest's League of America, a statement entitled, "Self-Determination of the Baltic Peoples," of the Lithuanian American Community of the U.S.A., Inc., the text of House Concurrent Resolution 416 and my bills, House Concurrent Resolution 61 and House Concurrent Resolution 63, to follow my remarks:

THIRTIETH ANNIVERSARY CHURCH SERVICE FOR THE BALTIC PEOPLES DEPORTED TO SIBERIA

A church service commemorating the thirtieth anniversary of the mass deportations of the Baltic peoples to slave-labor camps in Siberia will be held on Sunday, June 13, 4:30 PM, at the National Shrine of the Immaculate Conception in the Nation's Capital.

The celebrant of the special service will be Rev. Father Kazimieras Pugevicius of Baltimore.

Spokesmen for the Joint Baltic Committee, representing the central organizations of Americans of Estonian, Latvian and Lithuanian descent, explained that the brutal Soviet action, commencing on the night of June 13, 1951, left deep scars and bitter memories among the Baltic people on both sides of the iron curtain. Concentration camp victims were drawn from all social and age groups, the Joint Baltic Committee pointed out, and were packed into cattle cars going to Northern Russia and Siberia, where most perished under the inhuman conditions.

The vast scale of these and later deportations after the Second World War was emphasized by Gunars Melerovics, Dr. John B. Genys and Gerhard Buschmann, representing over a million Latvians, Lithuanians, and Estonians in the United States.

The Committee placed conservative estimates of human losses by Baltic people in Soviet concentration camps to be in excess of fifteen percent of the population.

"The Baltic people expressed their alarm at current Soviet policies, which are totali-

tarian cultural genocide tactics, implemented in the name of russification. They hope that world opinion will be reminded by Sunday's ceremonies of the brutal attempts to stamp out the Baltic peoples' national identity and desire for self-determination. The resultant protests to the Soviet government might stem these policies."

The consensus was unanimous that the plight of the Baltic peoples today was very critical, in the context of colonialism vs. self-government. The Committee declares that "the annexation of the Baltic nations into the Soviet Union is not recognized by our government and many other nations. This occupation of the Baltic States by the Soviet Union is a flagrant breach of all international treaties and agreements between the Soviet Union and the Independent Baltic States governments!"

LITHUANIAN ROMAN CATHOLIC
PRIESTS' LEAGUE OF AMERICA,
March 4, 1971.

DEAR HONORABLE SIR: Much has recently been written by the press about Lithuanians risking their lives for freedom and about Soviet citizens defecting from Soviet Russia for a free way of life elsewhere.

Soviet propaganda would have us believe that life under the Soviet system is a happy man's paradise. If so, then why these attempts at freedom? Why these defections?

The answer is simple. It is impossible to enjoy life in a country where man's basic rights are denied him and where he is not free to develop his God-given talents for his spiritual and material betterment. Life, as we know it, is just plain intolerable under the Soviet system. It is a life in jail, in prison, of persecution.

In the case of Lithuania, as a recent statement signed by forty priests of the Archdiocese of Vilnius and sent to Moscow authorities testifies, religious persecution is a fact. Her people enjoy no religious freedom. They are unable to live as Lithuanians with their own aspirations.

Since this is so, it is extremely difficult to understand why the United Nations, the United States and the nations of the free world continue to recognize Soviet Russia as a world power seeking peace for mankind.

Has not the time come for the free world to take concrete steps against Russia and force her to free enslaved nations like Lithuania? By what divine or human right is she permitted to dominate the United Nations and to frustrate the hopes of peace for the world and the hopes of freedom for her enslaved people?

The free world need not fear Russia if united action is taken against her. Let her treat her people with justice and charity. Let her free Lithuania and other subjugated nations. Then incidents of seeking asylum and of defection will not occur again. Then real peace will become a reality.

May we hear from you on this? We shall be deeply grateful.

Respectfully yours,

Rev. JOHN C. JUTT,
President.

SELF-DETERMINATION OF THE BALTIC PEOPLES
RED TERROR IN LITHUANIA, LATVIA, AND
ESTONIA

The Soviet Union invaded the Baltic States on June 15, 1940, and took over Lithuania, Latvia and Estonia by force of arms. These three peace-loving republics have been suffering in Russian-Communist slavery for more than 30 years.

At a time when the Western Powers have granted freedom and independence to many nations in Africa, Asia and other parts of the world, we must insist that the Communist colonial empire likewise extends freedom and independence to the peoples of Lithuania, Latvia and Estonia whose lands

have been unjustly occupied and whose rightful place among the nations of the world is being denied. Today and not tomorrow is the time to brand the Kremlin dictators as the largest colonial empire in the world. By timidity, we invite further Communist aggression.

The Balts are proud peoples who have lived peacefully on the shores of the Baltic from time immemorial. For instance, this year marks the 720th anniversary of the formation of the Lithuanian state when Mindaugas the Great unified all Lithuanian principalities into one kingdom in 1251.

The Lithuanians, Latvians and Estonians have suffered for centuries from the "accident of geography." From the West they were invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Balts, it should be kept in mind, are ethnically related neither to the Germans nor the Russians.

After the Nazis and Soviets smashed Poland in September of 1939, the Kremlin moved troops into the Baltic republics and annexed them in June of 1940. In one of history's greatest frauds, "elections" were held under Red army guns. The Kremlin then claimed that Lithuania, Latvia and Estonia voted for inclusion in the Soviet empire.

Then began one of the most brutal occupations of all time. Hundreds of thousands of Balts were dragged off to trains and jammed into cars without food or water. Many died from suffocation. The pitiful survivors were dumped out in the Arctic or Siberia. The Baltic peoples have never experienced such an extermination and annihilation of their people in their long history through centuries as during the last three decades. Since June 15, 1940, these three nations have lost more than one-fourth of their entire population. The genocidal operations and practices being carried out by the Soviets continue with no end in sight.

Since the very beginning of Soviet Russian occupation, however, the Balts have waged an intensive fight for freedom. During the period between 1940 and 1952 alone, some 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the invaders. The cessation of armed guerrilla warfare in 1952 did not spell the end of the Baltic resistance against Soviet domination. On the contrary, resistance by passive means gained a new impetus.

This year marks the 30th anniversary of Lithuania's successful revolt against the Soviet Union. During the second part of June of 1941 the people of Lithuania succeeded in getting rid of the Communist regime in the country: freedom and independence were restored and a free government was re-established. This free, provisional government remained in existence for more than six weeks. At that time Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself.

The Government of the United States of America has refused to recognize the seizure and forced "incorporation" of Lithuania, Latvia and Estonia by the Communists into the Union of Soviet Socialist Republics. Our Government maintains diplomatic relations with the former free Governments of the Baltic States. Since June of 1940, when the Soviet Union took over Lithuania, Latvia and Estonia, all the Presidents of the United States (Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon) have stated, restated and confirmed our country's nonrecognition policy of the occupation of the Baltic States by the Kremlin dictators. However, our country has done very little, if anything, to help the suffering Baltic peoples to get rid of the Communist regime in their countries.

The case of the Baltic States is not a question about the rights of self-rule of Lithuania, Latvia and Estonia, since this is established beyond any reasonable doubt, but the question is how to stop the Soviet crime and restore the freedom and independence of these countries. The Select Committee of the House of Representatives to Investigate the Incorporation of the Baltic States into the U.S.S.R., created by the 83rd Congress, after having held 50 public hearings during which the testimony of 335 persons was taken made a number of recommendations to our Government pertaining to the whole question of liberation of the Baltic States. According to the findings of this House committee, "no nation, including the Russian Federated Soviet Republic, has ever voluntarily adopted communism." All of them were enslaved by the use of infiltration, subversion, and force. The American foreign policy toward the Communist enslaved nations, the aforesaid House committee stated, must be guided by "the moral and political principles of the American Declaration of Independence." The present generation of Americans, this committee suggested, should recognize that the bonds which many Americans have with enslaved lands of their ancestry are a great asset to the struggle against communism and that, furthermore, the Communist danger should be abolished during the present generation. The only hope of avoiding a new world war, according to this committee, is a bold, positive political offensive by the United States and the entire free world." The committee included a declaration of the U.S. Congress which states that the eventual liberation and self-determination of nations are firm and unchanging parts of our policy."

The United States Congress has made a right step into the right direction by adopting *H. Con. Res. 416* (89th Congress) that calls for freedom for Lithuania and the other two Baltic republics—Latvia and Estonia. All freedom-loving Americans should urge the President of the United States to implement this very important legislation by bringing the issue of the liberation of the Baltic States to the United Nations. We should have a single standard for freedom. Its denial in the whole or in part, any place in the world, including the Soviet Union, is surely intolerable.

H. CON. RES. 416

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

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

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

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

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

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

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

(a) to direct the attention of world opin-

ion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

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

H. CON. RES. 61

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President, acting through the United States Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of human rights violations, including genocide, in the Soviet-occupied Lithuania on the agenda of the United Nations Organization.

H. CON. RES. 63

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President, acting through the United States Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of denial of the right of self-determination, and other human rights violations, including genocide, in Soviet-occupied Estonia on the agenda of the United Nations Organization.

STATE FISH AND GAME COMMISSION AND CONSERVATION ORGANIZATIONS OPPOSE CHANNELIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, the tremendous damage inflicted on our Nation's streams by "channelization" under the Department of Agriculture's small watershed program is causing great concern to many Americans. Conservation and environmental groups, State fish and game commissions, and Federal agencies dealing with the protection of fish and wildlife and environmental pollution have been increasingly protesting that the channelization of streams is grievously harming our Nation.

The House Conservation and Natural Resources Subcommittee, of which I am chairman, has been holding hearings on this subject. Last Saturday, as part of our investigation of stream "channelization," several members of our subcommittee toured a "channelization" project, Gilbert Run, in Maryland, to help us understand exactly what "channelization" does to a natural stream. We first viewed photographs taken last year of the stream and its environs before the project work began. We also talked with officials of the Agriculture Department and biologists of the State of Maryland about how the stream used to be. We learned that the stream had been a fast-moving and meandering stream abutted by thickly wooded swamp area—a valuable wetland area which had been perfect habitat for many species of fish and wildlife.

What we saw on Saturday morning at Gibbert Run was a large barren ditch with no more than a foot of water in it. This ditch ran for miles, devoid of almost all vegetation including the trees which formerly lined its banks. The wet-

land areas we had seen in photographs were dry as a bone. We learned that the stream had been channelized; it was now deeper, wider, straighter, and the water was much shallower.

At our hearings on stream channelization held these last 2 months, many witnesses testified that stream channelization at times may serve or increase available water storage, provide flood protection to bottomland abutting the channel which is then developed for residences and crops, and increase land values.

However, these witnesses criticized these works as causing a severe decrease in fish and wildlife habitat, impairment of water quality, increase in streambank erosion and stream sedimentation, greater downstream flooding, and destruction of esthetic values. They charged that getting rid of excess water by channeling it out of a watershed is contrary to the original congressional objective of "holding the raindrops where they fall" within the watershed boundaries.

Even persons primarily interested in agriculture often question whether the stream channelization and drainage programs, which have the effect of increasing agriculture acreage, are consistent with the national policy of discouraging the use of additional lands for production of crops, especially those which are surplus or price supported.

The President's Council on Recreation and Natural Beauty, in its 1968 report entitled "From Sea to Shining Sea" recommended:

Federal flood control and other water resource development programs and projects seek to retain or restore natural channels, vegetation, and fish and wildlife habitats on rivers, streams, and creeks and apply the same policy to federally assisted public and private projects affecting rivers, streams, and creeks.

The evidence and testimony at our subcommittee hearings showed that this recommendation is largely being disregarded by the Department of Agriculture in the conduct of its stream channelization.

We have received letters from many State and international agencies all across the country expressing their views on the "stream channelization" done, or planned to be done, in their State under the Agriculture Department's small watershed program. Members of Congress, and the public, will be interested in their views, and I, therefore, insert at this point in the RECORD representative excerpts from the letters we have received from those agencies, as follows:

EXCERPTS FROM LETTERS

A. INTERNATIONAL ASSOCIATION OF GAME, FISH, AND CONSERVATION COMMISSIONERS

The International Association of Game, Fish, and Conservation Commissioners feels that no individual or group has a right to unnecessarily alter the water courses or to reduce the quality and quantity of water to the extent that it affects its reasonable use by other people. * * *

Channelization, as we have seen it, appears to be contrary to the philosophy and concept established by the Congress with passage of the Water Bank Act. * * *

Numerous small watershed projects to reduce flooding have been constructed under PL 566 on which the Federal funds expended

for structural measures are in excess of the amount required to purchase the entire flood plain in fee simple. In some other PL 566 projects, the interest on Federal funds expended for structural measures, if invested at the current annual interest rate, would be in excess of the total annual flood damage claimed. * * *

The International Association of Game, Fish, and Conservation Commissioners is aware of the U.S. Department of Agriculture's Policy Memorandum No. 108. If followed, this document can be helpful but still falls far short of positive action necessary to protect our streams and stream bank habitat. If past experiences are any indicators, Policy Memorandum No. 108 will be subject to broad interpretation by the different State Soil Conservation Service authorities and can be changed without congressional action. For example, Section 8 of the Watershed Memorandum 108 states in part "Even though they may increase cost the last destructive construction techniques are to be used." If the extra cost for providing least destructive construction techniques to protect fish and wildlife result in an unfavorable cost-ratio, will not the more destructive construction techniques be utilized in order for the Soil Conservation Service to justify the project?

B. STATES

1. Arkansas Game Fish Commission

The effects of stream channelization on fisheries resources has been widely documented through scientific research and is readily demonstrable in channeled streams throughout Eastern Arkansas. Generally, we can expect losses of up to 90% of the game fish population in a stream following channelization. Losses to wildlife brought about by drainage projects stem largely from accelerated land clearing for conversion to intensive agricultural uses and timberland site transition which results from decreased ground moisture and reductions in water table levels. The justification of such an environmentally unsound program is highly questionable where agricultural lands are concerned in view of the mounting surplus of croplands in the United States.

2. Idaho Fish and Game Department

The impact of federally constructed or financially aided stream alteration on fish and wildlife habitat has long been of concern to the Idaho Fish and Game Department. Studies conducted by our Department have shown that, on the average, six times greater game fish production is obtained from undisturbed stream sections than from stream areas that have been altered through man's activities.

3. (a) Iowa Conservation Commission

We have opposed channelization of any stream or river because of destruction of fish and wildlife habitat, loss of timber, destruction of aesthetic values, and increased downstream flows.

(b) Iowa Department of Soil Conservation

In the State of Iowa the only problems that might arise with channelization would be the destruction of some gamebird habitat due to flooding of brushy areas in gullies and watercourses. There have been no problems in obtaining wildlife mitigation measures to replace these areas lost to flooding. In most cases the local people have given free easements for wildlife mitigation measures and the State Conservation Commission is paying the local cost-sharing of construction of the wildlife and enhancement measures. We have experienced no problem in Iowa with destruction of fisheries or waterfowl or deer habitat.

The Department of Soil Conservation would like to state that the Soil Conservation Service is doing an excellent job in Iowa in all areas and the only problem involved is lack of sufficient funds to furnish the type of

assistance which the local people expect and require for their soil and water conservation programs.

4. Kansas Forestry, Fish and Game Commission

In the past two decades the Kansas Forestry, Fish and Game Commission has, through licenses or memoranda of understanding, obtained operational control to certain lands for public hunting benefits on 16 of the 19 major reservoir projects constructed in this state. Development and operations of these recreational lands have been accomplished with state and Pittman-Robertson funds. At the same time, the construction agencies (Corps of Engineers and Bureau of Reclamation) have done little to mitigate significant losses to wildlife habitat resulting from project construction. Yet these same agencies tend to discount these losses by pointing with pride to the creation of other recreational benefits. Despite the existence of these benefits it must be remembered that most are the indirect result of construction and would have occurred in any event. These benefits do not in any way mitigate the irretrievable losses of stream fishery and wildlife habitat resulting from the flooding of a stream valley. * * *

This organization subscribes to the contention that channelization does result in adverse effects on the environment. These include the destruction of stream fishery and wildlife habitat, impaired aesthetic values and a period of increased erosion and siltation following the construction of channel "improvements".

Although the SCS maintains that watershed lakes, with or without stream channelization, regulate and improve downstream flows, such flows may actually be decreased during normal or drought periods as a result of project construction. * * *

Occasionally watershed and other federal water projects provide for the cropping of lands not farmed previously. As a project objective I see this as an unjustified purpose while this nation is still faced with farm commodity surpluses and has other federally financed programs that provide for reduction in croppable acreages.

5. Michigan Department of Natural Resources

It is our position that some fault and some past criticisms are due to inadequate efforts of state agencies in being a full-fledged partner. We believe opportunities are available under existing statutes and policy memoranda of Federal agencies to protect our water resources, providing we are given a chance to review them. The directive for filing "Environmental Statements" for each project receiving Federal assistance is a giant step in the right direction to bring the facts before the public and Congress as to adverse effects previously known only to a few conservationists.

6. Mississippi Game and Fish Commission

We feel that the works of the Corps of Engineers and the Soil Conservation Service have had a detrimental effect on the fish and wildlife of Mississippi. Our Commission has adopted a resolution opposing channelization of our streams because of the problems we have encountered. * * *

The clearing of this land for agricultural use has increased the amount of pesticides used to where in some areas we have lost all of our large mouth bass and crappie because of these chemicals. In some lakes the levels of DDT exceed the allowable limits set by F.D.A. regulations.

In one SCS project (Tippah River) fish population studies were done before the stream was channelized. It was found that this stream was carrying 242 pounds of fish per acre of all sizes and species of fish. Approximately two years after it was channelized we found it had only 4.8 pounds of fish per acre of which four pounds were minnows.

At the mouth of this same stream approxi-

mately 1500 acres of timber have been killed by silt from this project.

One excellent natural waterfowl area was also drained by the channel.

In other areas silt from the project has killed as much as 1000 acres of timber.

More detail should be given to water re-education rather than moving it off as fast as possible.

The maintenance and operation of mitigation measures should be as rigid as the maintenance and operation of the structures. Now it is left up to the local landowner to do as he pleases. A greentree reservoir built for mitigation in one project is cleared and growing excellent soybeans. * * *

Little consideration, if any, is given to the loss of wildlife, fish, and aesthetic values when benefit ratios are computed.

7. Montana Department of Fish and Game

We believe dredging, modifying and channeling of rivers and streams conducted by or financially aided by federal agencies is out of keeping with the times. As a matter of fact, the State of Montana enacted legislation as early as 1963 to prevent dredging and channelization of rivers.

It is our contention that channelization and dredging projects can solve local problems on a short-lived basis; however, we believe the long-term detrimental impact far exceeds the short-term benefits. Many of our water courses are valuable trout fishing streams and rivers. We believe they are worthy of protection from the bulldozer and dragline because of the recreation they provide.

8. New Jersey Department of Agriculture

We feel that project results have been highly favorable. In only one case has a fishery resource been affected and local fishermen report better fishing than before. Channel modification apparently permit sportsmen to better utilize this put and take trout stream.

9. North Dakota Game and Fish Department

In North Dakota, the biggest offender with drainage and channelization is the Soil Conservation Service, through its Small Watershed Program (P.L. 566) and technical assistance in legal drains. North Dakota is famous for its millions of small wetlands that are so important to waterfowl production as well as resident wildlife species. Through the P.L. 566 projects, many of these natural wetlands have been drained and many thousands more are in danger of being drained. Although the P.L. 566 Act provides that these projects are to be constructed primarily for flood control, many projects are designed for removing water from naturally-occurring swamps or wetlands to enhance the lands for agricultural production, with little or no consideration being given to the wildlife losses that are incurred.

Channelization in itself is destructive of wildlife habitat, but it creates a potential for destruction that is far more critical. Channels provide ready-made outlets for individual landowner drainage using private capital. Without the channel the landowner would have no place on which to drain his water except onto his neighbor below him. In most cases this acted as a deterrent, but a ready-made channel to take away his water leaves the private landowner with no compunction about draining his sloughs and marshes.

10. Oregon Game Commission

The Soil Conservation Service does afford the states an opportunity to comment on its own construction, but when involved in an agricultural assistance project to be built by others, it rarely offers the State a chance for review or comment. This phase of the federal program should be strengthened, since most of the stream channel changes or modifications are done under it. In any federally financed or assisted project that will have an

effect on fish or wildlife populations or their habitat, the fish and game management agency should have the opportunity to evaluate the program and recommend changes where needed.

11. (a) South Dakota Department of Agriculture

The over-all program has been satisfactory but we feel that an emphasis should be given to completion of the programs. The criteria for evaluated benefits on the cost ratio should be changed to get more projects started, and completed. * * *

The only changes in the stream improvement projects would be more funding and following through on the programs beyond the preliminary study stages.

(b) South Dakota Department of Game and Parks

Our Department shares the same concern as that expressed by other Conservation agencies and organizations; stream channelization is detrimental to fish and wildlife and to the ecology of bottom lands.

We disagree with the stated benefits derived from stream channelization projects, as follows:

(a) *Flood control*—benefits may be derived from flood control within project areas, however, the accelerated flow of waters increases flooding downstream from these projects. This, then perpetuates the need for more dams and/or more channelization. In addition, the drainage of wetlands into these channels only adds more water to create greater downstream problems. If work had been done to retard run-off on the headwaters, the large dams and channelization would be unnecessary.

(b) *Improved navigation*—increased sedimentation loads will certainly add to navigation problems. Dredging will become another costly operation.

(c) *Reduction in erosion*—this is doubtful. Silt is settling in stilling areas to create long-term problems. Silt comes from the uplands and erosion of stream and lakeshores. Increased water velocity will increase erosion of stream banks, unless these channels are to be concrete-lined.

(d) *Increase in water supply for nearby communities*—it is difficult to grasp the meaning of this statement of benefit. The same flow should occur in the streams, only for a shorter period of time. The faster run-off time can only result in lowered groundwater tables, therefore, less available water.

(e) *Increased recreational opportunities*—how was this determined? With less stream bottom wildlife habitat, fewer trees and fewer numbers and species of fish, the reverse will be true. Recreational opportunities for photographers and observers of nature, fishermen, hunters, mushroom-pickers, etc. can only be diminished.

(f) *More cropland acreage*—probably true, but again the destruction of stream-bottom habitat and its ecology can only mean less fish and wildlife, including both game and non-game species.

(g) *Enhanced aesthetic values*—ridiculous.

(h) *Increased income to local residents*—perhaps from the croplands, but not from other sources.

(i) *Improved fish and wildlife habitat*—this is impossible. With the statement of (f) above, coupled with the destruction of stream bottom woodlands and river meanders and pools, the reverse is true.

12. (a) Texas Parks and Wildlife Department

Stream improvement projects which have been federally financed or those being planned for construction under such programs remain a great concern of ours. The rate of alteration of our natural streams, for reservoir construction, stream channelization and navigation canalization projects result in the piecemeal destruction of fish and wildlife habitat and scenic waterways. Consequently, we feel it is mandatory that al-

ternatives to channelization and reservoir construction be considered by all agencies concerned.

We suggest, for example, that channelizing a stream to facilitate flood runoff, might be less economical than purchasing the floodplain or at least the easements to permit flooding thereon. Such an approach would eliminate the need for channelization, would prevent encroachment upon the floodplain, would help preserve the natural state of streams, and would undoubtedly reduce losses of prime wildlife and fish habitat. The wood duck and grey squirrel, for example, are almost totally dependent on a bottomland environment and the hardwoods usually found adjacent to a stream.

(b) Texas Department of Agriculture

We in agriculture recognize the necessity for high-quality water to achieve the ever-increasing yields that we expect year after year. We also have a deep feeling for the land and for the wildlife habitats that exist. Watershed projects have associated with them a cost and agricultural production has its associated price that we must pay. It is my opinion that technical advances must not be stopped because of the unwanted side effects associated with these advances. Technology has given us the degree of affluence that we enjoy today and I feel that the task that lies before us is to eliminate the unwanted side effects rather than eliminating technology.

Inasmuch as you request information on specific stream improvement projects, I should say that this Department does not have any objection to any projects that are under construction at this time. There are some projects proposed for the future whose merit we would question in light of possible detrimental environmental and other side effects.

13. Washington Department of Natural Resources

I am not completely satisfied with the procedures followed by the Corps during the initial project planning. For example, forest land reporting appears to be assigned to the Forest Service as a primary responsibility. Since many of the dams affect lands administered by the Forest Service, they naturally devote a good part of their available manpower to study the impacts flood control projects will have on lands under their jurisdiction. The Department of Natural Resources has the responsibility for fire protection and the administration of the Forest Practices Act initiated to maintain forest land productivity. Both functions apply to all State and private forest lands in the State. The State owns some two million acres of forest lands as well as a million acres of other upland property that is primarily devoted to agricultural uses. In addition, the Department manages some 2,000,000 acres of State-owned tidelands, shorelands and beds of navigable waters. I feel that the Department should have a major responsibility for interpreting the impacts of project proposals on State and private forest lands and, of course, for any impacts they have on any other State-owned lands. At the present time the primary responsibility for providing this information on State and private properties seems to lack specific designation. Currently, direct input by the Department and private owners is through comments they submit in correspondence and at public hearings rather than contributing effectively to original data compilation. This procedure does not allow equal participation by State Agencies with resource management responsibilities since the State Game and Fisheries Department submit basic information in their respective operating areas. It is essential that agencies representing all major resources have an equal opportunity to contribute to the data used for initial project evaluation. * * *

Since elk are the most important animals involved in this project, the Corps has selected prime bottom lands along the river for mitigation purposes. It is difficult to understand the justification for such action when one considers that all of the timber growing capacity on the area being flooded has been lost and, in addition to this, five hundred acres more of prime timber producing land is completely eliminated as a commercial timber producing resource. No action is proposed to replace this loss in timber production.

14. Wisconsin Department of Natural Resources

Our Department is becoming increasingly concerned with the P.L. 566 program as it moves from the severely dissected landscape of western Wisconsin to the flat-to-gently rolling lands of eastern and southeastern Wisconsin. Here stream channelization is the primary project measure applied for "agricultural water management" and flood control. In eastern and southeastern Wisconsin our concern is not only with damage to the fishery resource but more importantly with destruction of valuable wetland habitat. Some of the proposed projects and channelization efforts are: West Fork Fond du Lac Watershed—25 miles of channelization; Mauneshia Watershed—14 miles of channelization; Neenah Slough Watershed—11 miles of channelization; Bear Creek Watershed—22 miles of channelization; and Brillion-Spring Creek Watershed—1¼ miles of channelization. Some of the projects in this part of Wisconsin even propose channelization in areas acquired by our Department for preservation of wetlands.

While wetlands are important segments of wildlife habitat throughout Wisconsin they are especially important in the eastern and southeastern sections of the state. As studies are completed we find that wetlands are a more important component of the landscape than we had originally realized. They truly are an integral part of the ecology of the total watershed. Wetlands support a variety of desirable and often times unique plant life. They trap and store nutrients from runoff, thus helping to reduce lake eutrophication. They assist in stabilization of lake levels and stream flows, and they reduce stream sedimentation. They also contribute to atmospheric oxygen and water supplies. Once considered as "waste lands" these wetlands are now looked upon by regional planning commissions as vital open space areas which importantly contribute to diversity of the landscape and provide people with new recreational and educational opportunities.

Over 50 percent of the original wetland areas in 14 southeastern Wisconsin counties have already been lost as a result of indiscriminate ditching and draining (in many cases with federal financial assistance). While various proposals to protect existing wetlands and still permit channelization for the benefit of agricultural water management (drainage) and flood control have been discussed with the Soil Conservation Service, there is no assurance that our efforts will be successful. We are not only concerned with the loss of wetlands immediately adjacent to the stream, but also with the loss of wetlands some distance from the proposed channel improvement projects. Inadequate outlets previously prevented the drainage of some of these outlying wetlands and not all landowners were willing to invest in collection structures and pumping systems. With proposed P.L. 566 channelization in the vicinity, drainage of these wetlands would now be economically feasible. * * *

The original concept of the Small Watershed Program—planning for the management of soils, waters and vegetation on a comprehensive basis—was and still is generally supported in principle by most resource managers. But we question the ad-

ministrative freedom that permits the continued planning of wetlands destruction. We believe a better review and concern for all the resources in the watershed must be included in program planning.

ASSISTANCE TO AILING URBAN TRANSIT SYSTEMS AND HIGH-SPEED RAIL TRAVEL BETWEEN CITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. COTTER) is recognized for 10 minutes.

Mr. COTTER. Mr. Speaker, today I am introducing a pair of bills designed to assist ailing urban transit systems and to speed rail travel between cities.

These bills attack critical shortcomings in Federal transportation legislation. First, they give the Urban Mass Transportation Administration—UMTA—the financial flexibility to help keep essential mass transit services operating. Second, they recognize that Federal support for mass transit should be equal to Federal support for highways. Third, they recognize that without new, fast and attractive trains Amtrak will fare no better in the rail passenger business than did the private railroads it succeeded.

One bill would amend the Urban Mass Transportation Act of 1964 to increase the amount of the Federal grants authorized thereunder for mass transportation facilities and equipment and to authorize special grants to assist in the provision of transportation services during nonpeak hours.

The other bill, introduced in the Senate by my colleague from Connecticut, LOWELL WEICKER, would provide financial assistance to the National Railroad Passenger Corporation for the purpose of purchasing new, high-speed railroad passenger equipment.

The operating subsidies envisioned under the UMTA amendment would permit continuation of off-hour runs which are too costly to maintain because of low patronage, but which are essential for those people who must rely upon public transportation to get to and from work, hospitals, and other vital destinations.

In my own district, we are faced with a potential cutback in evening and weekend bus service because of the high costs of these runs. I have received mail from constituents who work at night and would be adversely affected by such curtailment of service.

My bill would give the Secretary of Transportation the needed flexibility to help people such as these.

Another feature of the UMTA amendment bill would increase the size of Federal grants for transportation equipment from 66 percent of the cost to 90 percent of the cost. I see no justification for differing levels of Federal support for highways and mass transit. If it was all right for the Federal Government to pick up 90 percent of the costs of highways there is no reason why we should not do the same for mass transportation in our cities.

The Amtrak bill gives the National Railroad Passenger Corporation \$90 mil-

lion to purchase new trains which are capable of performing at high speeds on existing railbeds. Let me be completely candid. I think we have such a train made in Connecticut, the Turbotrain which is currently operating between Boston and New York on a demonstration basis. But whether Amtrack buys Turbotrains or some other new train is not as important as whether Amtrack does indeed buy new, high-speed equipment. If it does not, then I am afraid Amtrack will share the same fate as earlier rail passenger carriers.

Having made the commitment to continue rail passenger service by creating Amtrack, I feel it is incumbent upon Congress to make it work.

At this point in my remarks, I would like to insert the texts of my bills for the benefit of my colleagues:

H.R. 9023

A bill to amend the Urban Mass Transportation Act of 1964 to increase the amount of the Federal grants authorized thereunder for mass transportation facilities and equipment, and to authorize special grants to assist in the provision of transportation services during nonpeak hours

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the fifth sentence of section 4(a) of the Urban Mass Transportation Act of 1964 is amended by striking out "two-thirds of the net project cost" and inserting in lieu thereof "90 per centum of the net project cost".

(b) The proviso in the second sentence of section 5 of such Act is amended by striking out "one-sixth of the net project cost" and inserting in lieu thereof "40 per centum of the net project cost".

Sec. 2. The Urban Mass Transportation Act of 1964 is further amended by adding at the end thereof the following new section:

"SPECIAL GRANTS TO ASSIST OPERATION DURING NONPEAK TRAFFIC HOURS

"Sec. 17. (a) In addition to financial assistance provided under section 3, the Secretary is authorized, in accordance with the applicable provisions of this Act and on such terms and conditions as he may prescribe, to make grants to assist States and local public bodies and agencies thereof in financing the provision of mass transportation service in urban areas during nonpeak traffic hours and at other times when (as determined by the Secretary) it would otherwise be economically unfeasible to provide such service. Such grants shall be in amounts not exceeding 90 per centum of the net cost of providing the service involved during such hours and at such times.

"(b) To finance grants under subsection (a), the Secretary is authorized to incur obligations on behalf of the United States in the form of grant agreements providing for payments aggregating not to exceed \$100,000,000 in any fiscal year. For the liquidation of obligations incurred under the preceding sentence there is authorized to be appropriated not to exceed \$100,000,000 for each fiscal year beginning with the fiscal year ending June 30, 1972. Sums appropriated pursuant to this subsection shall remain available under expended."

H.R. 9024

A bill to provide financial assistance to the National Railroad Passenger Corporation for the purpose of purchasing new, high-speed railroad passenger equipment

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act may be cited as the "High-Speed Rail Passenger Equipment Act of 1971".

SECTION 1. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.—The Congress finds that in order to provide the modern, efficient intercity railroad passenger service envisioned in the Rail Passenger Service Act of 1970 and to attract an increasing number of passengers to rail transportation and thereby to alleviate overcrowding of the Nation's highways and airways, the most modern, high-speed passenger equipment must be utilized as soon and as widely as possible; that the current financial resources of the National Railroad Passenger Corporation are necessarily being devoted to the maintenance and operation of existing equipment; and that, therefore, financial assistance is necessary to allow the purchase of requisite new equipment.

SEC. 2. DEFINITIONS.—For the purposes of the Act—

(1) "Corporation" means the National Railroad Passenger Corporation established pursuant to the Rail Passenger Service Act of 1970.

(2) "Equipment" means any railroad rolling stock, to include but not limited to passenger cars, locomotives or other propulsion systems, whose primary purpose is the carriage of revenue passengers.

(3) "Secretary" means the Secretary of Transportation.

SEC. 3. FEDERAL GRANTS.—There is authorized to be appropriated to the Secretary in fiscal 1972, \$90,000,000 to remain available until expended, for direct payment to the Corporation for the purpose of purchasing new equipment utilizing advanced technology to maximize speed, efficiency, and passenger comfort over existing roadbeds.

TREATING DRUG ADDICTION IS NOT AS SIMPLE AS THE PRESIDENT THINKS

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, tomorrow the President will be announcing his new antinarcotics program. It will include a proposal that soldiers returning from Vietnam who are addicts be required to undergo 3 weeks of Army treatment on the west coast. If the President believes that 3-week treatment for a narcotics addict will have any effect whatsoever upon whether he is free of his addiction when he enters civilian life, then the President and his advisers know nothing about drug addiction. It takes up to 10 days simply to detoxify someone and when he is detoxified he is still a drug addict because of his psychological and physiological drug dependency. Drug addiction among Vietnam servicemen may be galvanizing the President into action on the Nation's narcotics problems but let that action at least be thoughtfully done and not simply palliative.

According to the National Institute of Mental Health there are 250,000 drug addicts in our country. We have an obligation to provide drug therapy for everyone of these addicts to save them and to save their fellow countrymen, who want to walk the streets of our cities in this country, without fear of being assaulted by drug addicts in need of money to support their drug habits.

It is an outrage that last year this Congress authorized \$43 million in new funds to treat drug addiction and only appropriated \$6.5 million. It is essential that we fully fund the authorization for fiscal year 1972.

With respect to the veterans of Vietnam who are drug addicts and who will if not controlled "turn on" four more people, we must think of them as carriers of a contagious disease, and before they are discharged from the Army they must undergo thorough treatment to deal with their drug addiction. While I commend the Army for having instituted a program at Fort Bragg to deal with drug addiction in the 82d Airborne, and I saw that program in action, candor requires that we face the fact that that program is woefully inadequate. It is a program that lasts only 12 weeks at the maximum and the average stay for an addict—who can leave when he wants—is 4 weeks. It is simply impossible to deal with drug addiction that way.

I have introduced H.R. 8388 and other Members have similar bills with the same basic approach. These bills are designed to stop the flow of drug addicts currently being discharged from the Armed Forces.

H.R. 8388 would require that each member of the Armed Forces be examined in a military medical facility at a time near his scheduled release from active duty for the purpose of determining whether or not he is a narcotic addict. If found to be an addict, he would not be released from active duty and instead immediately be placed in either an Armed Forces hospital for treatment or in the custody of the Surgeon General of the Public Health Service for treatment in a Public Health Service hospital. The servicemen would be required to undergo treatment so long as required and would be discharged only when certified to no longer be a drug addict. Provision is made for persons able to undergo private treatment, so long as the treatment program has been approved and he reports for periodic examination at an Armed Forces medical facility.

I urge that the President, now that he has taken a personal role in dealing with the problem of drug addiction, make certain that his new program is more than rhetoric. We are dealing with the life blood of our country made up of our young men and women, who, if permitted to destroy their own lives with drugs, will ultimately destroy this country's future.

I am appending for our colleagues' consideration two articles on this subject which appeared in today's New York Times:

[From the New York Times, June 16, 1971]
ADDICTION IN VIETNAM SPURS NIXON AND CONGRESS TO TAKE DRASTIC NEW STEPS

(By Dana Adams Schmidt)

WASHINGTON, June 15.—Growing evidence of widespread drug addiction among Vietnam servicemen and veterans appears to have been the chief factor that galvanized the President and Congress into action on all the nation's narcotics problems. Congress is showing eagerness to provide laws and money as the President proposes to set up new machinery to deal with the problem. President Nixon is expected to announce this week the appointment of Dr. Jerome H. Jaffe, the 37-year-old

head of the Illinois Drug Rehabilitation System as his adviser. Mr. Nixon is also expected to create a new, overall Federal agency to combat drug abuse, of which Dr. Jaffe may be the director.

Congress, for its part, has introduced legislation to add \$10-million to Veterans Administration funds and \$160-million to National Institute of Mental Health funds for community-based drug addiction clinics.

The Senate has called on the Secretary of Defense to test all members of the military for drug addiction and to offer them the means to rehabilitation before they rejoin civilian life.

WORLD ACTION PRESSED

It has asked the President to offer countries such as Turkey, Laos and Thailand help in converting poppy fields to other crops, and it has hinted that sterner methods should be used against countries that do not cooperate in controlling the drug traffic.

It is the consensus of a number of officials of existing drug programs that these actions were spurred by mounting concern over the problem of military drug addiction. They cite the following primary areas of concern:

The prospect that thousands of veterans, trained in violence and subject to the pressures of a protracted and unpopular war, may turn to crime when they return to civilian life to support the addiction they developed in Vietnam, where narcotics are relatively cheap and readily available.

Fear of a rapid and large-scale shift among the civilian population, particularly young people, from marijuana to hard drugs, similar to what is believed to have happened in drug usage among the troops in Vietnam.

Even the Government actions now being taken will provide little more than the framework within which many problems must be solved.

The first problem is that nobody knows how many addicts there are in the military, let alone in American society.

The most widely accepted estimate is that there are 30,000 American heroin addicts in Vietnam.

MANDATORY TESTING

Steps to carry out regular urinalyses in Vietnam are now under way. These mandatory tests will supply critical information on the trends in abuse of opiates, amphetamines and barbiturates. They will identify drug users just before they are due to be released from the military.

Further delving will then become necessary, because every drug user is not necessarily an addict. Refinements in saliva and blood tests now being researched may help in this regard.

The number of civilian addicts will probably remain obscure. The Bureau of Narcotics and Dangerous Drugs has the names of 60,000 registered addicts, but that is just the beginning.

The National Institute of Mental Health puts the overall national total at 250,000 addicts. But one of its leading administrators conceded the other day that this was just a guess reached in the following manner.

Last year about 900 persons died of drug overdoses in New York City, where about half the country's total of addicts are thought to be found. Some specialists believe that an estimate of total number of addicts can be obtained by multiplying annual overdose deaths by 100. That would put a total of 90,000 addicts in New York. By doubling that figure, an estimate of 180,000 would be reached for the country.

Other specialists say the number of overdose deaths must be multiplied by 200 to determine the total number of addicts. This would lead to a figure of 360,000 for the country.

A compromise between the two calculations produces the round figure of 250,000, the estimate used by the National Institute.

PROBLEM OF FACILITIES

A second unresolved question is where to set up facilities to cope with the addicts, whether military, former military or civilian.

President Nixon has said that the military addict must be treated before he is discharged. But officers who know the problem say that the armed forces can do little more in Vietnam than to "detoxify" the men who are on drugs and try to prepare them for the longer-term treatment they need.

Even such a relatively ambitious program as has been set up at Fort Bragg, N.C., has an in-patient course that lasts only 12 weeks at the maximum. Out-patient treatment for a few hundred addicts may last considerably longer, but it is unlikely that the Army could provide years-long out-patient care for tens of thousands of men.

Some Federal drug specialists, therefore, see no alternative to working out a system of assigning military drug control addicts to civilian-operated clinics.

The Veterans' Administration, which has the nation's largest medical system, with 166 hospitals and 100,000 beds, and the National Institute of Mental Health, which has a growing network of about 300 mental health clinics, are contending for a major role in such a system.

Many of the clinics want to use methadone but are encountering local opposition from civic leaders who object because methadone, too, is addictive. The advantage is that it is cheap, can be taken once a day by mouth, is only mildly euphoric, and enables the patient to function normally as a worker or student.

NONADDICTIVE DRUGS

All psychiatrists concerned with the drug problem are intensely interested in non-addictive drugs such as cyclazocine and mazaone, which, like methadone, block the euphoric effect of heroin.

The difficulty appears to be that, because these drugs lack any euphoric effect of their own, the addict must be strongly motivated to keep up the treatment.

Dr. Max Pink, professor of psychiatry at New York Medical College, who has treated about 600 persons with these drugs since 1965, reports about 50 per cent success.

He believes that servicemen in Vietnam who are on drugs could be given cyclazocine or nalaxone, and routinely returned to duty. He believes the non-addictive drugs could be used as a prophylactic, much as men in some areas were obliged during World War II to take a daily pill of atabrine to protect them against malaria.

RECALCITRANT ADDICTS

Another problem is what to do with recalcitrant addicts. To keep them under military discipline after the end of their term of service opens questions of constitutional rights and military law.

Against the possible plea that a man has a constitutional right to freedom at the end of his term of service the Army has a regulation, thus far unused and untested, according to which time lost as result of abuse or drugs or alcohol need not be counted toward discharge.

Theoretically, therefore, a man's service time might be considered suspended from the time he began treatment until, months or years later, he was considered cured. If he refused to cooperate with his clinic, he would be subject to military police action.

With veterans returning from Vietnam in increasing numbers, it is feared, heroin may soon invade towns in "middle America" that hitherto have been almost free of it.

In the opinion of one Federal specialist, "Each addict makes at least four more. He cannot bear his habit alone and is sure to seek recruits even if he is not himself the pusher. This is the emergency we now face." "When I contemplate the danger," this specialist added, "I almost feel like begging the kids to stay on 'pot.'"

[From the New York Times, June 16, 1971]
NIXON TO ASK AID FOR GI ADDICTS—HIS PROPOSAL WOULD REQUIRE 3 WEEKS OF TREATMENT
(By Robert B. Semple, Jr.)

WASHINGTON, June 15.—President Nixon's new antinarcotics program, scheduled to be unveiled at the White House Thursday, will include a proposal that servicemen who have become addicted to drugs in Vietnam be requested to undergo three weeks of mandatory treatment at West Coast rehabilitation centers, informed Government sources disclosed today.

The proposal, these sources said, would require Congressional approval because it would compel at least some servicemen to remain under military jurisdiction beyond the expiration of their term of service.

The three-week rehabilitation program, the sources said, would be preceded by a series of tests to determine the extent to which a man is addicted and by a seven-day "detoxification" period in Vietnam.

After the three-week program, the serviceman would be allowed to leave the Army, assuming his tour of duty had expired, but further treatment in hospitals of the Veterans' Administration would be made available.

The compulsory features of the Nixon rehabilitation proposal would take it one step beyond an amendment to the draft bill recently approved by the Senate. That amendment would simply require the armed forces to "offer treatment and rehabilitation to servicemen identified as addicts."

OTHER ELEMENTS OF PLAN

Other major elements of the President's proposal disclosed by Government sources today were the following:

The plan would reestablish an agency called special Action Office for Drug Abuse Prevention. The agency would combine the present drug abuse functions of seven domestic agencies, mainly engaged in research and education, the Law Enforcement Assistance Administration, the Office of Economic Opportunity, and the Veterans Administration.

The director of the new agency will be Dr. Jerome H. Jaffe, a noted Chicago pharmacologist whose use of methadone as a cure for heroin addiction has gained widespread recognition. He will report directly to the President, but will not have direct control over the antinarcotics activities of the State Department, the Departments of Defense, and the enforcement activities of the Bureau of Narcotics and Dangerous Drugs.

The White House is said to be giving serious thought to appointing another person with powers only slightly less than those of Dr. Jaffe's to supervise the Government's overseas antinarcotics activities, including plans to encourage crop diversification and stronger enforcement in drug-producing nations such as Turkey, South Vietnam, and Thailand.

The sources reported that the White House is considering naming a former Representative to the post, possibly William Cramer, Republican of Florida.

The proposal to establish a central office in the White House resembles in many respects a proposal introduced in the House by Representative James H. Scheuer, Democrat of the Bronx, and in the Senate by Senator Edmund S. Muskie, Democrat of Maine. The Scheuer bill would have named one person to oversee and coordinate the entire range of Government drug control and rehabilitation activities.

MORE ON JERUSALEM

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, on June 10, 24

prominent Catholic, Protestant, and Evangelical leaders made public their support of the reunification of Jerusalem under Israeli jurisdiction and declared their confidence in Israel's capacity to supervise the holy places in cooperation with Christian and Moslem bodies. It is a superb statement and particularly important because it was issued by Christian leaders "concerned about peace and justice for all in the city of Jerusalem." The statement follows:

STATEMENT OF CONCERNED CHRISTIANS ADOPTED AT EMERGENCY CONFERENCE ON JERUSALEM AND ISRAEL

As Christians concerned about peace and justice for all in the city of Jerusalem, we wish to take issue with recent statements in the general and church press which speak of the "Judaization" of the Holy City and the "evacuation" of its Christian and Muslim population. These statements also call for the "internationalization" of the entire city as a remedy for these alleged evils. Our purpose is to contribute to the debate provoked by these statements considerations we believe to be essential to a full and accurate perspective on these issues.

Our inquiry into the question of public housing in the Old City and environs has convinced us that the construction of these buildings is a legitimate effort on the part of the Israeli government to effectuate a renewal of certain slum areas of the City, to rehouse in new apartments Arabs from these quarters, to provide living space for a Jewish population increased by immigration, and to re-introduce a Jewish presence into the Old City from which it had been forcibly barred after the war of 1948. The development plans are in no sense designed to oust the Arabs, nor to "suffocate" the Christian and Muslim population. While we are concerned about the sacred character of the City, we believe that this housing is sufficiently removed from the holy places to avoid the charge of diminishing the sanctity of the City.

We believe, further, that the claim that the Christian-Arab population is diminishing in Israel is incorrect. Since the end of the 1948 Arab-Israeli war, the Christian and Muslim population of Israel has more than doubled. The trickle of Christian emigration has not affected this upward trend. In Jerusalem, the non-Jewish total (Christian and Muslim) has increased steadily in the last three years. The question of emigration should be judged in contrast with the actual exodus of many Arab Christians from Arab countries, particularly from Lebanon and Egypt.

It is apparent to us that internationalization of the entire City of Jerusalem is no longer a viable solution to the problem of conserving the peace, security and sacred character of the City and its Holy places. Since both Israel and Jordan are adamantly opposed to the plan, it is unworkable. Further, the behavior of the government of Israel with respect to the Holy places has been exemplary. It has achieved the main purpose of internationalization, which is to provide protection and free access to the Holy places for all. Moreover, internationalization proposals go far beyond this protection and free access—the chief goal of religious groups—and therefore must be considered a political rather than a religious concern. We recall with regret that no Christian bodies or national governments expressed concern about the denial of access for all Jews, or for Christians and Muslims in Israel, to their holy places during the Jordanian administration of the Old City. The same can be said about the desecration of cemeteries and synagogues during this period.

Should Jerusalem be internationalized at

this point in history? The internationalizing body (the United Nations) now includes a large proportion of officially atheistic countries, or countries with no interest in or ties to the holy places of Christianity, Judaism, or Islam. Internationalization has never worked and the world has had its fill of divided cities. Both alternatives, internationalization and division, are undesirable.

There are many other possible formulas, short of internationalization of the city, which would better serve the aim of protecting the holy places. We believe that the choice of the best method should be left to negotiations carried on at the peace table between Israel and Arab countries. At that point the Christian churches, synagogues and mosques can voice their opinions as to the particular needs of their communities and properties in the area.

We are encouraged by such creative efforts as those already initiated by Israeli officials with Christian ecumenical and Arab civic leaders for special jurisdictional arrangements over the holy places and Arab areas of Jerusalem. On the other hand, we regret all interventions that fail to take into account the political rights and sovereignty of the State of Israel.

The signers of this statement speak in their own name and do not necessarily represent organizations or institutions to which they are attached.

SIGNATORIES

Rev. Karl Baehr, Garden City Community Church, Garden City, N.Y.

Mrs. Claire H. Bishop, Editor of *Jesus and Israel*.

Father John G. Donohue, Catholic-Jewish Relations Committee of the Archdiocese of New York.

Dr. A. Roy Eckhardt, Professor of Religion, Lehigh University, Bethlehem, Pa.

Rev. Nancy Forsberg, The Clergy Association of Union, New Jersey.

Father Edward H. Flannery, Institute of Judeo-Christian Studies, Seton Hall University, South Orange, New Jersey.

Dr. Charles Fritsch, Professor of Hebrew and Old Testament Literature, Princeton Theological Seminary, Princeton, New Jersey.

Rev. William Harter, First Presbyterian Church, Margaretville, New York.

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Abbot Leo Rudloff, Benedictine Monk, Vermont.

Father John B. Sheerin, C.S.P., The Catholic World, New York City.

Sister Katherine Hargrove, Manhattanville College, New York City.

Rev. Chester Hodgson, United Methodist Church, Freeport, New York.

Rev. Lester Kinsolving, Episcopalian Columnist, San Francisco, Calif.

Dr. Andre Lacocque, Chicago Theological Seminary, Chicago, Ill.

Dr. Franklin Littell, President, Christians Concerned for Israel, Philadelphia, Pa.

Mrs. John Oesterreicher, Judeo-Christian Studies, Seton Hall University, South Orange, New Jersey.

Dr. Bernhard E. Olson, National Conference of Christians and Jews, New York City.

Dr. Elwyn Smith, Temple University, Philadelphia, Pa.

Sister Rose Thering, Institute of Judeo-Christian Studies, Seton Hall University, South Orange, New Jersey.

Sister Ann Patrick Ware, Assistant Director, Committee on Faith and Order, National Council of Churches, New York City.

Dr. George Williams, Harvard University, Cambridge, Mass.

Dr. Michael Zeik, Marymount College, New York City.

CONGRESSIONAL ACTION NEEDED TO LIMIT THE DISTRIBUTION OF FBI RECORDS

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, in today's Washington Post there is a report that U.S. District Court Judge Gerhard Gesell has directed that the FBI must stop the distribution of arrest records from its identification files outside the Federal Government except for law enforcement purposes. Judge Gesell also called on Congress to set a national policy governing FBI records which would include adequate administrative safeguards.

There is now pending before the Government Operations Committee my bill, H.R. 854, which has as one of its protections a provision that no Government agency could disclose information from its records except with the consent of the individual or when legally required.

I would like to bring to the attention of our colleagues the other protections of that bill. They are:

First, notify the individual that such a record exists;

Second, notify the individual of all transfers of such information;

Third, maintain a record of all persons inspecting such records;

Fourth, permit the individual to inspect his records, make copies of them, and supplement them.

Exceptions would be made in cases specifically required by Executive order to be kept secret in the interest of national security or for cases awaiting prosecution. The President would be required to report to the Congress each year on an agency-by-agency basis the number of records withheld for the above reasons.

H.R. 854 now has 128 House sponsors. On the Senate side this bill has been introduced by the distinguished junior Senator from Indiana (Mr. BAYH) as S. 975 with six Senate sponsors. H.R. 854 has been sent to the Foreign Operations and Government Information Subcommittee of the Government Operations Committee and I hope that hearings will be held shortly. The need for these safeguards is demonstrated every day.

The Washington Post article follows: COURT BARS FBI DATA TO EMPLOYERS, BANKS (By Sanford J. Ungar)

The FBI must stop distributing arrest records from its vast identification files outside the federal government except for law enforcement purposes, a federal judge ruled here yesterday.

The practice of disseminating individuals' records to employers, banks and others who currently receive them, said U.S. District Court Judge Gerhard A. Gesell, "may easily inhibit freedom to speak, to work and to move about in this land."

Ruling on a lawsuit that has been pending in the federal courts for three years, Gesell also called on Congress to set a national policy governing FBI records with "adequate sanctions and administrative safeguards."

"With the increasing availability of fingerprints, technological developments and the enormous increase in population," the judge said in a 17-page opinion, "the (FBI identification) system is out of effective control." Gesell warned that "the overwhelming

power of the federal government to expose must be held in check."

The judge's decision was prompted by the arrest of Dale B. Menard in Los Angeles on August 10, 1965.

Then a 19-year-old student, Menard was held for two days on suspicion of burglary but never charged. He sought unsuccessfully to have his arrest record expunged from the files of the Los Angeles police and the FBI.

He was supported by the American Civil Liberties union in the suit.

He brought the lawsuit charging, among other things that his chances for employment were jeopardized by the FBI's standard policy of distributing arrest records to any agency or office that contributes fingerprints to the Bureau.

Menard initially lost the case in federal District Court here, but that decision was overturned by the U.S. Court of Appeals a year ago.

Gesell in yesterday's opinion, denied Menard's request that all records of his arrest be expunged from the FBI files, finding that the Los Angeles police had "probable cause" for the arrest.

But the record "may not be revealed," the judge said, "to prospective employers except in the case of any agency of the federal government if he seeks employment with such agency. (It) may be disseminated to law enforcement agencies for law enforcement purposes."

Although Gesell found that the Identification Division of the FBI has carried out its work in a responsible, meticulous manner," he complained that "the end result is most unsatisfactory."

Most troublesome, he said, "is the fact that the Division has little opportunity to supervise what is actually done with the arrest records it disseminates."

During the trial on the Menard case last month, government witnesses testified that individual states regulate the use made of the arrest records once they leave FBI headquarters here.

Only in rare cases, it was pointed out, did the disposition of a case—whether it resulted in a conviction or acquittal or was dropped before trial—get added to the arrest record in the FBI files.

But rather than in the federal courts, Gesell said, efforts to have records expunged should be brought in the state courts governing the area where an arrest occurred.

Citing the fact that the FBI identification files will soon be computerized for distribution through the states, Gesell wrote of "a pressing need to preserve and redefine aspects of the right of privacy to insure the basic freedoms guaranteed by this democracy."

If government information "is misused to publicize past incidents in the lives of its citizens," he said, "the pressures for conformity will be irresistible."

"Initiative and individuality can be suffocated and a resulting dullness of mind and conduct will become the norm," Gesell warned.

Assistant U.S. Attorney, Joseph M. Hannon, who argued the Menard case for the government, said last night that Gesell's opinion would be "carefully considered" by the Justice Department before a decision is made whether to appeal.

"LEAD POISONING: WHY DO WE LET IT GO ON?"

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, the back-

ground information on the legislation in eradicating lead poisoning should be better known to the public. The man who is most responsible for bringing this problem to the attention of the Congress and securing the enactment of the Lead-Based Paint Elimination Act during the 91st Congress, is our distinguished colleague from New York (Mr. RYAN).

Unfortunately, while our colleague has done a splendid job, the Appropriations Committee has failed to follow through and consequently this fiscal year not a single dollar has been appropriated to fund the \$10 million authorization for the program's first year.

The newspaper reporter who has done an exemplary job in alerting the public to the crisis of lead poisoning is Jack Newfield. The 400,000 children of this country who will be poisoned this year and those who will suffer in the future have as their major spokesmen and protectors, WILLIAM F. RYAN in the Congress and Jack Newfield in the press. I want to commend them both and bring to the attention of our colleagues a column which appeared on the Op Ed page of today's New York Times authored by Jack Newfield:

LET THEM EAT LEAD (By Jack Newfield)

Lead poisoning is a small thing, a little horror compared to the Vietnam war, or the fact that parts of Brownsville look like Laos, or the moon.

There are no marches on Washington to protest lead poisoning, no theatrical threats of violence by its victims, no guest shots by its chic critics on Dick Cavett.

Last month, on May 20, a Senate-House conference killed the last chance to appropriate a meager \$5 million this fiscal year for lead poisoning treatment and prevention. The next day the deed was not noticed by any New York newspaper or television station. It seems that nothing is real to the media until it reaches the white middle class, like heroin addiction, or unemployment. Then it is a crisis.

But the little horror of lead poisoning is the special prism through which we can see, with piercing clarity, the rainbow of larger horrors—racism, decaying cities, inadequate health care, bureaucracy and demented priorities.

Lead poisoning is an environmental disease of the urban ghettos. Children, usually between the ages of one and six, get it by eating the sweet-tasting chips of peeling tenement walls, painted a generation ago with leaded paint.

According to the Department of Health, Education and Welfare, 400,000 children are poisoned each year, about 30,000 in New York City alone. About 3,200 suffer permanent brain damage, 800 go blind or become so mentally retarded that they require hospitalization for the rest of their lives, and approximately 200 die.

The tragedy is that lead poisoning is totally man-made and totally preventable. It is caused by slum housing. And there are now blood tests that can detect the disease, and medicine to cure it. Only a lack of purpose sentences 200 black children to die each year.

When 200 white children died of polio it was called a national epidemic, and all our scientific resources were galvanized to find a cure. But 200 black children are invisible, and nobody wants to know their names.

On Dec. 31, 1970, Congress passed the Ryan-Kennedy Bill, which authorized \$30 million in Federal grants to combat lead

poisoning. On Jan. 14 of this year, President Nixon signed the Lead Paint Poisoning Prevention Act.

But then nothing happened. Although the bill authorized \$10 million for fiscal 1970-71, and \$20 million next year, H.E.W. Secretary Richardson refused to ask Congress to appropriate the money. The President did not mention lead poisoning in his annual health message to Congress; Secretary Richardson did not mention it in his budget testimony before various committees.

Last month the Administration submitted its second supplemental appropriation bill, a \$6.8-billion package of extra money requests for this fiscal year, which ends on June 30th.

The bill included funds for every special interest: \$3.5 million for dairy and beekeeper indemnity; \$166 million for defense; \$80 million for maritime subsidies; \$16 million for highway beautification; and \$275 million for the highway trust fund.

But not one cent for lead poisoning, even though Congress had already authorized \$10 million. Representative Bill Ryan and Senator Ted Kennedy tried to break tradition and add \$5 million for lead poisoning, even though the Administration and the committee barons didn't want it. It was on May 20, in the clubby secrecy of the Senate-House conference, that this \$5 million was eliminated from the budget.

René Jules Dubos won a Pulitzer Prize for his book, "So Human An Animal." Last year, at Rockefeller University, he concluded a speech on lead poisoning with these words: "This problem is so well defined that it may provide an occasion to introduce a kind of social accounting... if we do not act on this limited problem, then I believe that our society is intellectually and morally dishonest in talking about improving social conditions. If we with all our technological means, are not willing to make the effort to eliminate lead poisoning, then our society deserves all the disasters that have been forecast for it."

Government policy is not an abstraction. It has specific human consequences. Bureaucrats and politicians may conduct cordial meetings in comfortable offices in Washington, and decide not to spend any money on lead poisoning.

But those crisp, impersonal decisions kill other people. Clerks can be held accountable for genocide just as well as generals.

Lead poisoning is a preventable disease. Congress has made a law, but Secretary Richardson won't implement it.

And so small, black children, in Watts, in Buttermilk Bottom, in Bed Stuy, will eat paint chips, vomit, tremble with convulsions, slip into a coma, and die.

HIGHWAY DEATHS FAR GREATER THAN VIETNAM

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, according to the National Safety Council, over 55,000 people died, 2 million people were injured, and over \$8 billion in property damages were sustained as a result of traffic accidents on the Nation's highways last year.

Throughout the decade of the sixties, 475,000 men, women and children were killed, over 17 million were injured and \$90 billion in economic damages were sustained.

This is an appalling squandering of lives and treasure. The gravity of the sit-

uation is illustrated by the fact that highway deaths outnumbered combat losses in Vietnam over the same period by a margin of 10 to 1.

To me, one of the most disturbing aspects of these tragic statistics is that problem drinkers were a factor in almost half of all highway mishaps in which a death resulted. This frightening correlation was highlighted not long ago in a speech by Secretary of Transportation John Volpe to the Forum on Traffic Safety Alcohol Countermeasures for Women's National Organizations here in Washington.

The talk portrays the complexity of the alcohol and highway safety problem and includes a plea for women's organizations to become a lobbying force for life to assure action to improve highway safety.

I commend these remarks to my colleagues:

EXCERPTS OF REMARKS BY JOHN A. VOLPE

There can be no permanent, total solution to the problem of highway safety until we do something about the habitually drunken driver. Getting control of this mindless menace is just as important as making safer cars and better roads.

It is a fact that alcohol is involved in 50 to 60 percent of highway fatalities, causing at least 30,000 deaths and 800,000 crashes every year.

It is a fact that problem drinkers, not social drinkers, cause at least two-thirds of these deaths.

It is a fact that the seven percent of drivers who cause 50 percent of the deaths can be identified, can be apprehended, can be controlled.

So there is no excuse for not sweeping them off the roads right now. President Nixon boldly seized the leadership in this issue last year and recommended that Congress give the highest possible priority to control of drunk drivers. He requested and we received from Congress an additional \$40 million for fiscal year 1972 and \$70 million for fiscal 1973 (as part of the 1970 Highway Act) to bolster our alcohol programs—which I will describe in greater detail in a few moments. But first, let's take a look at our approach. Let's identify our target.

Some people have the notion that we are after the hide of ordinary social drinkers—the 80 percent who have just one social drink and then drive home. It is not so. The ones we are after—right now—are those who cruise around the streets with point ten percent blood alcohol levels—and higher. They, in our opinion, are drunk. Too drunk to drive. Too drunk to be depended upon. But not too drunk to kill innocent people. And the tragic fact is, they constitute only 5 to 7 percent of the driving public. How tragic! That these few can kill and maim so many!

These are the ones we must identify, treat, and control. That isn't as hard as it sounds. These habitual drunks are well-known in their communities. They often have multiple arrest records. They have been under treatment. They are bad employment risks. They are well known to their neighbors, to welfare agencies, and to local traffic courts.

Once we have identified these alcoholic menaces in our midst we must then weed them out through selective licensing and stiffer enforcement. You and I have to mobilize and enlist public support among the pace-setters, opinion-makers, and trend-setters in our local communities. This is basically a job for local government to do.

It absolutely cannot be accomplished simply by exhortations or money from Washington. It can be accomplished, however, with the dedication and concern I know we can expect from organizations such as yours.

I hope that in your states and communities you ladies will keep hammering home the sad fact that twice as many Americans died last year in crashes where intoxicants were involved as were murdered. And that twice as many innocent passengers, drivers, and pedestrians were killed by inebriated drivers as by rapists, thieves, and all other criminals combined.

I hope you will remind the public that alcoholic drivers destroyed six times as much property last year as was lost in all the robberies, arsons, and burglaries put together.

You should reiterate the astonishing truth that more adults were convicted of drunken driving than of murder, rape, assault and burglary.

You should tell influential state lawmakers that according to the Stanford Research Institute, if only 20 percent of drivers lost their licenses, the accident rate would go down as much as 80 percent! These are the facts that can wake people up and make them demand an end to this carnival of carnage on our public ways.

I wouldn't blame you for a little skepticism about the prospects. We all face a tough job. But certain European countries have already proven that alcohol countermeasures work. In Sweden, for example, only 10 percent, rather than 50 percent, of all fatally injured drivers are impaired by alcohol at the time of their accidents. In Britain fatalities and injuries are down by 35 percent in the hours between 10 p.m. and 4 a.m. when most alcohol-related crashes occur.

How did they do it? The answer is simplicity itself. If you are caught drunk while behind the wheel—and breathalyzer tests are taken to prove it—there is mandatory loss, suspension or restriction of your license. In Sweden and England there is no license to kill. And the law is backed up by severe social penalties—the drunken driver is "bad news" in his community. Period. People ignore him. He is ostracized. He isn't glorified by night club comedians. He's known for what he is—a potential killer.

We in this country can do the same.

I can assure you that the Department of Transportation will cooperate with State Governments and local law enforcement agencies in every way we can to help. We are already doing so in our community demonstrations known as Alcohol Safety Action Programs (ASAP). The first nine of 86 programs are already in operation, with a budget of 18 million dollars and three basic goals:

- (1) To identify the problem drinkers.
- (2) To determine the extent of his drinking and dispose of his case.
- (3) To keep him from ever getting behind the wheel—drunk—again.

I think the public will gladly support these progressive measures. They do not penalize the social drinker. They are not an attempt to impose moral standards across the board, as in prohibition days. Can we succeed? The answer is that we don't have any choice.

The number of vehicle miles driven may double in the next ten years. Therefore, alcohol countermeasures must be twice as effective over the next decade if we are even to hold our own, let alone solve the problem. And to reduce our death rate in half we will have to quadruple our present efforts.

We have to educate the public. We have to build a wave of public resentment against these losses which in financial terms alone amount to 16 billion dollars every year. We have to put that pressure on state legisla-

tures and highway departments. We absolutely must dry out or control the 7 million heavy drinkers and alcoholics who persist in driving. Their present freedom to murder innocent people is absolutely intolerable in a civilized society.

President Nixon has issued a great challenge to the people of this country—to be a nation of builders who can unite to solve problems with common sense and tolerance, with technology and tenacity, with vigor and good will.

I know we can do so with your dedication and persistence. In fact, I will go out on a limb and make a prediction—that with safety automobiles, better highways and strict control of irresponsible drivers, we will see a decrease of 10,000 in the highway death toll by the end of 1973.

And let me say again what you—as citizens—can do specifically to bring this about. Be aware. Be experts on individual state highway safety programs. Write to your Attorneys General and local law enforcement people. Call them. Ask what they're doing to get the drunk off the highway. Ask how you can help. Put them on the spot. If they slack off let them know you think more ought to be done—and let us know too.

If that doesn't work insist upon talking with the Governor. It can be done! As a former governor, I know full well the power and influence of strong-willed, civic-minded women! Meet with the legislative chairmen of highway safety committees. Go to State Supreme Judicial Councils. Be gadflies. Be activists. Be tenacious. Be sincere. Never let go.

I've learned in Washington that programs without commitment from the citizens, don't go very far. What I'm really asking you is this: To become a people's lobby for highway safety. Your insistence on action will ensure the success of this program. You'll be lobbying for the most precious thing the good Lord gave us. You'll be lobbying for life.

THE 1968 FEDERAL GUN CONTROL ACT CAUSES A SHOOTING

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, when a law intended to reduce the shooting of human beings with firearms begins to cause such shootings, it is shockingly obvious that such a law frustrates its own purpose. When this happens, such a law becomes a public menace rather than a public safeguard.

A tragic episode involving the critical wounding of a young man of good record by enforcers of the 1968 Federal Gun Control Act who invaded his home only a few miles from our National Capital now serves to underscore and emphasize what many of us have known or feared all along—that this so-called Gun Control Act can have a deadly, disruptive effect upon our society rather than protecting it as it was supposed to do.

The young man who was shot on June 7, 1971, Kenyon F. Ballew, of Silver Spring, Md., was 27 years of age; an honorably discharged Air Force man, a Boy Scout leader for some years, a Life Member of the National Rifle Association, a collector of guns and historic memorabilia and tropical fish, a black-powder shooter and archer, a member in

good standing of Local 6, International Printing Pressmen, AFL-CIO. He had never in his life been convicted of any crime. As one of his coworkers in the pressroom of the Washington Star said:

He was a good one, even wore his hair crewcut.

At the time that this young man was shot down with a bullet in his head in the living room of his home, he had just picked up a replica of an 1847 cap-and-ball revolver in response to the cries of his young wife that someone was breaking in. Someone did indeed break in. What was later described as an 85-pound battering ram was used to crash through the metal door of the Ballew apartment, springing the lock. The first two men to rush in were bearded hippy types in civilian clothing, one in a yellow sweat-shirt, the other in a striped sport shirt, with guns in their hands. These men, we are told, wore law enforcement badges somewhere on their persons. Somewhere outside, we are told, were uniformed policemen. If so, Mrs. Ballew, fresh from a bath and scantily clad, says she saw nothing of this. She is quoted:

If they hadn't looked like hippies, nothing would have happened.

But they did look like lawless intruders and the young wife screamed to her husband that someone was breaking in. What else would any frightened housewife have assumed in the Washington environs?

Ballew got out of his bathtub in response to what any normal, self-respecting American male would instantly and instinctively respond to—the alarmed cries of his wife. He did what any normal, self-respecting male would do under the circumstances as he saw them—picked up the first arm that came to hand. Please note that it was to be used for defense in the protection of his home.

According to the raiding party, Ballew fired first, one shot that hit nobody. According to his wife, he was hit in his own living room at a range probably not exceeding 20 feet by one of a salvo of bullets variously reckoned at five to seven. At the time, he had not been served with a warrant nor confronted by anyone properly identifying himself as a law officer; this, in the United States of America, where the rights of the citizens supposedly are protected.

The bullet pierced his brain and destroyed most or all of the left brain lobe. If he lives, physicians say his right side will be paralyzed and his mentality will be gravely impaired.

Subsequently, it developed that the search warrant carried by the raiding party was taken out by investigators of the Alcohol, Tobacco and Firearms Division of the IRS on third-hand information; a truly shocking and incredible procedure.

This entire tragic incident is inexcusable. If this is the procedure of ATFD investigators, no man's home or his person is safe. There can be other tragic instances. In fact, there have been other instances less dramatic than the Ballew tragedy, but equally unacceptable, in which ATFD investigators have acted

more like the Gestapo than like Federal agents. It is time for a full investigation into the type and amount of training given ATFD investigators in legal procedure, including search and arrest, and in the safe and proper handling of firearms. The Treasury Department is guilty of dereliction, in that incidents like this have occurred. There should be prompt and realistic remedial action.

I opposed the 1968 Gun Control Act because I considered it a questionable piece of legislation, hurried through in a highly emotional atmosphere, in language which could do more harm than good. The Ballew incident and others of like nature confirm my apprehensions. The best interests of the American public require a careful second look at this measure and at all aspects of its enforcement.

AMERICAN VETERANS COMMITTEE—25TH ANNIVERSARY

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, this year marks the 25th anniversary of the founding of the American Veterans Committee, an organization which has placed as its highest goal the bettering of the lives of all Americans. Rejecting parochial concerns and interests, the AVC premise lies in the motto "citizens first, veterans second."

In the immediate post-world War II years, the American Veterans Committee served as the first training ground in organizational and political activities for many men and women who have since gone on to positions of leadership in community and national life. AVC has been, from the beginning, a tremendously effective organization. Today, it includes many veterans of Korea and Vietnam, as well as those of World War II.

One area of special endeavor by the American Veterans Committee has been unyielding support for civil rights legislation. Racially integrated from its inception, the AVC has gone far beyond the mere enactment of laws, to demanding as well that these laws be aggressively enforced, that government officials at all levels put into practice the principles of equal and equally enforced civil rights for all. Many amicus curiae briefs were filed by AVC lawyers in the major civil rights court cases of the 1950's and 1960's. The AVC also was vitally involved in the exposure of racial discrimination which, in the years immediately following World War II, worked against the interests of nonwhite veterans seeking benefits under the GI bill of rights. In the same regard, forcefully, on all subjects touching on discrimination, such as offbase housing for servicemen.

Similarly, the AVC has been in the forefront of the fight for civil liberties for all. It has become the trend in recent times to speak out against "McCarthyism"—the tactics employed by the late Senator Joseph McCarthy of Wisconsin in his blatant disregard for civil liberties. But that is not the way it was

when Senator McCarthy was at the zenith of his power. In that period, few had the courage to cross him, or to call him to account for his actions. Exceptional for its day was the policy of the AVC, which called for his censure as far back as 1950. Since that day, and before, the AVC has continued to fight against McCarthyism wherever and whenever it has appeared.

These concerns for civil rights and civil liberties culminated last year in a major national conference on "The Human Rights of the Man in Uniform," sponsored by the AVC, which examined an area where guidelines are vague and often nonexistent. Much of the current debate on these particular questions derives from the concern occasioned by that particular conference.

In the broader field of military and veterans' policy, AVC has also been a leader. The National Conference on the Draft, sponsored by the AVC in 1966, brought to national attention many of the controversial aspects of the draft currently under debate throughout the land.

In the matter of veterans' affairs, the AVC as far back as 1952 was calling for a total reexamination of the veterans' benefits programs. Out of this evolved appointment of the so-called Bradley Commission, under the Eisenhower administration, in 1955. Gen. Omar Bradley, Chairman of the Commission, studied the policies of every veterans' organization in the country, and was forced to the conclusion—as he later declared in a letter to the leadership of the AVC:

I wish all veterans would take your motto of "Citizens First, Veterans Second."

The Commission report of 1956 gave full endorsement to the "citizens first" philosophy.

The major concern of the AVC is, as it has always been, the search for lasting peace. It was a moving spirit in the creation of the World Veterans Federation, one of the largest of international nongovernmental organizations in existence, embracing some 20 million veterans in scores of countries. The purpose of the organization has nothing to do with furthering the national policies of any country. Rather, it stands for a common commitment to a better world. For 20 years, AVC has played a leading role in this unique international endeavor.

For 25 years the American Veterans Committee has adhered to the spirit of humanism and human concern which war so flagrantly flaunts. Its members deserve our admiration and our thanks. They have served well in peacetime the principles of freedom and democracy which they so well served in battle. Hopefully, their efforts, and the efforts of like-minded people throughout this Nation, will prevail and we will have peace and attention, finally, to the urgent needs of our Nation at home.

POTOMAC RIVER POLLUTION

(Mr. MITCHELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MITCHELL. Mr. Speaker, pollution of the Potomac River which runs through this Capital City is a cause for embarrassment and dismay to all residents of the affected areas as well as all citizens of this country. If we are to fulfill the commitment we have made to restore our Nation's environment, there is no better place to undertake that effort than the Potomac River itself. The Potomac may be lacking in the folklore and the majesty of the Mississippi or the Colorado Rivers, but symbolically it remains national in its importance. Ridding the Potomac of the pollutants that mar its beauty and usefulness to us could well serve as a national example in the fight to preserve our environment.

I am introducing today, on behalf of the entire delegation from the State of Maryland, a resolution requesting the Board of Engineers for Rivers and Harbors to conduct detailed studies of the mine drainage problem in the North Branch of the Potomac River Basin. The Secretary of the Army, acting through the Chief of Engineers, shall make a full and complete investigation and study of the problem of acid mine drainage in the North Branch of the Potomac River Basin, and, as soon as practicable, report to Congress possible solutions for the abatement of such problem, together with recommendations.

For over the past century, we have been indifferent to such mine drainage, drainage which has been the primary cause of the deterioration of the upper reaches of the Potomac. In recent years there has been a significant increase in the degradation of the river resulting from mine drainage; however, projected needs for the Potomac over the next 50 years show a dramatic increase in demand, necessitating further use of the polluted north branch.

More than 40 miles of the main stem of the river and approximately 100 miles of tributary streams are virtually devoid of aquatic life at the present time. Pollution from the active and abandoned mines in Maryland and West Virginia that are contributing acids, alkalies, and mineral salts to the river must be satisfactorily controlled if we hope to preserve this section of the Potomac for aquatic life, wildlife, recreation, and industrial and municipal purposes.

The Maryland Department of Natural Resources has been authorized and directed to develop a program to abate drainage from the abandoned mines in the State which are polluting the river. The authorization sought in the resolution I am offering today is similar to that which has already been granted to study comparable acid mine drainage problems in the Susquehanna River Basin. Such a study by the Corps of Engineers would augment the determinations previously made of the costs and benefits of specific technologies and their appropriateness to the present and anticipated conditions within the basin plus identifications already made of watersheds receiving the bulk of the mine drainage.

It would also take us another step along the way to a cleaner Potomac and a cleaner America.

BILL TO PROTECT THE CONSTITUTIONAL RIGHTS OF THE ALLEGED MENTALLY INCOMPETENT

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, today, June 16, 1971, I am introducing a bill for the fifth time, designed to protect the constitutional rights of individuals committed to Federal institutions on a charge of mental incompetency or insanity. The bill is similar to the one which I submitted in the 88th Congress and is identical to the one I submitted in the 89th, 90th, and 91st Congresses.

This bill has drawn a favorable recommendation from the Judicial Conference of the United States and its major provisions have been supported by the New York City Bar Association.

In essence, the bill would amend chapter 313 of title 18, United States Code, with respect to the constitutional rights of mentally incompetent or suspect persons committed thereunder. The proposed amendments to 18 U.S.C. 4244, contained in the bill would:

First, require that a preliminary motion for a judicial determination of the mental competency of the accused to stand trial be supported by a sworn, written statement based on personal observation by a responsible adult, as to the mental condition of the accused;

Second, require a hearing on the preliminary motion, at which the accused and his attorney should be present;

Third, authorize a psychiatric examination or temporary commitment for such examination, only upon an initial determination by the court "that there is reasonable cause to doubt the mental competency of the accused;"

Fourth, limit the commitment, if commitment is ordered, for a "reasonable period, not to exceed 30 days, as the court may determine;"

Fifth, require a further hearing on the issue of mental competency to stand trial, if the initial report of the physician "indicates a state of present mental incompetency";

Sixth, guarantee to an accused found mentally incompetent and committed pursuant to the provisions of the statute, the right to a periodic reexamination, not more frequently than every 6 months, on the application of his attorney, legal guardian, spouse, parent, or nearest adult relative.

Mr. Speaker, I have submitted this bill to the four prior Congresses. Long hours of study, research, and deliberation have gone into its preparation. This study and deliberation have been augmented by consultation with many national legal and medical experts in this particular field. Not only has consultation and concurrence been obtained from national legal experts, but invaluable counsel and

advice have been received from the members of the Greene County Bar Association of Missouri, located in the district I represent, and where the Federal Medical Center for Defective Delinquents is located; and also from alienists, hospital authorities, and mental hospital superintendents. It would affect the Department of Justice, Federal Medical Center, St. Elizabeths Hospital, here in the District of Columbia, and so forth.

In conclusion, Congress enacted far-sweeping civil rights legislation during the last decade. However, these prior Congresses completely forgot the greater sphere of civil rights due to the emotionalism present at that time. Such lack of action has provided no relief to the mental incompetent or to the alleged insane. Therefore, as we begin a new decade, let this Congress be known as the one that restored civil rights and due process to a class of citizens long neglected by the law. Let this bill be known as the Personal Rights Protective Act of 1971.

PREVENTION OF IMPORTATION OF HEROIN

(Mr. MURPHY of New York asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MURPHY of New York. Mr. Speaker, the official position of the administration on opium was outlined by John Ingersoll, the director of the Bureau of Narcotics and Dangerous Drugs in January of 1970. He told the United Nations Commission on Narcotic Drugs that only a total ban or world opium production would eliminate opium addiction. He made the same recommendation in the second special session of the Commission in September 1970. And it was announced that he intends to take that position again in October of this year when the Commission meets in its 24th session.

After returning from Southeast Asia recently, Ingersoll pointed out that the problem of the elimination of opium production in many countries of the world was complicated by "deep-rooted socioeconomic factors which influence both the ability and the incentive to suppress production" of opium.

Mr. Speaker, this has been going on for years. I am convinced that the "ability" resides in the governments in the countries involved, to eliminate either the production or the distribution and processing of opium and opium derivatives which are destined for the United States.

I cannot believe that it is impossible to interdict the production and sources of supply on the part of such countries as France, Turkey, Mexico, Greece, and Lebanon. I feel that Mr. Ingersoll was closer to the truth when he referred to the fact that these nations need an "incentive" to suppress production and distribution of these drugs. I am now drafting legislation, which I ask members of this delegation to join me in cosponsoring, which would provide the "incentive" to those countries that have been drag-

ging their feet in knocking out the clandestine production of opium and the criminal network of refinement and distribution that has been allowed to go on for many decades. I feel it is time we quit playing games with these nations and let them know in no uncertain terms that the United States of America will no longer tolerate this unhindered criminal traffic or be assuaged by window dressing displays of eliminating a few poppy fields and arresting a few traffickers.

My legislation would expand the punitive concept some members supported in January 1971, which was embodied in my bill, H.R. 250. H.R. 250 would punish those countries which allow narcotic drugs to be produced and processed and which are destined for the United States, by suspending economic and military aid to such countries until they take the appropriate steps to stop the dope traffic.

I am now going to expand this concept with new legislation that I am refining which would do two things:

First, the legislation would prohibit the issuance of visas to Americans who wish to visit those countries that have been identified as opium producers or processors.

Second, my legislation would prohibit the immigration of residents from these countries into the United States.

I am certain that this approach would provide the incentive to the governments involved.

I am certain they would—in very short order—devise ways to eradicate the poppy crops.

I am certain they would apprehend those criminals who have been identified for many years but have been allowed to go on and on and on participating in the drug traffic which ultimately leads to the addiction of our young people on the streets and in the schools of America.

I feel that such a drastic step is warranted in view of the recent figures on narcotic addiction in this country and in view of the impact that narcotic drugs are having on our military forces and on our school age population. I feel that the U.S. Congress should let these countries know in no uncertain terms that we have had enough and that we are willing to temporarily suspend our amicable relationships in order to put a stop to this outrageous international disgrace.

If nothing else, the introduction of this legislation will put these countries on notice that because of their apparent lack of respect for the lives of young Americans this country will not allow its citizens to visit their countries nor will it allow their citizens to immigrate to the United States.

THE NEDZI-WHALEN AMENDMENT SHOULD BE ADOPTED

(Mr. ABOUREZK asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ABOUREZK. Mr. Speaker, in 1964 the American people were told that a vote for Lyndon Johnson was a vote for peace.

We voted for him and we got war. In 1965, 1966, and 1967 we were told that just 1 more year of patience would bring victory and an end to the war. We waited patiently and the war went on. In 1968 we were told that a vote for President Nixon was a vote for his plan to end the war. The Nation voted for Nixon and so far we have gotten 2½ more years of war.

Over and over again the taxpayers have asked that their dollars be returned from Vietnam to be put to work meeting the desperate needs here in America. Over and over again the families of America have begged for the return of their sons.

In response to these pleas we are asked to wait. We are told that the war may have been a mistake, but now we must stay in to save our pride. We are told that we can never leave Vietnam until that elusive day when the South Vietnamese generals are finally ready to defend themselves, and more recently, until all our prisoners are released, when we are well aware that the other side is determined to keep them until we do set a date for withdrawal.

After all of the half-truths, overoptimistic hopes, and outright lies we have been fed about Vietnam, it really should not come as a great surprise that this war was planned and plotted by a Johnson administration which at the very same time was saying it was against a Vietnam war. What the revelations by the New York Times really show is that from the very beginning top Government officials knew that the people of the United States would not support a massive land war in Asia. They knew that the only way the war could be carried on was through a policy of official deception. This is the policy that was adopted in 1964, and which has continued to this day.

It is this policy of deception which has produced such double think terms as protective reaction, and free fire zone. It is this policy which has fostered the grizzly body count that deceives the people of America and demeans our Nation around the world. And it is this policy that has led directly to the most crippling distrust of government in the history of our Nation.

The documents which have been printed by the New York Times paint a picture of top level deception that is bound to tempt us into violent reaction against those involved in that deception. But, as much as we may abhor the trickery that got us into the Vietnam mess, I think it is a terrible mistake to focus our attention solely on that trickery and those who engaged in it.

As I speak here today, Americans are dying in Vietnam. The war is not over. Until it is we must have just one objective. We must work to end the war.

Congress has before it proposals which will bring our involvement in the war to a close this year. I support those proposals. But I do not support them because of some dramatic new newspaper story. I support them because I believe that the Vietnam war is absolutely indefensible and must be ended now.

It is not some spur of the moment emotion that tells me that Vietnam has

cost my State millions and millions of dollars which she desperately needs to build dams, irrigate her land, provide schools for her children and jobs for her people. I know that the entire cost of the Oahe irrigation project is less than we spend in Vietnam in 1 day. And I know that South Dakota farmers could receive 100-percent parity for far less than we waste in Vietnam in a month.

Nor is the fact that hundreds of South Dakotans have lost their lives fighting to save the skins of a handful of corrupt military dictators halfway around the world in Vietnam a momentary press sensation. I know personally of the terrible loss suffered by families in my State. I have been asked "Why?" by parents who have lost boys in Asia. I know what it feels like to have to try to explain what there is in Vietnam that could justify the grief those parents must live with for the rest of their lives.

Mr. Speaker, the war in Vietnam is, in my opinion, the most disastrous foreign policy mistake America has ever made. The price we have paid for this mistake is already high enough. Instead of recriminations and scapegoats, we need an end to the war, and we need it now. We need not talk any longer about bloodbaths in the event of a Communist takeover, or all of the other emotional arguments used to justify keeping this Nation in an endless involvement. The cost each day is so great we can no longer say that, "the President is winding down the war and we should leave it in his hands." The time has ended for Members of Congress to turn their backs on the responsibility for ending this war, and it is incumbent upon us to take legislative action to do so.

The Nedzi-Whalen amendment is a concrete step toward that end. I urge the House of Representatives to adopt the Nedzi-Whalen amendment without further delay.

STATEMENT OF CONGRESSMAN CLAUDE PEPPER OF FLORIDA TO THE SUBCOMMITTEE ON PUBLIC HEALTH AND ENVIRONMENT OF THE HOUSE INTERSTATE AND FOREIGN COMMERCE COMMITTEE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I was pleased today to be able to submit a statement to the Subcommittee on Public Health and Environment of the House Interstate and Foreign Commerce Committee on the important question of noise control. I feel this is a question in which we can make definite progress in this Congress and I would like to call my statement to the attention of our colleagues:

STATEMENT OF CONGRESSMAN CLAUDE PEPPER

Mr. Chairman, I appreciate the opportunity to appear before this committee in connection with this important noise control legislation. I represent the Eleventh Congressional District of Florida—a district which includes Miami International Airport. In

1968 there were 85,478 aircraft departures at Miami International, and of course a similar number of landings. Over 170,000 times a year my constituents are subjected to the noise of airplanes either taking off or landing. That breaks down to 467 operations a day, or almost 20 an hour. And this is an average for the entire year—there are many times during the year when aircraft are operating much more frequently than this. It is hardly necessary to say that the people of my district have a very strong interest in aircraft noise abatement—in fact, that is an extreme understatement.

In addition to the aircraft noise problem, we in the Miami area are subjected to the same problems of environmental noise that affect every large metropolitan area in the country. We are bombarded every day with an increasing volume of unwanted sound—from aircraft, from motor vehicles and other forms of transportation, from machinery in our factories, from appliances in our homes, from office equipment, from over-amplified rock music—the list is endless. And this excessive noise is more than just an irritant. It is a threat to health, both directly and indirectly.

The direct health problem is the effect which excessive noise has on hearing—and exposure to noise is a serious cause of hearing loss. The indirect health effects are harder to prove, but perhaps more serious in their effects on society. Such conditions as fatigue, hypertension, sleep disturbance, and decreased mental efficiency have been attributed at least in part to the effects of noise.

And, gentlemen, it does not have to be this way. This is a problem which, to a large extent, we know how to solve. The technology for noise abatement does not have to be developed—it already exists. What must be done is to apply this existing technology, to put these known methods into practical use on our airways, on our streets, in our factories, in our offices, in our homes, and anywhere else where excessive noise exists.

This is the kind of situation where legislation can be most effective—and that is where we in the Congress come in. By enacting laws which compel the use of quieter equipment and other noise abatement techniques, we can make a major contribution to solving this problem. The legislation that we pass should be firm, but it should not be unreasonable. We should avoid the twin pitfalls of inaction and of ecological extremism. To do nothing in the face of this growing menace to our health and well-being would be to disregard our duty as legislators. But it would be equally disastrous if we were to pass laws of such severity that they would outrun the available technology and cause the wheels of commerce and industry to stop turning.

I believe that the four bills I have cosponsored meet both these tests, of promoting noise abatement while avoiding serious economic dislocation. H.R. 8642 provides that, as of 1976, all commercial airliners would have to be ten decibels quieter than they are today and none could exceed the 108 decibel limit prescribed by the FAA. Keep in mind that a reduction of ten decibels is equivalent to cutting the perceived loudness in half. This would be a major contribution to solving the aircraft noise problem. The bill also provides for financial assistance to the airlines in their carrying out of this noise reduction program, by guaranteed loans and by permitting increased fares where the costs of retrofitting make such measures necessary. I believe this to be a reasonable approach to the problem of financing a program which would undoubtedly be a financial burden on the hard-pressed airlines.

The other three bills which I am sponsoring, H.R. 6987, H.R. 6989, and H.R. 6991, rep-

resent a comprehensive package of noise control legislation. The first of these, H.R. 6987, greatly expands the functions of the new Office of Noise Abatement and Control, provides for the establishment of noise standards for machinery, and includes a variety of other provisions which would be helpful in a broad-scale attack on the noise problem. H.R. 6989 would require the disclosure of the operational noise level of machinery distributed in interstate commerce, and H.R. 6991 would establish standards for the protection of industrial workers which would be much stronger than the standards that exist today.

Gentlemen, the time to act on a comprehensive noise abatement program is now. I believe that the passage of the four bills which I am endorsing would help in the control of a major ecological problem without causing such severe economic dislocation as to make the cure worse than the disease. Whether the legislation ultimately passed is in this form or in some other form, it must meet these twin tests of helping the ecology without harming the economy. That is the challenge which we must meet.

THE 30TH ANNIVERSARY OF THE COMMISSIONING OF WASHINGTON NATIONAL AIRPORT

(Mr. BROYHILL of Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROYHILL of Virginia. Mr. Speaker, today is the 30th birthday of Washington National Airport—three decades of service to the Nation's Capital, to her citizens, and to her lawmakers. I would like to take a moment today to recount for the Members some of the good things about Washington National. For I believe they far outweigh some of the bad things that have been said about this great airport in recent years.

Of course, we in northern Virginia are particularly aware of the great impact of National Airport on our community. National is truly a vital economic force for our area. You may be interested to know that, in terms of employees located at a single location within the State of Virginia, only two companies employ more people than the 8,500 employed at National Airport.

National provides good-paying jobs for more than 5,600 Virginia residents whose wages totaled just under \$6 million in 1970. And these figures reflect only the wages and salaries earned by Virginia residents and do not include the earnings of a very large number of residents who have jobs which are related to the airport's activities but are not located at the airport itself.

National Airport paid \$53 million in salaries to employee residents of Arlington County, Fairfax County, and Alexandria alone during 1970. The average annual wage earned by a northern Virginia resident working at National was \$10,589 last year. That's \$2,800 more than the average wage earned by other private industry employees in the Washington metropolitan area.

Another important indicator of just how dependent Virginia is upon National Airport is the taxes which the airport's employees pay their State and local gov-

ernments. In 1970, Washington National employees paid more than \$3.3 million to their respective State and local jurisdictions.

Considering five principal sources of State revenue—that is, income tax, sales tax, alcohol and tobacco taxes, and automobile license fees—National employees living in Virginia paid \$2.2 million to the State in 1970.

Local jurisdiction also benefit from taxes paid by National employees. About \$1.5 million was paid to northern Virginia jurisdictions by employees in income or sales taxes, real estate taxes, personal property taxes, and auto license fees. Real estate taxes alone are important, because about 60 percent of the airport employees living in northern Virginia own homes. The other 40 percent pay a total of close to \$5 million a year in rent to their landlords.

All of this is without even mentioning the impact upon the northern Virginia economy of the goods and services purchased by the airlines and the Federal Government, which operates National. Of the \$26 million expended here by these groups during the past 3 years, more than \$10 million was beneficial to northern Virginia.

Suffice it to say that National Airport, in addition to being a model of safety and convenience for the air traveler, is also a most formidable economic force in Virginia. We in northern Virginia, so cognizant of this airport which provides thousands of our citizens with their economic livelihood, salute Washington National for 30 years of successful operation and service to the citizens, not only of the northern Virginia area, but of the entire Nation.

THE IMPACT BRASS AND SINGERS

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, through your consideration this morning, the "Impact Brass and Singers", a group of 15 young students from Ozark Bible College in Joplin, Mo., which is located in the Missouri Seventh Congressional District, presented a thrilling concert of religious and patriotic songs on the House steps of the U.S. Capitol.

These fine young Americans, along with their conductor, T. Meredith Williams, and faculty advisers, are in the midst of a lengthy summer tour, that will take them around the country.

It was a pleasure to see so many tourists, casual passers-by, as well as Members of Congress, pause, listen, and applaud their program. It can truly be said that the Impact Brass and Singers, have left their impact on our Nation's Capitol.

I commend these students on the good work that they do, and the Ozark Bible College for the encouragement that they give. They are a credit to their city, their State, and Nation.

At this point I would like to include the names and hometowns of the group:

IMPACT BRASS AND SINGERS—1971 SUMMER
TOUR
STUDENTS

Ken Manning, Lake Charles, La., trumpet-singer.
David Hartman, Bluffton, Ohio, trumpet-singer.
Perry Anderson, Broken Arrow, Okla., trumpet.
Tom Lawson, Lexington, Ky., french horn.
Donna McEathron, Mill Creek, Ind., french horn-singer.
Liz Batchelder, Sapulpa, Okla., french horn-singer.
Charles Mayes, Muskogee, Okla., trombone.
Dan Otero, Joplin, Mo., trombone.
David Strange, Paoli, Ind., trombone.
Earl Meyers, Garnett, Kans., baritone-singer.
Dan Benke, San Antonio, Tex., tuba.
Paul Standley, Amarillo, Tex., snare drum.
Cindy Phillips, Tulsa, Okla., chimes-singer.
Larry Roseen, Cherokee, Iowa, guitar-singer.
Barb Bigger, Terre Haute, Ind., tympani-singer.

FACULTY

T. Meredith Williams, Joplin, Mo., director.
B. Willis Harrison, Joplin, Mo.
Ralph Mehrens, Joplin, Mo.

BUS DRIVER

Gale Webb, Webb Transportation Co., Joplin, Mo.

A BLOW TO THE BILL OF RIGHTS

(Mr. MIKVA asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MIKVA. Mr. Speaker, the Bill of Rights freedoms have had a series of body blows in this administration. History may record that yesterday's blow against freedom of the press was the most damaging of all.

Through innumerable wars and countless other crises, the Federal Government has never sought to enjoin the publication of a legitimate newspaper. Yesterday, this administration broke that record into smithereens. It is clear that the reason for prohibiting further publication of the story of the Vietnam war is not the protection of our troops or the efficacy of our national efforts. Rather, the injunction against the New York Times is to protect Government officials, past and present, from being confronted with the truth. One commentator said there were no surprises in the disclosures about how we got into the war since everyone suspected the deceit and intrigue that are being reported.

If that is true, it means that the people lost confidence in their Government a long time ago. Yesterday's action by this administration makes sure that the people will not regain confidence in their Government for a long time to come.

"Ye shall know the truth, and the truth shall make you free," was said some 1939 years ago. The converse is also true, and the administration's attempts to stifle the truth endangers the fundamental legacy of our country as a free society.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PODELL, for today, for 15 minutes.
(The following Members (at the request of Mr. YOUNG of Florida) to revise and extend their remarks and include extraneous matter:)

Mr. McCLOSKEY, for 30 minutes, today.
Mr. MILLER of Ohio, for 5 minutes, today.

Mr. STEELE, for 5 minutes, today.
Mr. BELL, for 15 minutes, today.
Mr. RUPPE, for 10 minutes, today.

(The following Members (at the request of Mr. DAVIS of South Carolina) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. RARICK, for 15 minutes, today.
Mr. REUSS, for 20 minutes, today.
Mr. COTTER, for 10 minutes, today.
Mr. GONZALEZ, for 10 minutes, today.
Mr. VANIK, for 20 minutes, on June 17.
Mr. MITCHELL, for 60 minutes, on June 18.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DEL CLAWSON immediately following the remarks of Mr. EDWARDS of California.

Mr. SIKES in five instances and to include extraneous matter.

Mr. DON H. CLAUSEN, to follow the remarks of Mr. DENNIS.

Mr. RANDALL in the Committee of the Whole today prior to the vote on the Leggett amendment.

(The following Members (at the request of Mr. YOUNG of Florida) and to include extraneous matter:)

Mr. HORTON in two instances.
Mr. DERWINSKI in three instances.
Mr. SCHWENDEL in two instances.
Mr. WYMAN in two instances.
Mr. MILLER of Ohio.
Mr. KEMP in three instances.
Mr. ARCHER.

Mr. FULTON of Pennsylvania in five instances.

Mr. DUNCAN in three instances.
Mr. HOSMER in four instances.
Mr. PRICE of Texas.
Mr. CONTE.
Mr. MIZELL.
Mr. McCLODY.
Mr. HUNT.

(The following Members (at the request of Mr. DAVIS of South Carolina) and to include extraneous matter:)

Mr. DAVIS of Georgia in five instances.
Mr. DINGELL in six instances.
Mr. O'NEILL in two instances.
Mr. HAMILTON.
Mr. FRASER.
Mr. BEGICH in three instances.
Mr. ASPIN in five instances.
Mr. FASCELL in five instances.
Mr. RARICK in two instances.
Mr. WALDIE in eight instances.
Mr. STUCKEY.
Mr. ROONEY of New York in two instances.

Mr. HOLIFIELD in two instances.
Mr. BRADEMAS in six instances.
Mr. PATTEN.
Mr. MURPHY of New York.
Mr. WILLIAM D. FORD.
Mrs. CHISHOLM in two instances.

Mr. DOW.
Mr. JACOBS in two instances.
Mr. DANIELS of New Jersey.
Mr. COTTER in two instances.
Mr. KLUCZYNSKI in two instances.
Mr. BRINKLEY.
Mr. BARRETT.
Mr. MINISH in two instances.
Mr. GONZALEZ.
Mr. HAGAN in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 979. An act to extend the Act of September 30, 1965, as amended by the Acts of July 24, 1968, and October 13, 1970, relating to high-speed ground transportation, by removing the termination date thereof, and for other purposes; to the committee on Interstate of Foreign Commerce.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 575. An act to extend the Public Works Acceleration Act, the Public Works and Economic Development Act of 1965, and the Appalachian Regional Development Act of 1965.

ADJOURNMENT

Mr. DAVIS of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 32 minutes p.m.) under its previous order, the House adjourned until tomorrow, Thursday, June 17, 1971 at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

860. A communication from the President of the United States, transmitting amendments to the request for appropriations transmitted in the budget for fiscal year 1972 for various departments and agencies (H. Doc. No. 92-130); to the Committee on Appropriations and ordered to be printed.

861. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to authorize the appropriations of \$1,300,000 as an ex gratia payment to the city of New York to assist in defraying the extraordinary and unprecedented expenses incurred during the 25th General Assembly of the United Nations; to the Committee on Foreign Affairs.

862. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the National Traffic and Motor Vehicle Safety Act of 1966 to provide for the development of a consumer information program concerning the damage susceptibility and crashworthiness of passenger cars, and for other purposes; to the Committee on Interstate and Foreign Commerce.

863. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to increase the limit on dues for U.S. membership in the International Criminal Police Organization; to the Committee on the Judiciary.

864. A letter from the Secretary of the Army, transmitting a draft of proposed legis-

lation to provide for non-Federal operation and maintenance of recreational small boat harbors constructed by the United States; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk, for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. S. 1700. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury. (Rept. No. 92-276). Referred to the Committee on the Whole House on the State of the Union.

Mr. YOUNG of Texas: Committee on Rules. House Resolution 479. A resolution providing for the consideration of H.R. 1. A bill to amend the Social Security Act to provide increases in benefits, improve computation methods, and raise the earnings base under the OASDI program, to make improvements in the medicare, medical, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to authorize a family assistance plan providing basic benefits to low-income families with children with incentives for employment and training to improve the capacity for employment of members of such families, to achieve more uniform treatment of recipients under the Federal-State public assistance programs and otherwise improve such programs, and for other purposes (Rept. No. 92-277). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 480. A resolution providing for the consideration of H.R. 7736. A bill to amend the Public Health Service Act to extend for 1 year the student loan and scholarship provisions of titles VII and VIII of such act (Rept. No. 92-278). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 481. A resolution providing for the consideration of H.R. 8629. A bill to amend title VII of the Public Health Service Act to provide increased manpower for the health professions, and for other purposes (Rept. No. 92-279). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 482. A resolution providing for the consideration of H.R. 8630. A bill to amend title VIII of the Public Health Service Act to provide for training increased numbers of nurses (Rept. No. 92-280). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 483. A resolution providing for the consideration of H.R. 234. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the United States Government except in conformity with the provisions of title 18 (Rept. No. 92-281). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 9175. A bill to provide reimbursement for losses incurred by commercial fishermen, as well as allied sport fishing camps, as a result of restrictions imposed by a State or the Federal Government; to the

Committee on Merchant Marine and Fisheries.

By Mr. BROYHILL of Virginia:

H.R. 9176. A bill to designate the bridge authorized by the act of October 4, 1966, as the "Light Horse Harry Lee Bridge"; to the Committee on the District of Columbia.

By Mr. CELLER:

H.R. 9177. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of police officers killed in the line of duty; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 9178. A bill to provide increases in certain annuities payable under chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9179. A bill to amend title XVIII of the Social Security Act to include dental care, eye care, dentures, eyeglasses, and hearing aids among the benefits provided by the insurance program established by part B of such title; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 9180. A bill to provide for the temporary assignment of a U.S. magistrate from one judicial district to another; to the Committee on the Judiciary.

By Mr. FRASER (for himself, Mr. FASCELL, Mr. BINGHAM, Mr. FRELINGHUYSEN, and Mr. FINDLEY):

H.R. 9181. A bill to amend the Northwest Atlantic Fisheries Act of 1950; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 9182. A bill to amend title 38 of the United States Code to provide improved medical care to veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FULTON of Tennessee:

H.R. 9183. A bill to amend the Internal Revenue Code for 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 9184. A bill to establish drug abuse control organizations in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. HALL:

H.R. 9185. A bill to amend title 18 of the United States Code to protect the constitutional rights of mentally incompetent persons committed thereunder, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN (for himself, Mr. ADDABBO, Mr. BRASCO, Mr. BUCHANAN, Mrs. CHISHOLM, Mr. CLARK, Mr. DANIELSON, Mr. GRAY, Mr. GUBSER, Mr. HANLEY, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HUTCHINSON, Mr. LEGGETT, Mr. LENNON, Mr. MEEPS, Mr. PODELL, and Mr. ROE):

H.R. 9186. A bill to amend title 10 of the United States Code, in order to implement a comprehensive program for treating and rehabilitating members of the Armed Forces who are drug addicts, and for other purposes; to the Committee on Armed Services.

By Mr. HALPERN (for himself, Mr. RARICK, Mr. ABERNETHY, Mr. BADILLO, Mr. DANIELSON, Mr. POWELL, Mr. MORSE, Mr. BRASCO, Mr. HELSTOSKI, Mr. WALDIE, Mr. HARRINGTON, Mr. TIERNAN, Mr. DELLUMS, Mr. SHOUP, Mr. ROSENTHAL, Mr. ROY, Mr. POAGE, Mr. PRICE of Texas, Mr. DENHOLM, Mr. HECHLER of West Virginia, Mr. RUNNELS, and Mr. DAVIS of South Carolina):

H.R. 9187. A bill to amend the Internal Revenue Code of 1954 to allow a deduction

for expenses incurred by a taxpayer in making repairs and improvements to his residence; to the Committee on Ways and Means.

By Mr. HAMILTON:

H.R. 9188. 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; to the Committee on Foreign Affairs.

By Mr. McCLURE:

H.R. 9189. A bill to permit American citizens to hold gold coins; to the Committee on Banking and Currency.

By Mr. MITCHELL (for himself, Mr. BYRON, Mr. GARMATZ, Mr. GUDE, Mr. HOGAN, Mr. LONG of Maryland, Mr. MILLS of Maryland, and Mr. SARBANES):

H.R. 9190. A bill to require a study of the north branch of the Potomac River Basin by the Secretary of the Army; to the Committee on Public Works.

By Mr. MORGAN (for himself, Mr. GOODLING, and Mr. STRATTON):

H.R. 9191. A bill to provide for orderly trade in iron and steel products; to the Committee on Ways and Means.

By Mr. O'HARA:

H.R. 9192. A bill to prohibit any person from receiving contributions or making expenditures to promote the candidacy of any individual for Federal office without the written consent of such individual, to limit the amount spent by or on behalf of a candidate for Federal office, and to require the reporting of campaign receipts and expenditures; to the Committee on House Administration.

By Mr. RARICK:

H.R. 9193. A bill to amend the Internal Revenue Code of 1954 to allow an itemized deduction for motor vehicle insurance premiums; to the Committee on Ways and Means.

By Mr. RANGEL (for himself and Mr. GUDE):

H.R. 9194. A bill to amend section 620 of the Foreign Assistance Act of 1961 to prohibit foreign assistance from being provided to foreign countries which do not act to prevent narcotic drugs from unlawfully entering the United States; to the Committee on Foreign Affairs.

By Mr. ROY (for himself, Mr. BURTON, Mr. DANIELSON, Mr. EILBERG, Mr. GIBBONS, Mrs. MINK, Mr. MURPHY of Illinois, Mr. PODELL, Mr. RYAN, Mr. SCHEUER, Mr. STOKES, Mr. WALDIE, and Mr. YATES):

H.R. 9195. A bill to provide for uniform and full disclosure of information with respect to the computation and payment of interest on certain savings deposits; to the Committee on Banking and Currency.

By Mr. ROYBAL:

H.R. 9196. A bill to amend the Public Health Service Act to continue and broaden eligibility of schools of nursing for financial assistance, to improve the quality of such schools, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHWENGEL:

H.R. 9197. A bill to authorize and direct the Commissioner of the District of Columbia to conduct a referendum on the question of statehood for the District, and for other purposes; to the Committee on the District of Columbia.

By Mr. SISK (for himself and Mr. JOHNSON of California):

H.R. 9198. A bill to amend the act of July 4, 1955, as amended, relating to the construction of irrigation distribution systems; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of California:

H.R. 9199. A bill to amend section 205 of

the Flood Control Act; to the Committee on Public Works.

By Mr. WHITEHURST:

H.R. 9200. A bill to amend the act of June 29, 1906 to apply to the transportation of animals in interstate commerce by motor vehicle; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES H. WILSON (for himself, Mr. BARRETT, Mrs. CHISHOLM, Mr. DANIELSON, Mr. DENT, Mr. HOWARD, Mr. METCALFE, Mrs. MINK, Mr. PATMAN, Mr. PEPPER, Mr. SAYLOR, Mr. STOKES, and Mr. WRIGHT):

H.R. 9201. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BELL:

H.R. 9202. A bill to amend the Economic Opportunity Act of 1964 to establish a National Legal Services Corporation, and for other purposes; to the Committee on Education and Labor.

By Mr. COTTER:

H.R. 9203. A bill to amend the Urban Mass Transportation Act of 1964 to increase the amount of the Federal grants authorized thereunder for mass transportation facilities and equipment, and to authorize special grants to assist in the provision of transportation services during nonpeak hours; to the Committee on Banking and Currency.

H.R. 9204. A bill to provide financial assistance to the National Railroad Passenger Corp. for the purpose of purchasing new, high-speed railroad passenger equipment; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS of South Carolina (for himself and Mr. McMILLAN):

H.R. 9205. A bill to provide emergency indemnity payments to farmers suffering total economic loss as a result of a natural disaster; to the Committee on Agriculture.

By Mr. DONOHUE:

H.R. 9206. A bill to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. FREY (for himself, Mr. BIES-TER, Mr. DU PONT, Mr. HALPERN, Mr. HASTINGS, Mr. HOGAN, Mr. KEATING, Mr. LENT, Mr. McCLORY, Mr. McKINNEY, Mr. McKEVITT, Mr. RUTH, and Mr. SCHNEEBELI):

H.R. 9207. A bill to establish a comprehensive treatment and rehabilitation program for narcotic drug users in the Armed Forces; to the Committee on Armed Services.

H.R. 9208. A bill to provide new penalties for the use, possession, sale, or transfer of a narcotic drug, marijuana, or a depressant or stimulant substance for members of the armed services; to the Committee on Armed Services.

H.R. 9209. A bill to provide new procedures for the civil commitment of drug dependent persons and to expand the scope of the provisions of titles 18 and 28 of the United States Code relating to the treatment of drug dependent persons in criminal proceedings, and for other purposes; to the Committee on the Judiciary.

H.R. 9210. A bill to amend title 38 of the United States Code to provide for the care and treatment of drug dependent former servicemen in Veterans' Administration facilities; to the Committee on Veterans' Affairs.

By Mr. HOWARD:

H.R. 9211. A bill establishing under the Secretary of Agriculture a 5-year research program seeking to control the gypsy moth, and for other purposes; to the Committee on Agriculture.

By Mr. PERKINS (for himself, Mr. DENT, Mr. DANIELS of New Jersey, Mr. HAWKINS, Mrs. MINK, Mr. CLAY, Mr. GAYDOS, Mr. WILLIAM D. FORD, Mr. BIAGGI, Mr. MAZZOLI, Mr. PUCINSKI, and Mr. BRADEMAS):

H. R. 9212. A bill to amend the provisions of the Federal Coal Mine Health and Safety Act of 1969 to extend black lung benefits to orphans whose fathers die of pneumoconiosis, and for other purposes; to the Committee on Education and Labor.

By Mr. STEELE (for himself, Mr. MURPHY of Illinois, Mr. ANNUNZIO, Mr. BAKER, Mr. BARING, Mr. BRASCO, Mr. BROYHILL of North Carolina, Mr. CARNEY, Mr. DON H. CLAUSEN, Mr. COLLINS of Illinois, Mr. CONTE, Mr. COUGHLIN, Mr. DENT, Mr. EILBERG, Mr. FINDLEY, Mr. FORSYTHE, Mr. FRASER, Mr. FRELINGHUYSEN, Mr. FRENZEL, and Mr. FULTON of Pennsylvania):

H.R. 9213. A bill to provide comprehensive treatment for servicemen and veterans who suffer from abuse of, or dependency on, narcotic drugs, and for other purposes; to the Committee on Armed Services.

By Mr. MURPHY of Illinois (for himself, Mr. STEELE, Mr. FULTON of Tennessee, Mr. GAYDOS, Mrs. GRASSO, Mr. HAWKINS, Mrs. HICKS of Massachusetts, Mr. HILLIS, Mr. KLUCZYNSKI, Mr. LENT, Mr. McCLOSKEY, Mr. McDADE, Mr. McDONALD of Michigan, Mr. McKINNEY, Mr. MAZZOLI, Mr. METCALFE, Mr. MIKVA, Mr. MINSHALL, Mr. MORGAN, and Mr. MORSE):

H.R. 9214. A bill to provide comprehensive treatment for servicemen and veterans who suffer from abuse of, or dependency on, narcotic drugs, and for other purposes; to the Committee on Armed Services.

By Mr. MURPHY of Illinois (for himself, Mr. STEELE, Mr. PELLY, Mr. PEPPER, Mr. POAGE, Mr. PODELL, Mr. POWELL, Mr. PUCINSKI, Mr. RHODES, Mr. RIEGLE, Mr. ROSTENKOWSKI, Mr. ROY, Mr. UDALL, Mr. WHALEN, Mr. WHITEHURST, Mr. CHARLES H. WILSON, Mr. WINN, Mr. YATRON, and Mr. ZION):

H.R. 9215. A bill to provide comprehensive treatment for servicemen and veterans who suffer from abuse of, or dependency on, narcotic drugs, and for other purposes; to the Committee on Armed Services.

By Mr. STEELE (for himself, Mr. MURPHY of Illinois, Mr. VANDER JAGT, Mr. LUJAN, Mr. VEYSEY, Mr. BROYHILL of Virginia, Mr. SPENCE, Mr. DRINAN, Mr. HARRINGTON, Mr. ROBINSON of New York, Mrs. HECKLER of Massachusetts, Mr. BURKE of Massachusetts, Mr. CEDERBERG, and Mr. BOLAND):

H.R. 9216. A bill to provide comprehensive treatment for servicemen and veterans who suffer from abuse of, or dependency on, narcotic drugs, and for other purposes; to the Committee on Armed Services.

By Mr. BOGGS (for himself and Mr. GERALD R. FORD):

H.J. Res. 714. Joint resolution designating the week of August 1, 1971, as "American Trial Lawyers Week"; to the Committee on the Judiciary.

By Mr. BRINKLEY:

H.J. Res. 715. Joint resolution: Stable Purchasing Power Resolution of 1971; to the Committee on Government Operations.

By Mr. CARTER:

H.J. Res. 716. Joint resolution: Stable Purchasing Power Resolution of 1971; to the Committee on Government Operations.

By Mr. FRENZEL:

H.J. Res. 717. Joint resolution proposing an amendment to the Constitution of the

United States to limit the tenure of office of Senators and Representatives, and to provide an age limit for Senators and Representatives; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.J. Res. 718. Joint resolution authorizing the President of the United States to issue a proclamation designating the week beginning October 10, 1971, as "National Records Management Week"; to the Committee on the Judiciary.

By Mr. HOSMER:

H.J. Res. 719. Joint resolution: Stable Purchasing Power Resolution of 1971; to the Committee on Government Operations.

By Mr. JOHNSON of Pennsylvania:

H.J. Res. 720. Joint resolution: Stable Purchasing Power Resolution of 1971; to the Committee on Government Operations.

By Mr. WYATT:

H.J. Res. 721. Joint resolution: Stable Purchasing Power Resolution of 1971; to the Committee on Government Operations.

By BINGHAM (for himself, Mr. BURTON, Mr. ASPIN, and Mr. CORMAN):

H. Con. Res. 336. Concurrent resolution authorizing the placing of a bust or statue of Martin Luther King, Jr., in the Capitol; to the Committee on House Administration.

By Mr. BRADEMAS:

H. Con. Res. 337. Concurrent resolution to provide for the printing of 250 additional copies each of parts 1 and 2 of the hearings before the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce entitled "Drug Abuse Control Amendments—1970"; to the Committee on House Administration.

By Mr. HARRINGTON:

H. Con. Res. 338. Concurrent resolution to establish a select joint committee to be known as the Committee on Freedom of Information; to the Committee on Rules.

By Mr. McDADE:

H. Con. Res. 339. Concurrent resolution expressing a proposal by the Congress of the United States for securing the safe return of American prisoners of war and the withdrawal of all military personnel in South Vietnam by December 31, 1971; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANNUNZIO:

H.R. 9217. A bill for the relief of James A. Boyajian; to the Committee on the Judiciary.

By Mr. BAKER:

H.R. 9218. A bill for the relief of Jesse McCarter, Georgia Villa McCarter, Kathy McCarter, and Edith McCarter; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 9219. A bill for the relief of Allenda M. Aguilar; to the Committee on the Judiciary.

By Mr. BURLISON of Missouri:

H.R. 9220. A bill to authorize the Secretary of the Interior to sell reserved mineral interests of the United States in certain land in Missouri to George Sisler, the record owner of the surface thereof; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

86. The SPEAKER presented a petition of Henry Stoner, York, Pa., relative to the publication of various documents by the New York Times, which was referred to the Committee on Foreign Affairs.